

**Hearing with the European Affairs and Constitutional Affairs Committees
of the Chamber of Deputies and of the Senate**

*"The priorities of my mandate: a comprehensive approach to the area of
justice, freedom and security"*

Rome, 29 April 2010

Intervention of Commissioner Malmström



- I am glad to be here today to discuss with you with my priorities for the years to come. With the adoption of the Stockholm Programme, the Union has set an ambitious plan in the area of freedom, security and justice for the next five years and I am fully committed to ensure that we meet the challenges ahead of us.
- With the adoption of the Action Plan last week I have translated the aims and priorities of the Stockholm programme into concrete actions with clear timetable and deliverables.
- The role of the national Parliaments in the implementation of the ambitious objectives we have set ahead of us is essential to respond to the expectations of our citizens. The Union needs to be closer to its citizens and national

Parliaments can ensure their crucial association to the shaping of the future of Europe.

- Citizens rightly expect to live in a peaceful and prosperous Europe confident that their rights are fully respected and their security provided. And it is my clear intention to ensure that their expectations are not disappointed.

Asylum and Immigration

- First of all, one of my top priorities will be the consolidation of a genuine common immigration and asylum policy.
- I am fully committed to develop a **coherent and ambitious legal migration policy**, while respecting Member states' competences as regards the volumes of admission of migrant workers in their labour markets.
- We are indeed facing demographic challenges that will remain far beyond the economic crisis. We know that Italy, like many other countries, is facing a problem of an ageing society, where the contribution of migrants may be critical. More generally, I am convinced that labour immigration can contribute to increased competitiveness and economic vitality in the EU in the coming years.
- A common legal migration policy will have to be based on the needs and priorities of national labour markets, as well as on enhanced integration policies and a uniform level of rights and obligations for migrants legally residing in the EU.
- Future actions of that kind will therefore include developing new and flexible admission systems for economic immigration. Later this year I intend to put forward two proposals, one for **intra-corporate transfer** of key personnel of international companies and the other one for **seasonal workers**. This latter proposal, in particular, is important not only for the reason that EU

economies face a structural need for seasonal workers, but also in the context of enhancing the fight against both the exploitation of migrant workers and illegal immigration. This is an issue of great concern to your country and I look forward to learning from your experience.

- I wish also to launch this year a wide public debate on **family reunification** by means of a Green Paper. This may be followed by a legislative proposal in 2012.
- Finally, a communication on the EU **Agenda for integration** will look in 2011 at how we can enhance existing tools of coordination of integration policies and develop new instruments.
- I am also aware of the high number of **unaccompanied minors** who arrive in Europe and Italy: the EU needs to adopt a common approach on this very sensitive issue of common concern. Italy is one of the most concerned Member States and I hope I can count on your support. The Commission will propose next week an Action plan on issues such as prevention, reception and durable solutions¹ for this very vulnerable group of people.
- Protection and the principle of the best interest of the child will be mainstreamed throughout all actions. We respect fully the principles of the UN Convention on the Rights of the Child and our own Charter of Fundamental Right.

Asylum

- The establishment of a Common European Asylum System is one of my priorities for the years to come, in line with the ambitious objectives set by the Stockholm Programme.

¹ Return and reintegration; a legal status in the EU and integration in the Member State of residence; or resettlement.

- It is not acceptable that in our Union, based on the same values and the same principles, the chances of obtaining protection are radically different from one country to another.
- It is necessary to improve **existing legislation**, because it is now clear that the first generation standards did not achieve the desired objectives. Proposals currently on the table remove many of the shortcomings in protection identified at EU level. We are determined to set up a **common procedure and a uniform status** of protection by 2012.
- Only a genuine harmonisation of the mechanisms of asylum at European level around clear standards, giving priority to efficiency and fairness will enable Europe to demonstrate its protection of those in need, while avoiding ambiguous standards implemented unevenly.
- **Italy** is one of the Member States which has supported this approach and I am sure I can count on a continued constructive dialogue with you on these matters.
- However, in the field of asylum, the approximation of legislation is not enough to guarantee protection equality: **national practice also needs to be harmonised**.
- In this respect the **European Asylum Support Office** will play a major role in developing a common approach on asylum, by providing tools to commonly assess country of origin information and by developing best practices or common manuals.
- I will also continue to work on strengthening **solidarity within the Union**. It is clear that some Member States, such as Italy, are confronted with a heavy burden on their asylum system, either because of the number of applications

received or because of the number of applications as a percentage of their population.

- I will present in 2011 a Communication on enhanced intra-EU solidarity, which will examine how we can create a coherent and comprehensive framework for better responsibility sharing in respect of asylum seekers and beneficiaries of international protection across the EU.
- The Support Office will also provide technical and operational support to Member States faced with particular pressures, via the deployment of asylum expert teams.
- I am also convinced that the EU can do more to share the **responsibility for refugees with third countries** and countries of first asylum, which receive a far greater percentage of the world's refugees than we do in Europe.
- I will push for the rapid adoption of the common **EU resettlement programme**. Resettlement of the most vulnerable refugees from third countries to the EU should become an integral part of the EU's asylum policy in meeting the protection needs of refugees in third countries. I am glad that Italy has agreed to resettle some refugees originating from the Horn of Africa in 2010.

Irregular migration

- In order to preserve the credibility of the Union's migration policy, we have to implement a clear strategy in the fight against irregular migration, in particular in your case the irregular flows coming across the Mediterranean.
- **Our strategy needs to be comprehensive** and should cover a) reinforcing the EU's external borders, b) work with the main countries of origin and transit and c) include EU internal measures.

- Our policies will of course need to respect our international obligations and ensure that those in need of international protection get it.

a) External borders

- The Commission is satisfied with the agreement reached on the Decision on border surveillance operations under Frontex coordination at sea. This decision will ensure the full respect of fundamental rights, in particular the principle of *non-refoulement*, facilitate the preparation and the smooth implementation of sea border surveillance operations coordinated by FRONTEX and contribute to mutual trust.
- I am convinced that a reinforcement of Frontex needs to be accompanied by clear rules on the conduct of operations.
- This **revision of Frontex's mandate** will strengthen its operational capabilities in assisting Member States.
- The proposal provides a solid basis for discussions with the European Parliament and the Council and on how to turn the Frontex Agency, which has lacked resources for its many tasks, into a truly European external borders agency.
- I count on Italy's cooperation for a swift adoption of the Commission's proposal on the amendment of the Frontex Regulation.
- Frontex is determined to improve operational cooperation and in February **decided to launch a pilot project for an operational office in Greece (Piraeus)**. This will contribute to the preparation, implementation and evaluation of Frontex-coordinated joint operations in the **Eastern Mediterranean region**.

- While protecting our borders, we must of course ensure that Europe remains accessible to bona fide travellers. **Smart use of modern technologies** in border management will not only help us achieve this goal but will also stimulate industrial innovation.
- The Commission will put forward in 2011 proposals to set up an Entry-Exit System for third country nationals crossing EU external borders and a Registered Traveller Programme. There will also be a Communication on the possibility of introducing an EU Electronic System for Travel Authorisation (EU-ESTA).

b) Cooperation with third countries

- In the external area, I am determined to foster implementation of the **Global Approach to Migration** by increased coordination with the Member States, and by the enhanced use of all its existing instruments, in particular through the negotiation of mobility partnerships and financial and technical assistance.
- I intend to give priority to relations with the origin and transit countries from which the migration flows reaching our Mediterranean borders come. We must persuade them to cooperate more effectively in the fight against the criminal organisations behind a lot of illegal immigration and with trafficking in human beings. We need their help too to organise return and readmission. Countries like **Morocco and Libya** are already at the centre of the action of the Commission.
- I also attach great importance to our friend and neighbour, Turkey, a candidate country to join the EU with which we expect very close cooperation. When implementing our policies, we should always be aware of

the complexity of migratory flows, and have a balanced policy, in line with our Global Approach to migration.

- This implies that, in parallel with the fight against illegal migration, we will need also to make a serious effort to encourage and facilitate the use of regular channels for migration and mobility.
- Furthermore, we must constantly address root causes of migration in countries of origin.
- Besides the Mediterranean, we also focus on migratory flows from other parts of the world and reinforce our policies on the EU's eastern borders.

c) **EU internal measures**

- Dealing with irregular migration also means that we should do more to **address pull factors in the EU itself**. The attraction of our grey and black labour market is certainly among the main magnets. The Employers Sanctions Directive is an important tool to counter the irregular employment of irregular migrants. Additional action will however certainly be required. We have to have honest, effective policies here at home if we are to manage properly a major international phenomenon like migration. There are no easy solutions, just a lot of hard work for us to do together.
- As you can see from my brief presentation, we have an ambitious plan in front of us.
- Women and men in Europe rightly expect to live in a peaceful, prosperous, and secure Union, confident that their rights are fully respected.

- The challenges ahead are multiple, but I am ready to engage in a constructive dialogue with Parliaments and all stakeholders to strengthen Europe's role in the world as a place which welcomes and integrates legal migrants, gives protection to those who fear persecution, deals fairly and efficiently with those who do not have a right to be in Europe and protects its citizens.
- The entry into force of the Lisbon Treaty enables the Union to demonstrate greater ambition in responding to the day-to-day concerns and aspirations of people in Europe. The role of the European Parliament has been promoted to that of co-legislator in most areas and the national parliaments will also have a stronger voice. This will make the EU more accountable for its actions and enhance the democratic legitimacy of what we do.
- I hope that you will join me that you will join me in turning our ambitious objectives into tangible results for our citizens. Italy faces great challenges on behalf of all of us because of history and geography. Let us work together in the common interest. Italy has always contributed ideas and initiatives to the development of European integration. In difficult economic times, we must build and obtain the political confidence of our peoples in responding to globalisation and its consequences. The European Union has the mechanisms to provide effective answers: let us get to work right away!