



COMMISSION OF THE EUROPEAN COMMUNITIES

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AVIS DU COMITE DES EVALUATIONS D'IMPACT

Proposal for a

COUNCIL DIRECTIVE

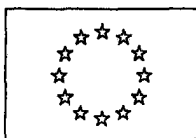
**on a single application procedure for a single permit for third-country nationals to
reside and work in the territory of a Member State
and
on a common set of rights for third-country workers legally residing in a Member State**

Summary of the impact assessment

[COM(2007) 638 final]

[SEC(2007) bbbb]

[SEC(2007) 1393]



Brussels, 13 July 2007
D(2007) 6502

Opinion

Title **Impact Assessment on: draft measures in relation to labour immigration**

(draft version of 21 June 2007)

Lead DG **DG JLS**

1) Impact Assessment Board Opinion

(A) Context

The Tampere European Council called for the development of a common EU policy on asylum and immigration. During the implementation of the Tampere programme (1999-2004) four directives were adopted, but not the proposal concerning the conditions of entry and residence of third-country economic migrants. Since then, the issue of economic migration has returned to the political agenda with the The Hague programme, conclusions of the Justice and Home Affairs Council, a green paper on economic migration, and a policy plan on legal migration. The current proposal follows up on this.

(B) Positive aspects

The description of the options is done in a clear and systematic way, and also includes information on risks, uncertainties, and transposition problems.

(C) Main recommendations for improvements

The recommendations below are listed in order of descending importance. Some more technical comments have been transmitted directly to the author DG.

General recommendation: The IA report needs clarification and more precise drafting on a number of critical sections, notably those on the objectives and the problem definition. The assessment of the budgetary implications should be elaborated and the analysis made more Member State specific.

(1) The sections on problem definition and objectives should be made more precise. The IA report should make it clear whether closing the rights gap between immigrant workers and national workers is an aim to be pursued in its own right, or whether it is

instrumental to facilitating intra-EU movement of immigrant workers or creating a level playing field, and whether/how it is preparing the ground for subsequent policy initiatives. Accordingly the evidence demonstrating the (Community dimension of the) problem and the analysis of subsidiarity (necessity and added value of EU action) should be further developed, as discussed and agreed with JLS during the Board meeting.

(2) Implications on public expenditure and revenues should be more elaborately assessed. While the IA report does quantify the direct increase in public expenditure, the (qualitative) analysis of budgetary, fiscal and social benefits which can be expected from a more orderly and well-managed migration and from an improved socio-economic performance from immigrants should be further elaborated. This enhanced analysis should – as discussed at the Board meeting – also better factor in the expected change in the number of legal immigrants and a possible increase in illegal employment, and try to come to a conclusion on what the net impacts might be.

(3) The consequences for individual Member States should be brought out more clearly. The annexes contain information on where the rights gaps are in each Member State. A summary of this information in the main IA report should be provided in such a way that it gives a better understanding of what the main changes are that each Member States would have to make. The Board appreciates that at the meeting JLS agreed to do this, while acknowledging that it will be difficult to project changes in migrant flows which would also influence the consequences for individual Member States.

(D) Procedure and presentation

An executive summary and an outline of the monitoring and evaluation arrangements need to be added.

2) IAB scrutiny process

Reference number	2007/JLS/003
Author DG	JLS-B-2
External expertise used	No
Date of Board Meeting	11 July 2007
Date of adoption of Opinion	13 July 2007