



Migration Final Recommendation

Our European Life and Social Europe Thematic Clusters

Final Draft

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Introduction

A sustainable and inclusive European future in regards to the topic of Migration is fundamentally achieved through an intersectional approach that addresses historical, structural, institutional, and individual drivers of discrimination, exclusion, and unequal access to resources based on, among other things, racism, ethnicity, nationality, class, gender, age, religion, sexual orientation, locality, migration or residence status, or disability. Nonetheless, inequity, discrimination, in-work poverty, social exclusion, and other forms of harm continues to persist and are exacerbated by restrictive migration and residence policies, as well as the continuous emphasis on policing migrants and marginalized communities.

This report thus advocates for a Europe in which all people are guaranteed their human rights and social inclusion, regardless of migration or residence status, and where human mobility is recognized as a positive reality and governed in a way that promotes equality, decent work, social inclusion, and well-being for all. To accomplish this, we recommend that:

Recommendations

1. Fight hate speech engaged by some sections of the media and political parties at local, regional, national and European political scope;
2. Delink Migration from security issues;
3. Put the focus on migrants, refugees and asylum-seekers as rights-holders.
4. Make the contribution of migrants to prosperity in Europe, also in the context of the recovery more visible and correctly understood by society at large: migrants fill important jobs in most sectors, including on the frontlines during the pandemic; they help counterbalancing the low birth rate and ageing demographic trends, thus



supporting the sustainability of the welfare system; their taxes support the sustainability of public budgets that we all benefit from;

5. Dismantle misconceptions about migrants unduly getting resources that should go in priority to nationals: resources allocated for integrating migrants and refugees are social investment and as such, the return on the investment is a safer, fairer, society for all;
6. Full learning opportunities, including volunteering, in local communities. Research shows that non-formal and informal education environments are best-placed to foster inclusion and a sense of belonging to local communities.

The EU should also facilitate good quality migration routes and processes that respect human rights and reflect EU rights and values, primarily by expanding regular pathways for migration, essential to guarantee safe passage and respect of migrants' human rights, and ensuring that access to existing residence permits is preserved. Despite the promise of the EU to work on increasing regular pathways, there is still much room for improvement as that aspect is practically absent from the 2020 Pact on Migration and Asylum and other frameworks such as the EU-OACPS Agreement and the new Africa-Europe Alliance. It is essential that the EU and its member states agree on a common and humane response to migration, and this can be done by:

7. Dropping all aspects of the New Pact on Migration and Asylum which attempt to erase the right to asylum, increase deportations and criminalise immigration, through increasing detention of migrants (including children, which is against international law), reducing safeguards, reducing access to different types of residence permits and externalising borders and the right to asylum;
8. Decriminalising immigration in the EU rules, starting with the prohibition of any form of administrative detention (including de facto detention) and combating any form of "crime of solidarity" with migrants;
9. Amending the Dublin Regulation by deleting the "country of first arrival principle" and putting the interest and dignity of asylum-seekers at the centre;
10. Providing for entry visas for job-seeking, and allow the issuance of humanitarian visas for persons from countries affected by serious human rights violations and armed conflicts, and to recognise international protection for climate and environmental reasons;



11. Adopt a comprehensive migration and asylum framework that specifically addresses the experiences of women and girls throughout their migration journey, in particular by preventing and combating all forms of gender-based violence including sexual exploitation; protecting and supporting victims; prosecuting the perpetrators; and addressing all the structural issues that fuel this violence;
12. All women* entering the EU, including victims of domestic violence, should be granted independent legal status rather than be considered as dependents of their spouses or male family members, to ensure their safe access to asylum procedures, and mitigate any barriers to seeking international protection, support services and/or access to justice and redress.
13. develop and implement, in partnership with civil society, a range of accessible pathways for people with irregular residence status to regularise their status.
14. Adopt European policies that encourage and value migration and promote decent work, social inclusion and mobility;
15. Providing suitable financial support, from European funds, for civil society activities that promote and support the inclusion of refugees and migrants in the EU.
16. Strengthen and harmonise the Common European Asylum System, particularly by improving the reception conditions for asylum seekers across Member States.

EU migration policies should be based on human rights and solidarity, that safeguard the fundamental rights and well-being of people. This principle should be applied and closely monitored in all screening procedures and all migrant reception practices such as detention that lead to subhuman living conditions for the people concerned should be abolished. We call for a meaningful solidarity system: solidarity toward migrants, ensuring that the right to asylum and other forms of protection is respected, but also solidarity among Member States, setting up a real mechanism of relocation and shared responsibility to protect people.

17. ensure fair, transparent and quality immigration and asylum procedures and decision-making that uphold human rights and promote social inclusion and wellbeing.
18. reform public policies, and implement migration and residence policies, so that all people can meaningfully access services and decent housing, and those who experience harm can access accountability measures and remedy.



19. end harmful, punitive enforcement practices, including deprivation of liberty, discriminatory profiling and policing, surveillance and monitoring (inc. through new technologies), pushbacks and deportations.
20. ensure meaningful participation and consultation of migrants, refugees and asylum-seekers as well as their representative organisations in the design, implementation, monitoring and evaluation of policies affecting them.

A comprehensive EU migration policy must put integration and social and employment inclusion at its core. Policy efforts should focus on developing safe and regular pathways for family, study, protection and labour migration across all jobs and sectors, and providing residence and work permits that promote decent work and social inclusion. Selectively facilitating labour migration only of highly-paid and highly-skilled workers does not reflect realities and needs for economies and communities in either countries of destination or countries of origin.

Our policies should recognise the crucial role that all types of migration have in our societies and in our economies. They should aim at organising migrations rather than restricting them. The inclusion of all people living in the European Union, regardless of their residence or migration status, is crucial to meet the EU's social objectives, including those set out in the [European Pillar of Social Rights](#). This requires measures to ensure full inclusion through public policies and services, as well as specific measures in migration and residence policies.

It is important that civil society remains able to freely support people who are refugees, asylum seekers and migrants, independent of their residence or migration status. There should be a full decriminalisation of humanitarian assistance and end of conflation between so-called "smugglers" – very often migrants themselves, and actual human traffickers or abusers. There must be full recognition of the fundamental role that humanitarian CSOs have in search and rescue operations, where they are often filling in for the failures of public authorities in the member states in meeting their responsibilities.

CSOs should be enabled and recognised as border conditions monitoring experts, and funding should be made widely available for CSOs to address the needs of refugees, asylum-seekers and migrants, including undocumented migrants. The cluster calls for enforcing firewall principles (prohibition of information sharing about undocumented migrants between social



services providers or labour inspection authorities and immigration authorities), as well as the elimination of the duty to report undocumented migrants to immigration authorities, incumbent upon public administrations in some countries. Eventually, pathways for regularisation of people with an irregular status should be implemented, in partnership with civil society.

21. Enable the full labour market participation of migrants, refugees and asylum-seekers:
22. take comprehensive action to ensure validation and recognition of prior learning and skills of migrants, including non-formal and informal learning.
23. implement labour migration and work permit policies that have streamlined and efficient procedures, provide renewable permits of reasonable initial duration, to work in any occupation, and enable autonomy, mobility in the labour market and social inclusion, including family and social rights.
24. ensure labour rights, including effective mechanisms for complaint and remedy, for all workers [see section on fair working conditions].
25. Ensure that all migrants, refugees and asylum-seekers are fully included in health and social protection systems and other services, regardless of their migration or residence status, with policies grounded in social rights and equality.
26. Ensure universal access to legal, medical, psychological, and sexual and reproductive health services that are fully accessible and tailored to women* with disabilities, older women*, and women* and girls from diverse cultural and linguistic backgrounds.