5th Meeting of the European Migration Forum (3-4 April 2019), Brussels

"From global to local governance of migration:
The role of local authorities and civil society
in managing migration and ensuring safe and regular pathways to the EU"

BACKGROUND DOCUMENT

The **2019 Migration Forum** will focus on the governance on migration, from the global to the local level. In particular, **the role of local authorities and civil society in managing migration and ensuring safe and regular pathways to the EU** will be discussed. The different aspects of this broad theme will be developed in several workshops across the two days, touching upon: the specific role of local authorities; the future developments of the EU legal migration policy; the role of civil society organisations in developing and enhancing safe channels for humanitarian and protection reasons; the role of civil society and other non-public actors in enhancing cooperation with non-EU countries on managing migration more generally; and migrants' empowerment for better integration policies. The programme of the event is based on input provided by civil society organisations during the consultation processes undertaken in September-October 2018. The Forum also builds on other initiatives of the European Commission related to the topic, such as the Urban Agenda and the overall evaluation of the EU legal migration framework carried out by the European Commission (the so-called 'fitness check').

The Forum will gather ca. 120 civil society organisations from across the European Union, as well as representatives from local, regional and national authorities, European Institutions and international organisations. The **objective** of the Forum is to enable fruitful exchanges between the participants to discuss the challenges and gather the good practices when it comes to the role of local authorities and civil society in managing migration and ensuring safe and regular pathways to the EU.

The **participatory method** successfully used in previous meetings of the Forum - designed to engage groups in strategic conversations and to harness collective input in finding the best way to achieve a common purpose - will be used also in 2019. All participants are therefore expected to contribute to the discussion and actively engage in dialogue with one another

at various points, assisted throughout the Forum by a team of facilitators, who will coordinate and animate the various workshops.

Practical information:

On both the first and the second day of the Forum there will be **5 parallel workshops** (the themes will be repeated across the two days). Upon registration participants expressed their three favourite workshops in order to participate in one workshop for the first day and a different one the second day. The main issues to be discussed in each workshop and some questions to prepare for the discussion are included below.

'The floor is yours' session: On the second day, participants will also have the possibility to propose their own topic and host a discussion group of interested participants. Those topics, that will be gathered during the event, could build up on the discussions held in the workshops and/or be closely linked to the role of local authorities and civil society in managing migration and ensuring safe and regular pathways to the EU. This part of the meeting will be held in the 'world café' format, i.e. participants can choose to circulate freely among different discussion groups or continue the discussion within the same group for the whole duration of the session.

During the Forum the **elections of two members of the Bureau of the European Migration Forum** will take place. One will represent a national-level organisation, while the other will represent an EU-level organisation. The candidates will be requested to announce their candidature in advance of the meeting and will have an opportunity to present themselves in the plenary of the Forum. Civil society organisations participating of the 2019 Forum will receive voting ballots and the voting will take place on the second day of the Forum. The new Forum members will be appointed for 2 years, with a possibility to reapply and be selected for another 2 years. A separate document with more explanation was sent out to civil society participants eligible for voting/ those who expressed their wish to be candidates.

The event will end with an **interactive panel debate** based on the key issues conclusions and possible recommendations that have emerged from the workshops' discussions of both days and representatives of the institutions reacting to those inputs.

Please note that both for the initial session and the final panel, we will be using the tool Sli.do. We therefore recommend you to download the app in case you want to ask questions through that tool.

Workshop 1: From global to local governance of migration: the role of local authorities in managing migration

Co-chairs: Agnese Papadia (DG Home Affairs) and Rossella Nicoletti (Eurocities).

Migration is a global phenomenon that requires global solutions and a multi-level response. At the same time, it has a strong local impact. Adopted by the UN General Assembly in December 2018 as non-legally binding international cooperation framework, the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Refugees promote a whole-of-society approach to migration and recognise that the local authorities and other stakeholders at the local and regional level play a key role in governance of migration and forced displacement. While the main responsibilities for defining policies and rules to manage migration lie with national authorities, cities and other local and regional authorities are at the forefront of managing their impact on the ground and of promoting inclusive and cohesive societies. Local authorities play an increasing role in providing support and services to migrants and promoting their successful social and economic inclusion. They act not only as implementing bodies but often also as agents of innovation. At the local level is also where the role of the civil society, private sector and other stakeholders becomes apparent in addressing migration. The Global Compact on Refugees in particular puts emphasis on a wide-range of support instruments aimed at local communities to assist in refugee situations.

Given the multilevel nature of the governance of migration, a structured dialogue between local, national and international actors is crucial, from the design to the implementation and evaluation of both migration and integration policies.

To reaffirm the role of cities as key players in the governance of migration, mayors and city leaders from across the globe adopted the declaration *Cities working together for migrants and refugees*[1]. The declaration highlights that cities are important players in connecting the global debates on migration with the policies on the ground.

The workshop will look at the following four areas for the governance of migration where local authorities can play a decisive role and discuss strategies and recommendations starting from practical examples:

- Building stronger and more cohesive communities, also through the activation of the local population.
- The provision of safe and inclusive services for migrants.
- The reception of newly arrived migrants.

[1] The declaration was presented at the Intergovernmental Conference to adopt the Global Compact for Safe, Orderly and Regular Migration on 10-11 December 2018 and at the United Nations General Assembly to adopt the Global Compact on Refugees on 17 December 2018.

- Services for unaccompanied minors.

Guiding questions for discussion under each area:

- What are successful examples of actions initiated at the local level but which can bring innovation on a larger scale in the management and implementation of migration and integration policies?
- How can different levels of governance work together to put in place effective solutions?
- What is the role of civil society organisations in guiding and complementing the efforts of local authorities?
- What support is needed by the EU and national level to broaden the impact of local initiatives?

Workshop 2: What is the future of the EU legal migration policy?

Co-chairs: Silvio Grieco (DG Home Affairs) and Geertrui Lanneau (Senior Regional Specialist on Labour Mobility and Human Development, IOM). Contribution from OECD.

Since 1999, the EU has developed a common legal migration policy, mainly by introducing a set of rules regulating the conditions and procedures under which non-EU nationals are admitted to the EU, as well as their rights to reside, work, study, being joined by family members. This policy development happened throughout a rapidly evolving geo-political context, in which migration has become one of the central topics on the political agenda in Europe and globally.

The Commission has just completed an overall evaluation of the EU legal migration framework (so-called 'Fitness check'), whose main aim was to assess whether the current policy is still "fit for purpose", in order to identify potential inconsistencies and gaps, and look for possible ways of streamlining and simplifying the rules currently in place.

The Fitness check concluded that the current EU framework on legal migration can be considered largely 'fit for purpose'. Several positive effects of the EU legislation on legal migration have been identified (e.g. in terms of rights and equal treatment of non-EU nationals), proving the continued relevance and added value of having an EU framework regulating this field. At the same time, a number of critical issues have also emerged from the "Fitness check", as regards the relevance, coherence, effectiveness and efficiency of the current rules (*see the Executive Summary*[2]). If the EU wants to fully achieve the Treaty objective of developing a common legal migration policy as part of a comprehensive approach for an orderly management of migratory flows, these issues will need to be addressed in the future through a wide range of measures of different nature.

[2] The results of the "Fitness check", including the executive summary, will be available on 29 March. A paper version of the executive summary will be available at the Forum.

This workshop would discuss the future challenges and possible policy developments in relation to the management of legal migration, and particularly labour migration, in the EU.

Key issues for discussion:

1. **Possible developments in EU legislation**. The EU has so far addressed legal migration following a 'sectoral approach', regulating different categories of migration with different Directives, instead of using a horizontal legislative instrument. This approach has allowed developing a common EU rules covering admission and stay of non-EU nationals for different purposes (e.g. family reunification, work, study and research, long term residence). However, as emerged from the evaluation, some important categories of migrants remain not covered at EU level, and there are a number of coherence issues between the different Directives. In the light of this:
   - Would there be an added value in developing EU rules covering one or more **additional categories**? In the affirmative, which categories would be the most relevant/should be prioritised, and why?
   - Is there still an added value in pursuing the '**sectoral approach'**? If so, how could the existing coherence issues be addressed?
   - Alternatively, would there be an added value in developing a **horizontal legislative instrument**? In the affirmative, what should be its scope (e.g. admission for all purposes; admission for labour migration only; or admission for employed and self-employed non-EU workers)?

2. **The role of labour migration in the overall EU economic and social agenda**.
   - How to ensure that labour migration becomes one of the EU tools to address **skills and labour shortages**, and a shrinking working age population?
   - How can the **job matching** process be improved? Would the creation of an EU-wide pool of pre-screened migration candidates help address the issue?
   - Having in mind the recent difficulties in agreeing on more ambitious rules to attract **highly skilled workers** (i.e. the Blue Card reform), what can be done at EU level to make the EU more attractive for talented professionals who are looking for job opportunities worldwide?

3. **The impact of the EU legal migration framework on the rights of non-EU nationals**. One of findings of the Fitness check refers to the positive impact on the level of rights granted to non-EU nationals. There are certain areas where however the impact is more limited, i.e. as regards integration or prevention of labour exploitation. How could the impact of the EU legal migration framework on non-EU nationals' rights be maximised?

4. **The role of local authorities and NGOs**. The migration process of non-EU nationals is normally managed by the central state authorities. However, migrants are integral part of the local communities where they live and work. How local authorities and NGOs can better support the overall management of migration? In particular:

- How can they support to identify the type of migrants that are most needed in their local communities?

How can they help migrants to effectively enjoy their rights?

Workshop 3: The role of civil society organisations in developing and enhancing safe channels for humanitarian and protection reasons

Co-chairs: Vincent Catot/Adam Kittl (DG Home Affairs) and Petra Hueck (ICMC). Contribution from UNHCR.

Resettlement of non-EU nationals or stateless persons in need of international protection from a non-EU country remains the key safe and legal pathway for refugees to receive protection and durable solutions instead of engaging in irregular and dangerous journeys to reach Europe. Resettlement is an integral part of a balanced and comprehensive migration policy. Member States made the largest commitment on resettlement the EU has ever seen through the resettlement scheme put in place at the EU level in September 2017. This will benefit more than 50,000 people. EUR 500 million from the EU budget support the Member States for this commitment.

Resettlement is also a tool of international solidarity and responsibility sharing with non-EU countries hosting large numbers of persons in need of international protection. EU resettlement initiatives taken collectively with Member States over the past few years have contributed to strengthening the Union's partnerships and solidarity with non-EU countries.

Complementary pathways to resettlement, i.e. other safe and legal channels, exist as well, such as private sponsorship, extended family reunification, humanitarian admission, humanitarian visas and higher education scholarships. Research and, conferences[3] recently focused more on these complementary channels, also taking into account non-EU experience (e.g. Canada).

Civil society, in close cooperation with the Member States, plays a key role when it comes to the development and implementation of resettlement and complementary pathways, particularly with respect to reception and integration, but also regarding pre-departure (referring potential candidates, cultural orientation). The role of civil society might differ depending on the specific programme, the partnerships in place and the experience and presence of the civil society actors involved.

The workshop will provide an overview of EU resettlement policy and complementary pathways. The participants will discuss the current role of civil society to support resettlement and complementary pathways, and will reflect on how to expand and

[3] Commission Study on the feasibility and added value of sponsorship schemes, pilot by the European Asylum Support Office, European Parliament report on Humanitarian admission/visa , European Resettlement Network reports on private sponsorship, humanitarian assistance programme and Higher Education Scholarships; activities of Global Refugee Sponsorship Initiative; European Economic and Social Committee's conference on Social Innovation for Refugee Inclusion co-organised with Canada. See as well projects funded by the Commission related to resettlement and complementary pathways

strengthen this role in the future, taking into account the diversity of the existing programmes.

Key issues:

Resettlement

- Linking of pre-departure and post arrival processes
- Best practices in engagement and partnerships of civil society at national and local level
- Awareness raising on resettlement and responsibility sharing

Ongoing complementary pathway programmes

- Partnerships between government and civil society actors, including local authorities, universities and others: overview of ongoing and planned complementary pathway programmes, with a focus on private sponsorship
- Comparing the various EU experiences with the Canadian model of private sponsorship Including with respect to *additionality* to resettlement
- Other new innovative programmes (e.g. University of Bologna scholarship, IOM programme on facilitation of family reunification, Talent Beyond Boundaries)

Welcome and Integration

- Good practices on welcoming and integrating resettled refugees and those admitted under other programmes
- Dispersal of refugees across the national territory: good practices of engaging new actors in small municipalities (cf. Share integration network)
- Factors of success for different legal pathways: sharing tools and practices

Partnerships

- How to further develop partnerships between both governments, civil society and local authorities to achieve more effective cooperation?

Workshop 4: The role of civil society and other non-public actors in enhancing cooperation with non-EU countries on managing migration

Co-chairs: Monica Alfaro/Sebastian Stetter (DG Home Affairs) and Salvatore Petronella (ICMPD).

The strengthening of legal migration pathways to the EU (for work, studies, research etc.) can play an important role in overall migration management[4] and is part of a more

[4] See the Communication from the Commission to the European Parliament and the Council. Enhancing legal pathways to Europe: an indispensable part of a balanced and comprehensive migration policy. A contribution from the European Commission to the Leaders' meeting in Salzburg on 19-20 September 2018, Brussels, 12.9.2018 COM(2018) 635 final.

comprehensive strategy to promote more orderly migration flows. Host societies, countries of origin and the migrants themselves stand to benefit from increased share of legal migration in overall flows at the expense of irregular migration. Better managed legal migration, be it temporary/circular or long-term, can also help address labour and skills shortages across the labour markets of EU Member States. Therefore, the Commission has started to support Member States as well as non-public actors in developing legal migration pilot projects, including through specific funding opportunities.

The main objective of the pilot projects is to promote the role that legal migration can play in the overall management of migratory flows, by encouraging and supporting the development of concrete projects by EU countries in the area of legal migration, with a particular focus on labour migration (including opportunities for training and internships).

Pilot projects can address all phases/issues linked to legal migration – be it capacity-building in partner countries, pre-departure measures, support for actual mobility and integration in the host country, as well as reintegration into the country of origin. A wide variety of stakeholders can play a role in a pilot project, both public and non-public: ministries, public employment services, employers and business associations/chambers of commerce, trade unions, education and training institutions, including universities, and networks delivering work-related training.

This workshop will focus on the establishment and implementation of legal migration pilot projects, and the role of non-public actors in this process. Based on the first pilot projects that have recently started, the workshop will be the first opportunity for the stakeholders involved to take stock of the process and the substance around the legal migration pilot projects. In a second step, the potential of the legal migration pilot projects in improving comprehensive management of migration and overall relations with partner countries will also be discussed.

<u>Key issues:</u>

- Discussion on the first hands-on experiences in developing and implementing pilot projects on legal migration, based on input by organisations involved in pilot projects.
- Specific role of non-public actors in pilot projects: is there a particular phase/element in which the role of non-public actors is particularly relevant/important? What lessons learnt are available and what is feasible?
- How can non-public actors support or cooperate with public authorities and other relevant stakeholders in moving forward with the pilot projects? What are the main strengths and weaknesses of the civil society organisations in this approach?
- Are there partner countries with which civil society can make more of a difference with pilot projects than others?
- How to ensure sustainability of pilot projects?
- How to ensure a development impact in the partner countries through the pilot projects?

- Potential of pilot projects and legal migration channels in the EU's overall cooperation with partner countries on migration management.

Workshop 5: Migrants empowerment for better integration

Co-chairs: Nuria Diez Guardia (DG Home Affairs) and Ana Lucia Olivos (European Migrant Advisory Board).

The participation of refugees and migrants in policy formulation is generally limited, yet essential to develop effective policies and services such as language courses, skills assessment and recognition services, training or orientation support. Migrants and refugees have the experience and expertise to inform policy-making and to contribute to improve policies and programmes, as shown by a consultation of migrants[5] that was recently carried out by the European Migrant Advisory Board, a self-led group of advisors with immigrant and refugee background.

When refugees and migrants are included, the quality and effectiveness of integration policies and services can be improved. Supporting their meaningful participation, and engaging host community and migrant and refugee groups, can also facilitate living together and promote cohesive societies. The Common Basic Principles for Immigration Integration Policy in the EU[6] lay down the common principles for integration policy in the EU and one of them is that '*the participation of immigrants in the democratic process and in the formulation of integration policies and measures, especially at the local level, supports their integration*'. These principles were adopted by the Justice and Home Affairs Council in November in 2004, and reaffirmed in Council conclusions in June 2014[7].

This workshop will discuss the rationale and possible ways to support the participation of migrants, and how to improve integration policies. The workshop will also investigate good practices supporting the meaningful participation of all migrants, both women and men. Indeed, more focus is needed on supporting the integration of migrant and refugee women, in view of the wide gender gaps in employment. The discussions will take into account the diversity of individual profiles, such as the main reason for migration or the level of educational attainment.

Key issues:

- What is the rationale for supporting the meaningful participation of all migrants and what are the benefits for migrants and locals (e.g. accessing rights, enhancing the ability of migrants to build their own lives, improving policies, fostering inclusive societies);

[5] https://ec.europa.eu/futurium/en/inclusion-migrants-and-refugees/ask-people-consultation-report-european-migrant-advisory-board
[6] https://ec.europa.eu/migrant-integration/librarydoc/common-basic-principles-for-immigrant-integration-policy-in-the-eu
[7] http://data.consilium.europa.eu/doc/document/ST-79-2014-INIT/en/pdf

- How to support the empowerment of all migrants, in particular the role of the civil society, incl. self-led organisations, and of public authorities at local, national and EU levels; and the role of mentoring in supporting a meaningful participation of migrants and refugees;
- How to promote gender equality and the empowerment of migrant women, in view of the large gender gaps in economic and social participation;
- What are the specific issues of different groups and how to better address them (e.g. refugees, students, or people having reunited with a family member)?