



COMMISSION DES COMMUNAUTÉS EUROPÉENNES

Bruxelles, le 12.6.2008
SEC(2008) 2028/2

Version révisée suite à la resoumission
du projet de rapport;
annule et remplace le document SEC(2008) 2028

AVIS DU COMITÉ DES ÉVALUATIONS D'IMPACT

COMMUNICATION DE LA COMMISSION
AU PARLEMENT EUROPÉEN, AU CONSEIL, AU COMITÉ ÉCONOMIQUE ET
SOCIAL EUROPÉEN ET AU COMITÉ DES RÉGIONS

UNE POLITIQUE D'IMMIGRATION COMMUNE POUR L'EUROPE :
PRINCIPES, ACTIONS ET MOYENS

{COM(2008) 359}
{SEC(2008) 2026}
{SEC(2008) 2027}



EUROPEAN COMMISSION
IMPACT ASSESSMENT BOARD

Brussels,
D(2008)

10 JUN 2008
4766

Opinion

Title **Impact Assessment on: Communication on principles for the
Common Immigration Policy - RESUBMISSION**

(draft version of 22 May 2008)

Lead DG **DG JLS**

1) Impact Assessment Board Opinion

(A) Context

In December 2007 the European Council concluded that the further development of a comprehensive common immigration policy remains a fundamental priority in order to respond to the challenges and opportunities of globalisation. Underlining the need for a renewed political commitment, the European Council asked for rapid progress, building on common political principles which encompass all aspects of migration and which can serve as the basis for future operational measures. The proposed Communication provides such principles and a vision for further development of a common EU migration policy.

(B) Positive aspects

The present report is an improvement compared to the previous version that was examined by the Board, and now comes closer to the standard structure for an impact assessment, especially the problem definition and identification of objectives. Also the assessment of subsidiarity has been improved.

(C) Main recommendations for improvements

General recommendation: Further clarifications are needed with regard to the origin of the 11 principles, the justification for EU action in the areas of demographic change and integration policy from the point of view of subsidiarity, the general context and the resource needs for new policy orientations.

(1) The origin of the 11 principles should be explained. While it is recognised that the principles listed in section 3 cannot be presented as policy options in the sense of

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alternative and comprehensive responses to the identified policy problems, the report should at least explain the process that led to the selection of these principles. In doing so, any synergies and potential trade-offs between the various principles can be made more explicit.

(2) Necessity and value added of EU action should be systematically assessed for certain specific issues. The Board welcomes the introduction of a separate paragraph assessing subsidiarity for each of the main issues raised in the initiative. The assessment for the issues of demographic change (§2.1.4) and integration policies (§2.3.4) should be further strengthened. In the case of demographic change, the assessment of subsidiarity should be more clearly distinguished from the one for labour and skills shortages (§2.2.4). The necessity of EU action in the enforcement of the right of family reunification needs to be clarified. In the case of integration policies, the IA report should clarify whether EU action will be limited to sharing best practice or go beyond that, and if the latter is the case provide a clear assessment of subsidiarity for these actions.

(3) The problem definition should be completed with more information on the context. The problem definition should more clearly present the context for the vision on a common migration policy, such as the links with the Lisbon strategy and the Employment guidelines, and give an overview of the main reasons for migrating to the EU and the characteristics of the migrants concerned (i.e. family reunification, asylum seeking, legal labour migration, illegal migration, etc), since the policy responses need to be geared to these aspects.

(4) Resource needs should be better addressed. At various points (§2.4.3, §2.5.3, §2.6.4, §2.7, and principles 4-5-6-7-8-9-10) the report refers to resource needs for new policy orientations. To the extent that these orientations are dependent on new resources at either EU or Member State level which are still undecided, the report should clearly state that the political orientation is subject to the appropriate allocation of resources, as indicated in the previous opinion of the Board.

(D) Procedure and presentation

It appears that all necessary procedural elements have been complied with.

2) IAB scrutiny process

Reference number	2008/JLS/216 (Catalogue initiative)
Author DG	JLS-B-2
External expertise used	No
Date of Board Meeting	Written procedure
Date of adoption of Opinion	10 JUIN 2008
	The present opinion concerns a resubmitted draft IA report. The first opinion was issued on 8 May 2008.