

## PROGRAMME OF THE SPANISH PRESIDENCY FOR WORK AND IMMIGRATION AFFAIRS (First half of 2010)

### JHA COUNCIL

#### MINISTRY OF LABOUR AND IMMIGRATION

**The landscape** in which Spain will have to conduct the Presidency of the EU Council is defined not only by **the challenges** posed by **globalisation, the impact of new technologies, the fight against climate change, an ageing population, the generalisation of immigration as a phenomenon, and the new social realities at the start of the 21st Century, but also by the financial crisis which has led to an economic crisis and a social crisis**, and which is testing the European social model and the level of welfare and social cohesion reached so far, **and by the response to this crisis**, including those measures which have already been taken and those which will still be necessary to take to overcome it and restore the economic growth and the social progress.

In this context, voices have been raised in Europe demanding labour market deregulation, a decrease in the extent of social protection and a tightening of the conditions imposed on nationals from third countries to enter the EU, coinciding with the echo of the nationalist protectionism in the public opinion of several states.

Furthermore, for the planning of its six-month agenda, the Spanish Presidency will deal with **other conditioning factors**, such as the **entry into force of the Treaty of Lisbon**, with its implications for the **decision-making processes** and the **normalisation of the co-decision** with the European Parliament, the priorities of the European Parliament once established following the recent election process, and the **agenda and priorities of the new Commission**, which will be established during the last quarter of 2009.

Moreover, the structure of the final agenda will also be determined by **the results of the Swedish Presidency**, the extent of the progress in the matters it will deal with during the second half of 2009 and the status of these matters at 31st December 2009.

In view of this, in the scope of the **JHA Council** and in relation to immigration affairs, which are managed by the Ministry of Labour and Immigration, the Spanish Presidency will have the following **objective: to reinforce and promote the integral immigration policy** of the EU in relation to **legal immigration**, paying particular attention to the matters of **immigrant integration** and, even more importantly, **unaccompanied minors**, all within the principles of solidarity and responsibility.

For this purpose, the European Council of June 2010 will undertake the first assessment of the implementation by the Member States of the **European Pact on Immigration and Asylum (EPIA)**, adopted in October 2008, which will have to be prepared during the Spanish Presidency.

All the same time, for the purpose of defining clearly the actions to take and the agenda to follow during the period 2010-2015 in respect of migration, the

**Action Plan for the implementation of the Stockholm Programme** will also have to be approved during the 6-month Spanish Presidency.

### 1. LEGAL IMMIGRATION:

From the legislative point of view, the activity of the Presidency is going to be focused on the **regulation of certain situations of legal immigration**, to continue making progress on the involvement of the EU in the issues of admission, residence and professional activity of non-EU immigrant workers.

The Spanish Presidency will strive to progress on the approval of the normative and institutional instruments necessary to ensure that the common immigration policy responds to the needs of the European labour markets while guaranteeing, at the same time, a stable framework of rights for migrant workers. It is in this sense that it will work for an agreement on the Single Permit Directive and will seek to advance on the other initiatives contained in the Plan for Legal Immigration once presented by the European Commission (the Directive on the conditions of entry and legal residence of seasonal workers and the Directive on the procedures regulating the entry into, the temporary stay and residence of intra-corporate transferees).

As from the new legal framework provided by the Lisbon Treaty, the Stockholm Programme and the New Post-Lisbon Strategy until 2020, the Spanish Presidency will launch **a debate about EU Immigration Policies on the linking of employment policies and migration policies**, promoting and strengthening a vision about migratory themes from the European Labour approach, taking into account the full respect of Member States competences.

### 2. UNACCOMPANIED MINORS

The Presidency will pay special attention to the adoption of a Plan of Action on foreign unaccompanied minors, based on the principle of the superior interest of the minor and on an integral approach comprising prevention in the country of origin, the adequate protection, both in the country of origin and in the European territory, and the assisted return of the child.

### 3. IMMIGRANT INTEGRATION

In relation to immigrant integration policies, a **Ministerial Conference on Integration** will take place in April 2010, to deal with integration as a factor of economic development and social cohesion in the European societies, with the purpose of facilitating equal opportunities and the assessment of integration policies, continuing the work done during the German and Swedish presidencies. The **Conclusions** of this Conference will give the elements to reinforce the immigrant integration policies of the EU.

Apart from the legislative activities, the Spanish Presidency of the Council will seek to ensure an appropriate co-ordination between the European policy on legal immigration and the policies on the fight against irregular immigration, visas and asylum, paying particular attention to seeking **negotiations of EU Readmission Agreements with third countries**.

Also, the Spanish Ministry for Work and Immigration is in charge of coordinating, together with other relevant ministries, the Spanish position with regard to immigration policy in the JHA Council. For that reason, the priorities during the Spanish presidency regarding immigration also include the **reinforcement of the operating capacity of the FRONTEX Agency for the purposes of fighting against irregular immigration, as well as the introduction of the common asylum system**, through the approval of the relevant European Directives (Asylum Package).

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