The New Pact on Migration and Asylum must not forget Regions

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Claire Street, Project and Policy Officer, claire.street@cpmr.org

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**KEY POLICY MESSAGES**

1. **Rising to the challenges, towards shared responsibility**

The CPMR calls on the European Commission, Member States and Parliament to demonstrate ambition to overcome past failings and provide a holistic, sustainable, effective and humane response to migration and asylum management based on EU values, solidarity and shared responsibility.

2. **Understanding and strengthening the regional role**

The CPMR stresses that while migration and asylum correspond to a national competence, Regions are important stakeholders that need to be considered within a multi-level governance and cross-sectoral approach to the delivery of related policies.

The CPMR calls therefore on the EU institutions and Member States to show a better understanding of the role of Regions in all areas in which they have formal competences or where their action is needed or can provide added value in achieving EU and national objectives. The CPMR urges the EU Member States in this regard to engage their Regions in national strategies, plans, reports and programmes in areas where they are directly concerned.

3. **Addressing gaps on the ground with adequate instruments**

Regions are themselves often working with their own limited resources to deal with migration issues in their territories. The CPMR requests better governance, programmes and funding opportunities to help regions tackle specific challenges they are facing, build their capacities and ensure the long-term sustainability and effectiveness of their actions.
BACKGROUND

Since 2015, the refugee crisis and surge in migrant arrivals has revealed significant failings in the EU’s capacity to provide an effective and coordinated response to migration and asylum management. The von der Leyen Commission undertook to address this challenge under the impetus of Commissioner Margaritas Schinas who holds the portfolio ‘Promoting our European way of life’ and Ylva Johansson, Commissioner for Home Affairs.

After suffering several delays, the European Commission’s long-awaited new Pact on Migration and Asylum with the associated legislative package was published on 23 September 2020 and puts forward its vision and proposals on the reform of this complex and sensitive common policy area.

The Pact takes stock of the lessons learnt from the 2015 crisis and advocates a comprehensive and sustainable approach addressing both the internal and external dimensions of migration management. It seeks to mobilise all relevant stakeholders including Member States, regional and local authorities, NGOs, civil society and not least migrants themselves.

Over the past years, the voluntary Regions of the CPMR Migration Task Force have been highlighting the importance of a multi-level governance and multi-sectoral approach to migration management and raising awareness of the needs and added value of regional action in all areas in which they have either formal competences in the field or where regional action is needed to implement EU and national objectives.

This policy paper is a response to the new Pact from the perspective of regional authorities, building on the advocacy work already undertaken by the CPMR Migration Task Force.

1. Rising to the challenges, towards shared responsibility

The EU must demonstrate ambition to overcome past failings and provide a holistic, sustainable, effective and humane response to migration and asylum management based on EU values, solidarity and shared responsibility.

- Migration as a global phenomenon and multi-level and crosscutting issue linking internal and external dimensions

1. The CPMR welcomes the Pact’s ambition towards a sustainable, effective and humane response to migration and asylum management through a more holistic and solidarity-based approach.

2. The CPMR reiterates that migration is a normal phenomenon which can and must be managed effectively. In this regard, it applauds the Commission’s approach to address the topic of migration in a neutral, fact-based and pragmatic way in order to counter disinformation, discrimination and xenophobia.

1 Cf. CPMR Issue Papers: Migration and Asylum in EU Regions: Towards a multilevel governance approach (February 2018) and The external dimension of EU migration policy. Working together: the regional strategy (March 2019)
• **Necessary solidarity and shared responsibility**

3. The CPMR urges the EU Member States to overcome the divides that have led to current failings and reach agreement on a reform that respects European values and ensures a functioning European migration and asylum management system based on solidarity and shared responsibility to ease the burden on frontline countries and regions.

4. The CPMR recalls that voluntary Regions can contribute to the solidarity effort through dialogue, knowledge sharing and concrete cooperation between “receiving”, “transit” and “hosting” regions.²

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**Flexibility and preparedness**

5. The CPMR stresses the need for flexibility and preparedness to ensure effective responses in a changing world drawing on lessons learnt to avoid any future repeat of the 2015 crisis and welcomes the proposals in the Pact to address these challenges.

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**Sustainable partnerships with third countries**

6. The CPMR believes the strong focus on the external dimension in the Pact, including the will to develop partnerships with third countries to tackle irregular migration, is a positive step. Voluntary Regions should be considered as key players, since they can be instrumental in building sustainable and effective partnerships based on mutual trust and a win-win strategy through their decentralised cooperation actions with peer Regions and other local or territorial stakeholders in countries of origin and transit.

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**Developing legal pathways**

7. The CPMR welcomes the proposal to develop legal pathways for those in need of protection and also through the launch of Talent Partnerships to promote labour mobility through legal migration. This would be beneficial to regional economies, in particular those sectors that rely heavily on migrant labour, while ensuring adequate protection and rights for migrant workers and combating exploitation.

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**Adequate resources**

8. The CPMR demands adequate resources and flexibility of funding instruments based on a long-term structural approach to support the ambition of the new Migration and Asylum Pact. In this regard, it deeply regrets the proposed cuts to the Multiannual financial framework (MFF) proposals under heading 4 “Migration and Border Management”, the “Asylum and Migration Fund” in particular and to the Neighbourhood Development and International Cooperation Instrument.

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² Through initiatives such as:

- The “SHARE” proposal of the Basque Government with the support of other Spanish and French regions for a relocation / solidarity approach, through the redistribution of asylum seekers between voluntary regions based on the indicators of population, GDP and unemployment rate.
- Proposed convention in 2015 of Valencia Region to welcome 1100 refugees from North and South Aegean in Greece
- Willingness of several CPMR members to provide safe havens for rescue ships (more information)
- Agreement of the Catalan Ministry for Foreign Action, Institutional Relations and Transparency and the Catalan Ministry of Labour, Social Affairs and Families to take in at least 120 refugees, including unaccompanied children and minors following the fire on the Moria Camp on the Greek island of Lesbos (September 2020)
2. Understanding and strengthening the regional role

While migration and asylum correspond to a national competence, regions are important stakeholders that need to be considered within a multi-level governance and cross-sectoral approach to the delivery of related policies.

- **Strengthening regions’ capabilities in long-term integration and inclusion in host communities**

9. The CPMR welcomes the acknowledgement that multi-level governance involving the regional and local level is necessary in the field of integration and inclusion. It stresses in this regard the regional authorities’ key pivotal role to deliver policies on the ground, both in vertical coordination between EU, national and local levels, and in horizontal coordination as catalyst of a wide range of territorial stakeholders performing real interactive ecosystems with common challenges and goals (e.g. including civil society organizations, the private sector, research institutes etc.).

10. The CPMR also welcomes the European Commission’s efforts to collaborate more closely with regional and local authorities and urges it to take into account their needs and concerns in the preparation of the forthcoming Action Plan on Integration and Inclusion due to be published by the end of 2020.

11. The CPMR will continue to promote good regional practice among its network of voluntary Regions and develop through the [REGIN project](https://www.regin-project.eu) funded by AMIF (2020-2022) tools to improve Regions’ policy performance and outcomes on migrant and refugee inclusion. It urges the European Commission to continue to develop programmes and initiatives to boost cooperation, knowledge sharing and the EU evidence base at regional level.

- **Better consideration of regions in the EU Migration and Asylum Management Framework**

12. The CPMR nevertheless points to the fact that Regions also have a legitimate role, including through a voluntary approach, in other aspects of migration and asylum policy. It therefore calls for better consideration within the proposed new Regulation on Migration and Asylum Management of their action and potential in the following areas:

- **Relocation and resettlement**: there could be opportunity within the EU solidarity mechanism for voluntary Regions to contribute to relocation and resettlement efforts based on their capacities and willingness to host asylum seekers. In this regard, the CPMR upholds the European Parliament’s position on the new Asylum and Migration Fund to foresee financial incentives for these receiving regions through direct EU funding by the European Commission, which could also be complemented by incentives through the European Social Fund (ESF) and European Regional Development Fund (ERDF).

- **Reception measures**: regional authorities can play an important role in pre-and post-arrival, organising territorial capacity in a structured reception plan.

- **Assisted voluntary returns**: Regional administrations can provide not only financial assistance but also implement structured schemes offering help and advice on reintegration working in collaboration with diaspora organisations in their territories and through decentralised cooperation with their peers in third countries of origin.

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• Better coordination across levels of government in the migration-development nexus

13. The CPMR believes the strong focus on the external dimension in the Pact, including the will to develop partnerships with third countries to tackle irregular migration, is a positive step. Voluntary Regions can be instrumental in developing this aspect of EU migration policy and should be recognised as key partners. There are several areas where their action can provide EU added value:

• **Development cooperation:** According to the OECD\(^4\), 65% of the 169 targets underlying the 17 SDGs will not be reached without proper engagement of and coordination with regional and local governments. Regional authorities are often cooperating with partner regions in countries of origin and transit based on a win-win strategy of peer-to-peer learning to reinforce subnational capacities in areas such as health and education, economic development and governance as well as migration management.

• **Legal Pathways and Mobility:** As part of their regional development strategies, regional authorities are often already implementing schemes in collaboration with businesses in their territory to match skills with job opportunities and facilitate migrants’ access to the labour market to enhance their inclusion. Developing labour mobility through legal pathways can therefore be beneficial to regional economies, in particular those sectors that rely heavily on migrant labour, while ensuring adequate protection and rights for migrant workers and combating exploitation.

• **Diaspora Engagement:** Regions can be particularly effective in fostering and supporting diaspora engagement initiatives in a two-way process of developing skills, promoting circular migration and building the social and solidarity economy. These types of initiative help to enhance migrant contribution to sustainable development in both origin and destination communities, improve regional and local governments’ institutional and operational capacities in migration governance, empower migrants and their associations to strengthen their development initiatives, and reinforce their integration in destination communities.

3. **Addressing gaps on the ground with adequate instruments**

Regions are themselves often working with their own limited resources to deal with migration issues in their territories. The CPMR requests better governance, programmes and funding opportunities to help regions tackle specific challenges they are facing, build their capacities and ensure the long-term sustainability and effectiveness of their actions.

• **More effective governance instruments**

14. The CPMR stresses the need to introduce measures to improve governance in order to put EU measures into practice at different levels.

15. It urges the Member States, in full respect of their constitutional structures and competences, to engage regions in the preparation of national plans and programmes in areas which directly concern them. In particular, there is a need for evidence-based needs assessment prior to the preparation of national programmes related to reception, integration and inclusion to target resources on the ground according to territorial needs. Regional capacities should also be taken into account in the national strategies, plans and reports that will be required under the proposed new Regulation on Migration and Asylum Management.

In this regard, the CPMR calls on the European Commission to facilitate policy dialogues to ensure meaningful consultations with regional authorities as stakeholders best placed to identify activities and approaches requiring support at national level.

- **More targeted EU support available to regions**

The CPMR calls on the European Commission to ensure more sustainable and direct funding for regional authorities in the framework of the full range of new and complementary financial instruments dedicated to migrant reception, integration and inclusion as well as external cooperation.

The CPMR advocates in particular for direct EU financial support to regions receiving asylum seekers under the new financial instruments. One of the shortcomings of the current programming period is that Regions theoretically eligible for AMIF funding did not always receive adequate resources through central management by national authorities.

The CPMR highlights the need for specific EU programmes and funding to assist regional staff dealing with the cross-cutting issue of inclusion to build capacity in diversity management linked to the delivery of services.

The CPMR calls for clear guidelines on support for regional authorities under the Neighbourhood, Development and International Cooperation Instrument for actions to tackle root causes of irregular migration. In this regard it acknowledges the European Parliament’s proposal to add Local and Regional Authorities to the existing component for Civil Society Organisations as in previous programming periods, but points out that unlike CSOs, regional authorities have democratic legitimacy and deserve specific treatment.

The CPMR welcomes the specific section (2.4) of the Pact on “Supporting children and the vulnerable” and recalls the important role and concerns of many regional authorities which have the obligation to provide legal guardianship of unaccompanied minors. They call for a clear framework at EU level and adequate support especially in relation to managing the transition period for children reaching majority under their formal guardianship.

The CPMR underlines that the European Commission’s aim to stem irregular migration and unauthorised secondary movements does not change the fact that in practice regional authorities still have the responsibility to provide protection, support and access to basic services for irregularly staying and undocumented migrants in their territories. In particular, the services of regions at the EU’s external borders are still under strain and lack necessary resources. They therefore require specific support to tackle this reality on the ground with direct funding from the EU.

The CPMR urges that future policy on migrant integration and inclusion must take into account the impacts of the COVID-19 pandemic, which has adverse effects on already vulnerable and disadvantaged people by increasing isolation and hampering integration processes linked to work, education, and social inclusion. Specific supportive measures should be available to regional authorities to cope with this challenge to adapt outreach activities through innovative solutions. This could also provide more long-term benefits where such actions could be mainstreamed.
The Conference of Peripheral Maritime Regions (CPMR) represents more than 150 regional authorities from 24 countries across Europe and beyond. Organised in geographical commissions, the CPMR works to ensure that a balanced territorial development is at the heart of the European Union and its policies.

Rond-Point Schuman | 1040 Brussels, BELGIUM
info@crpm.org | +32 (0)2 612 17 00

6, Rue Saint-Martin | 35700 Rennes, FRANCE (siège)
info@crpm.org | +33 (0)2 99 35 40 50