

## CUNY TALK—April 22, 2009

### *I. The priorities of the French presidency emerged*

- a. from the French domestic agenda of 2007*
- b. and a continuation of previous policies*

### **II. The development of a policy of strong **civic integration****

1. was initiated by Sarkozy in 2003 was moved to the EU level at the initiative of Nicolas Sarkozy, (then) French Minister of the Interior. In March 2006, the interior ministers of the six largest EU countries (the G6) agreed to pursue the idea of an “integration contract,” using the French model as a starting point.
  - a. The French model was inspired by the Dutch model of 1998-- An obligatory integration programme for new immigrants that included 600 hours of language classes, social studies and careers advice.
  - b. French legislation in 2003—a voluntary version of NL 1998; then made oblig in 2006; then, following NL 2006—externalized.
  - c. The initial step in 2006 was to create a committee of experts to investigate the procedures used in all member states. They then planned to propose such a policy to the other 19 countries of the EU.

2. Therefore, one of the first initiatives of the French presidency in 2008 was to propose a comprehensive, compulsory EU integration program (European Pact on Immigration and Asylum (13440/08), approved by the JHA Council in September. The compulsory aspect was finally dropped at the end of June, but a *European pact on Immigration and Asylum* was passed by the European Council in October 2008.

a. Three criteria were accepted for acceptance and integration in Europe (according to the French Government): language mastery of the receiving country; knowledge and commitment to the values of the receiving country; and access to employment.

**III.** This pattern has continued and assured passage of second French priority.

i. The *Return Directive* of 2008 seeks to harmonize EU policy on exclusion of TCNs who are in the EU zone illegally by encouraging member-states to enforce return decisions, and by setting the rules at relatively high levels for detention (18 months), although seven countries with unlimited detention will now be required to conform with EU standards by the end of 2010. (Official Journal 2008: 98-107) The Returns Directive was a priority for the French presidency, along with the Pact for Immigration and Asylum.

**IV.** Other priorities generally linked to those of immigration/ integration.

1. A Third priority related to this: *Barcelona Process: Union for the Mediterranean*—

a. linked to Part V of the European Pact on Immigration and Asylum—comprehensive partnership; migration and development:

The European Council undertakes, on this basis, to support the development of the countries involved and with them to build a close partnership encouraging the synergy between migration and development.

To that end, the European Council agrees to:

(a) conclude EU-level or bilateral agreements with the countries of origin and of transit containing clauses on the opportunities for legal migration adapted to the labour market situation in the Member States, the control of illegal immigration, readmission, and the development of the countries of origin and of transit; the European Council invites the Member States and the Commission to inform and consult each other on the objectives and limits of such bilateral agreements, and on readmission agreements;

(b) encourage Member States, as far as they are able, to offer the nationals of partner countries to the East and South of Europe opportunities for legal immigration adapted to the labour market situation in Member States, enabling those nationals to acquire training or professional experience and accumulate savings that they can use for the benefit of their home countries. The European Council invites Member States to encourage in this context forms of temporary or circular migration, in order to prevent a brain drain;

(c) pursue policies of cooperation with the countries of origin and of transit in order to deter or prevent illegal immigration, in particular by capacity-building in those countries;

**V. Process and Policy:** Good fit with the generally restrictive nature of policy

harmonization in the area of immigration

- a. Studies demonstrate that the only Commission proposals that managed to be adopted by the Council between 1999 and 2002 were those that were restrictive in content.
- b. Variation of process that scholars have described at length: Fritz Scharpf's "problem-solving deficits"
- c. Or what Virginie Guiraudon has referred to as arena-shopping—choosing a level of policy-making that maximizes success.
- d. All of this implies an active Council—with strong leadership
  - i. A departure from the Mitterrand years—with Delors as head of the Euro Commission