



**COUNCIL OF
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COVER NOTE

from: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 20 July 2006

to: Mr Javier SOLANA, Secretary-General/High Representative

Subject: Communication from the Commission on Policy priorities in the fight against
illegal immigration of third-country nationals

Delegations will find attached the Commission staff working document "Summary Impact Assessment" attached to the above-mentioned communication.

Encl.: SEC(2006) 965



COMMISSION OF THE EUROPEAN COMMUNITIES

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COMMISSION STAFF WORKING DOCUMENT

Accompanying the

COMMUNICATION FROM THE COMMISSION

on Policy priorities in the fight against illegal immigration of third-country nationals

SUMMARY IMPACT ASSESSMENT

{COM(2006) 402 final}
{SEC(2006) 964}
{SEC(2006) 1010}

Lead Directorate General: DG Justice, Freedom and Security

Work Programme Reference: 2006/JLS/005

EXECUTIVE SUMMARY

Illegal immigration into the EU poses a **challenge in particular for the credibility of the common European and the Member States' immigration policy**. Council and Commission therefore have repeatedly emphasized the importance of measures to combat illegal immigration over the last years.

Given the scale of the challenge, a **comprehensive approach** is pursued, addressing all aspects of the migration chain such as cooperation with third countries, border security, human trafficking, secure documents, illegal employment, regularisations and return policy.

Problems identified are the continuous pressure of illegal immigration into the EU, an imbalance in distribution of illegal immigration between Member States, humanitarian crises, exploitation of illegal immigrants, and a number of push-factors in countries of origin. Subsidiarity issues are addressed in this section as well.

Against these identified problems, the **principal objectives of EU policy** are to reduce the amount of illegal immigration, thereby respecting fundamental rights; to avoid humanitarian crises, and to reduce criminal activities linked to illegal immigration.

In order to assess how to achieve these objectives **several options were identified** within the different areas for action. These options are assessed against a number of **possible impacts**: on illegal immigration, on criminal activities linked to illegal immigration, on fundamental rights, political impacts at EU level, impact on third countries of origin and transit. For proportionality reasons, the assessment is preliminary at this stage.

Resulting from the above comparison, **measures were chosen that are both effective to meet the objectives** to reduce illegal immigration and opportunities for criminal networks that profit from illegal immigration in full respect of fundamental rights, and can **realistically be expected to be implemented in the short to medium term**.

For the areas where a choice existed between different options, the preferred options are the following: **external borders**: enhanced use of biometric data (option 2); **secure travel and ID documents**: development of common guidelines (option 2); **illegal employment**: specifically targeting the employment of illegally staying third-country nationals (option 2); **regularisations**: studying the impacts of regularisations (option 2); **return policy**: further stepping up cooperation (option 2); **carriers liability**: evaluation of adopted measures (option 2).