



Strengthening solidarity and the rule of law: Implementing the common asylum policy and putting the facts back into the debate

Recommendations to the European institutions and the German Federal Government for the 2024 – 2029 EU legislative period

28 November 2024

POSITION

The European Union (EU) is at a crucial juncture in its common policy on asylum: Will the reform, agreed after years of acrimonious negotiations, now be implemented by all the member states, or will they continue, or even step up, unilateral action at the national level? In essence, the EU has to demonstrate its capacity to act and build a new, solidarity-based and resilient approach to migration, displacement and asylum. The new rules, procedures and management instruments and their implementation in the coming months and years also affect the cornerstones of the European integration project - including the free movement of persons and respect for the principles of the rule of law and obligations under European and international law.

In its position paper, the German Expert Council on Integration and Migration (Sachverständigenrat für Integration und Migration - SVR) comments on the current debate and future direction of the Common European Asylum System (CEAS), as well as on European cooperation in the area of migration and integration. The SVR believes these areas should be considered as a whole, even though the responsibilities are shared differently between European institutions and member states. The position paper is primarily addressed to the members of the European Commission responsible for these policy areas who are about to take office, but also to the German members of the European Parliament and the German Federal Government.

The status quo of European asylum policy: Challenges for solidarity and the rule of law in Europe

The previous CEAS had been beset by problems for years. Hence, the need for reform has been evident for some time.¹ Without effective solidarity and a functioning distribution system, some EU countries have borne much greater responsibility for people in need of protection than others. The Dublin system not only systematically overburdens member states of first arrival at the EU's common external borders, it also results in the secondary movements of asylum seekers and recognised refugees from countries that are responsible for them to countries in the EU's interior, in particular Germany. Moreover, there are wide disparities in the capacity of member states to manage asylum, reception and integration - and in some cases states deliberately undercut existing standards. In order to deter people seeking protection or to persuade them to continue their journey, some states have increasingly resorted to breaking the law more or less openly, for example through pushbacks, systematically inadequate reception conditions for asylum seekers and even refusal to accept asylum applications at all. This is compounded by the fact that there are very few legal avenues through which asylum seekers can claim protection in the EU. In most cases, it is impossible for people from war and crisis zones to apply for a visa and enter the EU legally, e.g. by air. In order to apply for protection, they have no alternative but to enter Europe irregularly. Furthermore, there has been an escalation in the political and public discourse in Germany and Europe, often reinforced by the media. The narrative of a 'loss of control', however, makes it more difficult to develop differentiated

¹ For details on the challenges of the previous CEAS and the reform elements, see: Chapter A.1.2 of the [SVR Annual Report 2024](#), the [SVR position paper on the EU legislative period 2019-2024](#) and Chapter A.4 of the [SVR Annual Report 2019](#).

and targeted solutions to the challenges. Taken together, the combination of these factors has eroded the trust among member states. The perception that European partners cannot be relied upon to manage irregular migration and displacement has created a vicious circle that has further fuelled the trend towards law-breaking and national unilateralism.

The hard-won reform of the CEAS, adopted by the European institutions as part of the Pact on Migration and Asylum in spring 2024, responds to this problem by, among other things, introducing a mandatory flexible solidarity mechanism and applying accelerated procedures at external borders to make asylum and return processes more efficient. Nevertheless, there are signs that the trend towards a renationalisation of European asylum policy continues. The last few months have shown that a domino effect can ensue when member states take unilateral measures in the area of asylum and border policy. If emergency declarations, border controls or opt-outs become widespread, there is a risk of far-reaching renationalisation to the detriment of EU cohesion and at the expense of those seeking protection. Although the complexity of the CEAS reform harbours new challenges², the SVR is nevertheless convinced that the swift implementation of the reform and a return to common rules is now a matter of urgency. 'Uncontrolled renationalisation' or the reopening of negotiations would be far worse alternatives. It would be a shift of historic proportions, with unforeseeable consequences.

It is undeniable that large numbers of refugees have arrived in the EU in recent years, not least as a result of the Russian war of aggression against Ukraine, and that they have been very unevenly distributed between member states (see SVR 2024a: 22–37; 2024b). In absolute terms, Germany has been receiving the highest number of asylum applications within the EU for many years.³ Globally, Germany has also become one of the most important host countries for refugees.⁴ In 2023, the total number of people seeking and entitled to protection in Germany was around 3.17 million, i.e. 3.7 per cent of the total population.⁵ However, the strong focus on refugee migration and the associated irregular border crossings often overlooks the fact that the largest share of total immigration - both to Germany and the EU - takes place through legal channels and is necessary for European societies in the face of demographic change and shortages of skilled labour.⁶ It should also be borne in mind that, globally, only a small proportion of people in need of protection come to Europe; the vast majority are internally displaced persons (IDPs), while others first flee to neighbouring low- and middle-income countries. The situation and challenges facing the EU therefore also need to be seen in an international context and in relation to the total population and economic strength of the EU.

² Challenges include organising border procedures in a way that effectively guarantees access to protection, ensuring access to legal advice, ensuring humane accommodation and living conditions at the external borders (especially for families with children or other vulnerable groups) and avoiding an increase in the use of detention of persons seeking protection (see SVR 2024a: 57–64; 2024b).

³ Between 2014 and 2023, more than 7.6 million first-time asylum applications were made in the EU, of which more than 2.6 million (or around 35%) were made in Germany (Eurostat 2024). In terms of the number of asylum applications in relation to the size of the population, countries such as Cyprus, Austria and Malta tend to have the highest ratios. Germany registered between 1.5 and four new asylum applications per 1,000 inhabitants each year since 2014, with the exceptions of 2015 (with just under six applications per 1,000 inhabitants) and 2016 (with just under nine applications per 1,000 inhabitants).

⁴ UNHCR 2024: Global Trends Forced Displacement in 2023; see also SVR Kurz & bündig: Fakten zu Flucht und Asyl (updated version), July 2024 (s. www.svr-migration.de/publikation/fakten-zur-asylpolitik/).

⁵ This includes persons with a recognised protection status, whose status is pending a decision or whose protection claim has been refused (see https://www.destatis.de/DE/Presse/Pressemitteilungen/2024/05/PD24_202_125.html). For comparison: In 2014, 746,000 people seeking or entitled to protection lived in Germany.

⁶ In 2023, 127,500 unauthorised entries were recorded for Germany, against a total of 1.93 million immigrants (see <https://mediendienst-integration.de/migration/irregulaere.html> and <https://mediendienst-integration.de/migration/wer-kommt-wer-geht.html>). For the EU, see e.g. https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/promoting-our-european-way-life/statistics-migration-europe_en.

Reframing the debate: Back to the facts and solutions

In the SVR's view, this complex issue is currently being discussed in ways that are not conducive to the search for solutions. Further fuelling fears and rejection of refugees is not the answer to dwindling public support. A spiral of escalation in the public debate does not solve any problems. On the contrary, it damages social cohesion. Nor is a race between member states to adopt the toughest measures a constructive contribution to finding common solutions. The SVR also warns against raising expectations that cannot be met, as this can lead to a loss of confidence among citizens (see SVR 2024c).

At the same time, policymakers have a responsibility to respond to and prevent the very real pressures countries are under. Strains are caused on the one hand by geographically concentrated increases in refugee arrivals and on the other hand by underlying infrastructure challenges. Immigration sometimes makes structural problems more visible, but in most cases it is not their only cause (SVR 2024a: 10). As well as the infrastructure, problems also exist with staffing and funding in public authorities, and with cumbersome administrative processes, particularly in the federal system in Germany.

In view of the many crises around the world and the increasing impact of climate change (see SVR 2023a), the EU must prepare itself for high levels of displacement in the long term. It cannot adopt a solely defensive stance or remain in permanent crisis mode. The goal, as simple as it is fundamental, is to manage migration as sustainably as possible while complying with union law. The reliable management of migration, especially in the area of asylum, cannot be achieved through national measures alone (SVR 2024a: 57; 2024b). Member states must therefore refrain from 'going it alone' and instead demonstrate their collective capacity to act alongside European institutions. They need to implement and respect common rules, strengthen administrative and institutional capacity and social infrastructure, and shift the focus and tone of the debate.

Against this background, the SVR submits the following positions and recommendations for action in the following three policy areas to German policymakers, the new European Commission and the European institutions as a whole:

- Rapid and comprehensive implementation of the CEAS reform and effective enforcement of common rules in compliance with human rights
- Establishment of an external migration policy based on solidarity and respect for international law
- Sound conditions for legal migration and integration

Priorities for EU institutions and member states: Recommendations of the SVR

Implementing CEAS reform in accordance with human rights

Europe has a legal and humanitarian responsibility towards refugees. This is also in keeping with the commitment to multilateralism and to the institutions of the international refugee regime as established by the United Nations. The EU and Germany must continue to be prepared for large movements of refugees and have the necessary reception capacity in place. At the same time, the EU and its member states are under great pressure to act if they want to maintain or increase public acceptance of their asylum policies.

The SVR therefore welcomes the agreement on reform of the CEAS reached in May 2024. The reliable management of refugee migration cannot be achieved through national measures alone, but only in a coordinated manner at European level. It is therefore extremely important and a cause for cautious optimism that European legislators have once again taken the initiative. If this were not the case, the trend towards non-compliance in the member states, as described above, would likely continue and become even more pronounced (SVR 2024a: 58).

It is now crucial that the reform package is implemented swiftly and comprehensively. The new Commission has a role to play in this, nonetheless it is first and foremost a matter for the member states. By adapting the legal basis for the new procedures ahead of schedule, Germany is already setting a good example. However, the SVR stresses that implementation must be balanced and comprehensive. It would be problematic if states indulged in 'cherry picking', prioritising or making full use of the legal leeway available for restrictive measures, while neglecting the protection and procedural safeguards for those affected by the regulations.⁷ Moreover, the greater legalisation of the reformed CEAS - which is primarily based on regulations rather than directives - will not automatically result in better practice. Political leadership is still required, both from individual member states such as Germany and from the new Commission. The latter must steer the implementation process, and the challenges and conflicts of interest that will inevitably arise, with a strong and inclusive conduct of negotiations. However, it must also sanction violations of the law more consistently than it has done in the past.

Border procedures: In the opinion of the SVR, human rights and refugee rights standards must be upheld at all costs - they are the key benchmark for the success of the reform. Notably the planned accelerated asylum procedures at the EU's external borders for certain groups will pose new human rights challenges, and there are still many unanswered questions regarding their implementation. The SVR emphasises that people involved in such border procedures must have access to independent legal advice at all times. Accommodation must also be organised in a humane manner. Human rights standards, including the UN Convention on the Rights of the Child, must be respected. People with special protection needs in particular – e.g. minors or the elderly – must be given extended protection. Experience from Greek reception centres shows how difficult it is to provide adequate accommodation for people seeking protection under such circumstances. Overcrowding and excessive length of stay should be avoided. The EU member states share responsibility for this (SVR 2024a: 8, 58, 60; see also Popp 2021). Border procedures must be implemented in accordance with the law, even in crisis situations. Facilities can quickly become overcrowded, especially when there is a large influx of asylum seekers. Nevertheless, accommodation conditions must comply with international legal standards at all times (SVR 2024a: 63). For this reason, the SVR attaches great importance to the monitoring of fundamental rights in connection with screening and border procedures. Germany should strive for a high standard in this respect and act as a role model. The European Commission should closely supervise the monitoring mechanism in each member state in terms of its formal mandate, independence, financial and human resources and effective access to the populations concerned.

Solidarity mechanism: One of the main innovations of the reform is that, for the first time, a solidarity mechanism has been defined to apportion the tasks and responsibilities of taking in refugees more fairly across the EU. In the view of the SVR, the introduction of a better division of responsibilities is one of the fundamental new management mechanisms within the framework of the CEAS reform and is also of crucial importance for Germany as a host country. For the first time, the new regulations contain an annual forecast of expected asylum applications as well as the required capacities and solidarity contributions (the so-called Solidarity Pool). The regulations also introduce two new organisational units (the High-Level EU Solidarity Forum and an associated technical level), the post of Solidarity Coordinator and annual migration reporting to monitor processes and measures. Although these institutional structures have yet to be established, they are intended to have a binding effect on the member states and thus reduce the possibility of circumventing the system. The implementation of the solidarity mechanism in particular is clearly in the interests of Germany and the states at Europe's external borders, as they are entitled to support from other member states under the new rules. The German government should therefore actively work towards joint implementation and refrain from unilateral measures that jeopardise European solidarity.⁸

Border controls: Germany's recent extension of border controls without prior consultation with neighbouring countries is therefore deemed problematic by the SVR, as is the turning back of people directly at

⁷ See the analysis of the German CEAS Adaptation Act by the German Institute for Human Rights: This analysis criticises the fact that Germany applies restrictive measures that exceed the requirements of EU law whilst taking insufficient account of protection guarantees. This concerns, for example, the use of asylum border procedures for case groups for whom this is not mandatory under the reformed Asylum Procedure Regulation, as well as the possibility of detaining minors (see www.institut-fuer-menschenrechte.de/publikationen/detail/entwurf-eines-gesetzes-zur-anpassung-des-nationalen-rechts-an-die-reform-des-gemeinsamen-europaeischen-asylsystems-geas-anpassungsgesetz).

⁸ It remains to be seen whether the solidarity mechanism will live up to expectations and ensure participation by all member states (SVR 2024a: 8, 62).

the German border or bans on the entry of certain groups of people in violation of human rights, asylum and political commitments. The free movement of people is one of the EU's most important achievements and border controls in the Schengen area are, for this reason, strictly limited under the Schengen Borders Code. However, the amending regulation that came into force in July 2024 makes it easier for member states to introduce and maintain temporary border controls in exceptional circumstances. This would be possible for a maximum period of two years and would entail high personnel costs for the federal police and the police in the federal states. In cases of serious threat, temporary border controls can be extended for up to one year. **The SVR believes that permanent stationary controls within the Schengen area should be avoided.** People smugglers are quick to adapt to them and the economic costs of controls can be high in the event of border congestion. Instead, alternative solutions should be sought in coordination with neighbouring countries, as in the case of cooperation between Germany and Switzerland (SVR 2024c).

Returns: One missing piece of the puzzle in harmonising refugee and asylum policies is the area of returns (see SVR 2024a: 81–82). So far, it has not been possible to reach an agreement on earlier drafts of a reform of the return directive. The design of national return programmes varies greatly from member state to member state. Return decisions by one member state are not necessarily recognised in another. There is also no standardised EU-wide list of which countries of origin are considered safe and which criteria are applied. The European Commission's latest initiative⁹ to harmonise return policies is therefore a sensible next step after the CEAS reform. In this respect, the SVR emphasises that cooperation with countries of origin, which is essential for a functioning return policy, should be based on partnership and in accordance with human rights. However, the SVR has reservations about a one-sided shift of responsibility to third countries - e.g. in the form of the recently mooted "return hubs" outside the EU (see next sub-chapter).

Ukrainian refugees: Aside from the discussions about arrivals at Europe's external borders, member states and the new Commission must promptly address the question of what options exist when the temporary protection status granted to refugees from Ukraine in the EU expires in 2026 and in case return is not possible. The SVR expressly welcomes the rapid and unbureaucratic reception of people affected by the war of aggression. The EU's simplified system of collective admission is a demonstration of solidarity and capacity for action. The SVR also welcomes the fact that the EU has chosen to extend the protection status at an early stage, given the ongoing war in Ukraine. The member states and the Commission must now find a workable solution in line with European regulations, including for the transition from temporary protection to a residence permit for work and study purposes (for the possibilities under German law, see SVR 2024a: 66, see also Schneider 2024). Germany has an important role to play in this regard as one of the main host countries of Ukrainian refugees. It is also important to bear in mind the trade-off between the gradual integration of Ukrainian nationals and the Ukrainian government's understandable desire for their return.

External migration policy: improving cooperation with third countries

Working together with third countries and the international community as a whole is essential, including in protecting refugees. Partnership and respectful dialogue at all levels are key to the development and implementation of management approaches that are viable in the long term. The interests of countries of origin, transit and destination need to be considered. It is also advisable not to adopt a one-size-fits-all approach to those seeking protection. Like all people, those seeking protection have their own story and therefore individual needs, which should be taken into account in the event of deportation or transfer (SVR 2024d: 12).

Asylum processing in third countries: Proposals to outsource asylum and return procedures to third countries are back on the agenda at European and national levels. **The SVR has repeatedly commented on such proposals (see SVR 2020: 7; 2024a: 73–74; 2024d: 2).** Despite potential practical benefits, the arguments against outsourcing far outweigh those in favour. The proposals to date raise considerable legal,

⁹ See letter from the President of the Commission dated 14 October 2024; European Council conclusions of 17 October 2024 (EUCO 25/24).

political and operational questions. This applies above all to compliance with the principle of non-refoulement enshrined in the 1951 Geneva Refugee Convention. The prohibition of collective expulsions and the right of access to effective remedy must also be respected, as must other obligations under international law. Moreover, the political consequences of such agreements should not be underestimated. The legality of externalising asylum procedures would therefore depend on the political stability of the third country. In this respect, the SVR warns against excessive political dependence on third countries (SVR 2024a: 74; 2024d: 11–12).

In the SVR's view, the complete externalisation of protection contradicts the EU's commitment under primary law to provide refugee protection in accordance with the Refugee Convention. Even the best treaties cannot guarantee the rule of law in third countries in the long term in the same way as the EU promises to do in its own territory under primary law (SVR 2024d: 6). The outsourcing of procedures and of protection would also seriously damage the EU's credibility in matters of human and refugee rights. If the EU were to turn its back on the international protection of refugees, it would be much more difficult to motivate other states to play their part. International development goals of reducing the existing inequalities in favour of low- and middle-income countries would also be undermined if these same countries were forced to continue bearing the main and increasing burden of reception and protection (SVR 2024d: 12). Even if it were possible to outsource procedures in a legally compliant manner, the SVR believes that it would be crucial not to simultaneously outsource the granting of protection itself (SVR 2024a: 74).

Migration agreements: Instead of one-sided externalisation, the SVR believes that more and better migration agreements are needed. Responsibility must be shared, not simply outsourced. The means of choice in this regard is a migration policy based on partnership, which must strike a balance between migration control and migration opportunities and address the respective interests of the partner countries (SVR 2024a: 85). Improved cooperation in the area of migration management and return policy must therefore be accompanied by the opening up of legal routes for labour migration and migration for the purposes of education and training (SVR 2024d: 12). Countries that have taken in large numbers of refugees should receive further support and resettlement quotas should be increased. The Union Resettlement and Humanitarian Admission Framework adopted in the context of the CEAS reform provides a common basis for this, which needs to be operationalised by the member states.

In this regard, improved coordination between bilateral migration agreements, i.e. those negotiated by individual member states, and those negotiated at European level is needed. The EU's mandate is limited to readmission agreements or agreements on capacity building and other forms of support for third countries (SVR 2024a: 84–85). As labour market or education-related migration is the sole responsibility of the member states, only they can facilitate legal routes to the EU when negotiating migration agreements. Member states should also show solidarity in this respect and use the bilateral opportunities available to them to pursue common objectives in external migration policy.

Instrumentalisation of migration by third countries: The EU also faces the highly sensitive question of how to respond to the political instrumentalisation of migration by third countries, as seen at the Polish-Belarusian or Russian-Finnish borders. The EU should primarily deploy foreign policy tools and tackle state-organised migrant smuggling (SVR 2021). At the same time, it is important to ensure that humanitarian assistance is provided to those affected and that human rights and refugee law are respected. The SVR welcomes the Commission's clear response to Poland's recent attempts to temporarily suspend the right to seek asylum at the border with Belarus. The Commission should always strongly oppose attempts by member states to undermine existing law. At the same time, the affected member states at the external borders need to be supported in receiving and processing applications. This could be done, for example, as part of the operations of the EU Asylum Agency or the European Border and Coast Guard Agency, which are obliged to ensure that asylum procedures and border protection are in line with European standards (SVR 2021). Furthermore, the EU should also be aware that its disunity in dealing with refugee migration makes it vulnerable to blackmail. The more politicised and polarised refugee migration is perceived within the EU, the easier it is for third countries to take advantage of this dynamic.

In addition, the high costs associated with border controls or even externalisation endeavours (see SVR 2024d: 3) should be carefully examined and weighed up against other measures that are relevant and necessary in terms of migration policy - e.g. the expansion of national and municipal reception capacities

(see below). Especially in the tight budgetary situation that many member states find themselves in, evidence-based cost-benefit analysis and prioritisation of public spending is crucial. This also applies to the upcoming negotiations on the next multiannual EU financial framework.

Actively shaping legal migration and integration

European policy is coming under great pressure from increasingly sceptical - even hostile - attitudes to migration among parts of the population in EU member states, and from right-wing populist and extreme forces that are fuelling and profiting from this mood.¹⁰ The parties of the democratic centre are unlikely to benefit from calling for ever more restrictive measures. Instead, they need to solve real problems and engage in nuanced debate. Most Germans and Europeans are not fundamentally opposed to migration (SVR 2024a: 12–13, 123–128). However, citizens expect politicians to be able to manage migration, especially refugee migration, in terms of numbers, admission criteria and expectations of new arrivals. Achieving this would also help to defuse the polarised public debate (SVR 2024a: 12–13; 2024c).

The SVR therefore urges that the issue of refugee migration be addressed in an objective, evidence-based and solution-oriented manner (SVR 2024a: 13). In this sense, and following the legislative changes, Germany and the EU should now intensify their focus on administrative implementation (including of the CEAS reform). The rapid and successful integration of refugees into the labour market is decisive for public acceptance of asylum policies. Alongside language acquisition, labour market integration is also a key driver of social participation.

Social infrastructure: Solutions to many of the problems that concern the public and that are being attributed to migration are not necessarily found only in the area of migration and asylum policy, but also in other policy domains. Investing in access to opportunities and social infrastructure benefits all citizens while improving the conditions for rapid and sustainable integration of migrants. In addition to specific measures to support refugees, it is therefore important to redesign mainstream systems. This will require changes to the quality and capacities of education and health care systems, among others, to enable them to meet the needs of a diverse range of user groups. Policymakers can also improve the current framework conditions in the labour and housing markets (see SVR 2024a: 153, 173–177, 188–193).

Local authorities and civil society: Clearly, the numerous tasks and challenges cannot be tackled at European or national level alone. The reception and sustainable integration of people in need of protection is very much dependent on the support of society as a whole - from local businesses and associations through to local organisations and volunteers. Appropriate structures, in particular at the municipal level, are therefore invaluable (SVR 2024a: 13). This includes strengthening civil society and municipal structures to better prepare for migration as one of the many challenges of the future. In Germany, for example, many local authorities have been stretched to the limits by the reception of refugees from Ukraine and other third countries. In retrospect, the municipalities that were best prepared were those that already had established structures and resources for reception and accommodation to fall back on. They reacted more quickly and pragmatically than local authorities that did not have the necessary capacities (SVR 2024a: 9). The EU institutions could also contribute, for example by continuing to actively promote platforms for dialogue among local authorities across Europe, for example in the context of the European Committee of the Regions.

Legal migration: While irregular migration dominates the political debate in Europe, the vast majority of migration to Europe takes place via legal routes and is related to labour market needs, among other things. Given demographic trends, the current skills shortage is set to worsen significantly.¹¹ Labour migration, as

¹⁰ However, migration is not accorded the same level of (European policy) importance in all member states: Migration was only the top priority for voters in Germany, according to a post-election survey after the European elections in June 2024. In other member states, other issues, in particular the rising cost of living, were more important. (see <https://europa.eu/eurobarometer/surveys/detail/3292> and <https://www.rnd.de/politik/eu-wahl-2024-migration-nur-fuer-deutsche-top-thema-ueberraschung-bei-den-jungen-BLFO6ZAXGRB2PCDLJDB2WR7D64.html>).

¹¹ For population trends in the EU, see, for example, the Demography of Europe report of the EU Statistical Office (see <https://ec.europa.eu/eurostat/web/interactive-publications/demography-2023>). On the effects of the shortage of skilled labour in Germany, see for example the latest analysis by the German Economic Institute (see www.iwkoeln.de/presse/pressemitteilungen/alexander-burst-edde-galina-kolev-schaefer-wirtschaft-verliert-49-milliarden-euro.html).

well as the labour market integration of migrants and refugees already in the EU, should be a priority. Germany has already made great strides in opening up its labour market to skilled and highly skilled workers from abroad; the SVR has closely monitored and positively assessed these developments (see SVR 2023b; 2024a: 8, 46–57). While the EU's formal powers in the area of labour migration are limited, the new European Commission¹² and Germany could promote existing projects, such as the Talent Pool. With the support of the EU and in partnership with countries of origin, member states should expand the quality and quantity of legal pathways for the purpose of employment, education and training (see above).

Integration and social cohesion: Efforts to promote labour migration, however, will only be successful if they are accompanied by a stronger culture of welcome and equal access for migrants to key areas of social life. To this end, the relevant institutions at national level must be strengthened and administrative processes for implementing legal norms must become more efficient. The issues of legal migration, integration, social cohesion and anti-discrimination are currently not receiving the attention at European level that the SVR believes they deserve. In the course of its term of office and within its existing competences, the Commission should make adjustments and use the full range of its financial and political support. More emphasis needs to be placed on the complementarity of migration and integration policies, even if the latter are and remain the responsibility of the member states. The EU could also use labour, social and equality policies to promote social cohesion in a diverse Europe. The EU could do more to support local, urban and civil society involvement. A comprehensive policy must be accompanied by a new narrative that emphasises the historical and future importance of migration to Europe and actively promotes social cohesion and a sense of belonging in a diverse Europe. The EU should set priorities in the areas of equal treatment, anti-discrimination (where it has relatively strong powers under various directives) and joint action against racism (e.g. as part of the renewal of the EU Action Plan against Racism, which expires in 2025) (see SVR 2020: 3, 14).

Conclusion

It is up to the new European Commission and the member states to decide whether and how they will work together to implement the reform of European asylum policy, or whether they will leave it to the member states to act unilaterally, at the risk of the final collapse of the CEAS. At stake are Europe's protection, human rights and humanitarian responsibilities towards refugees and migrants, as well as central pillars of European integration such as the rule of law, freedom of movement and solidarity. The SVR is convinced that the political, economic and financial costs of renationalisation clearly exceed its short-term political benefits. An 'unravelling' of the recently adopted migration and asylum package and renegotiations would further delay the now urgent implementation and probably lead to a worse outcome.

¹² In addition to the Commissioner for Internal Affairs and Migration, the Commissioner for International Partnerships and the Executive Vice-President responsible for People, Skills and Preparedness are also important players in this area.

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The Expert Council on Integration and Migration is an independent and interdisciplinary body providing research-based policy advice. Its reports aim to assist those bodies responsible for integration and migration policy, as well as the general public, in their opinion-forming processes. The interdisciplinary Expert Council comprises a total of nine Researchers: Prof. Dr Hans Vorländer (Chairperson), Prof. Dr Birgit Leyendecker (Deputy Chairperson), Prof. Dr Havva Engin, Prof. Dr Birgit Glorius, Prof. Dr Marc Helbling, Prof. Dr Winfried Kluth, Prof. Dr Matthias Koenig, Prof. Sandra Lavenex, Ph.D., Prof. Panu Poutvaara, Ph.D.