

# RECOMMENDATIONS TO THE SLOVENIAN PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION

July – December 2021

## EXECUTIVE SUMMARY

In the second half of 2021, the world will continue to adjust to and recover from the multifaceted implications of the COVID-19 pandemic. During this period, the Slovenian Presidency will lead the Council's discussions on the Pact on Migration and Asylum as well as on digital transformation, the EU's relations with its external partners and the implementation of the European Green Deal.

The safe resumption of human mobility will be essential to support economic and social recovery in the EU and beyond. Mainstreaming digitalization in migration management will be crucial to facilitate travel resumption amid COVID-19. This calls for the implementation of new technological and digital solutions at borders in response to public health risks.

The European Union plays an important role in providing wider international access to vaccines, ensuring that no one is left behind. In this context, in the interest of public health all migrants - irrespective of legal status - should be granted access to basic health services, including the COVID-19 immunization rollout in EU Member States and beyond.

In view of demographic developments and evolving labour market needs, market-responsive labour mobility schemes can serve as an important tool to dynamize European economies. To respond to skills gaps and anticipate the need for new skills, migrants at all skill levels should be targeted through mobility partnerships integrating skills development. Harnessing the positive developmental outcomes of such schemes will require their synchronization with the 2030 agenda. At the same time, lifting the barriers to basic services and countering

stigmatisation will contribute to the integration prospects of migrants.

To ensure that intra-regional migration is safe, orderly and regular, the fight against human trafficking and migrants smuggling should integrate migrant protection efforts as well as capacity building of border and law enforcement authorities in partner countries.

Joint approaches to migration management, which bring together countries of origin, transit and destination, are necessary to effectively address challenges and harness opportunities. Strong international cooperation provides a solid basis for collaborative migration governance with migration being integrated coherently across all policy domains through a whole-of-government approach.

Return, readmission and reintegration are indispensable parts of a comprehensive approach to migration governance. Building strong partnerships in a routes-based approach with countries of origin and transit will be key for effective international cooperation in this area. By coupling return with robust reintegration measures that respond to the needs of migrants and communities they return to, the opportunities for sustainable development in countries of origin can be enhanced.

As part of a comprehensive approach to external action the anticipated measures of the Green Deal should account for migration in all its forms. Placing the green transition at the heart of the EU's economic transformation, offers the opportunity to involve migrants to support climate action. Migration can diversify livelihoods, reduce the pressure on natural resources, improve access to information, financial institutions and markets and expand social networks.

## IOM RECOMMENDATIONS

### **I. Facilitate safe post-pandemic human mobility resumption for economic and social recovery in the EU and beyond**

- Ensure adequate and equitable access to health services for migrants, including COVID-19 vaccine distribution.
- Prioritize the mainstreaming of digitalization in migration management to facilitate travel resumption amid COVID-19, including digital certification for mobility.
- Promote labour mobility pathways that are mutually beneficial and protect migrant workers in cooperation with partner countries.
- Maximize migrants' integration prospects through inclusive policies with a view to counter xenophobic sentiment and discrimination.
- Increase capacities to fight smuggling and trafficking in countries of origin, transit and destination for enhanced regional cooperation.

### **II. Foster international cooperation for holistic and coordinated responses on return migration**

- Address the need for comprehensive migratory routes-based approaches to monitor patterns and profiles in a collaborative manner and to identify migrants' profiles and needs.
- Prioritize the development of a comprehensive and integrated approach to return which is coupled with robust reintegration measures to enhance migrants' and communities' opportunities for sustainable development.
- Support the sustainability of reintegration by addressing local development needs as well as the needs of receiving communities and returning migrants in countries of origin.

### **III. Ensure that the role of safe, orderly and regular migration is integrated into the transition to a climate-neutral economy**

- Ensure the mainstreaming of migration in all its forms into the key policy areas of the European Green Deal.
- Foster the inclusion of migrant workers in measures under the Just Transition Mechanism to ensure that no one is left behind.
- Promote the principles of the European Green Deal in external action to ensure that migrants, their families and communities are not left behind across the global supply chain.

## RECOMMENDATION I.

### Facilitate safe post-pandemic human mobility resumption for economic and social recovery in the EU and beyond

#### 1. Ensure adequate and equitable access to health services for all migrants

IOM strongly recommends ensuring adequate and equitable access to health services for migrants. Even before the COVID-19 pandemic struck, migrants had a greater vulnerability to disease often due to inadequate living and working conditions. Due to policy, linguistic or financial barriers, they frequently face greater challenges in accessing health services. For everyone to thrive, the European Union Member States must intensify efforts to ensure no one is left behind. All migrants – no matter their legal status – to basic health services, such as health information, prevention, care and to the life-saving treatments available for communicable and non-communicable diseases. To offer health care to all migrants is also a public health interest.

IOM stands ready to support the Slovenian Presidency to ensure that COVID-19 immunization roll-out across the EU and beyond include all migrants and other people on the move in a fair and equitable manner and to assist the Presidency through risk communication and community engagement (RCCE) actions.

In addition to migrant inclusion in vaccine distribution, IOM recommends carrying out public advocacy to counter vaccine scepticism which is reported across migrant communities.

IOM reminds that improving adequate data collection on migrant health has the potential to be of major benefit for both the hosting communities and the migrants in the context of a human rights-oriented health security approach, which favours digital records such as the EU Digital COVID Certificate.

#### 2. Prioritize the mainstreaming of digitalization in migration management for travel resumption amid COVID-19

The COVID-19 pandemic has demonstrated that the digitalisation of services is essential to business continuity in times of crisis. The mainstreaming of digitalisation across different sectors and policies should remain a priority as the world begins to recover and adapt. The new digital solutions adopted in the face of the pandemic demonstrated the need for innovative digital tools that speed up migration processes while enhancing security and data protection of identity and can provide contactless solutions that evade risks posed through physical controls and contamination.

The Slovenian Presidency will oversee the implementation of the EU Digital COVID Certificate which will facilitate the mobility within and outside the Schengen area. This action will be key to accompany EU Member States in implementing this important EU proposal, adapting, and harmonizing national COVID-19 certificates to EU common standards for mutual trust and recognition among Member States and beyond.

IOM recognizes that health certificates are one useful tool which can support the much-needed resumption of cross-border human mobility, including safe, orderly, and regular migration. Health certification should not

be limited to vaccination, as this will exclude large unvaccinated populations. It is important that measures do not exacerbate discrimination, stigmatization, and inequality, infringe upon human rights and international refugee law, and they should take into consideration additional barriers to travel such as the cost and accessibility of vaccination, testing and certification.

IOM recommends that the Slovenian Presidency prioritises efforts to support reinforcing the overall digital capacities of Governments on migration and identity ecosystems, while upholding the right to privacy and protecting personal data in the migration sector. This includes supporting the development of electronic travel authorizations and visa procedures, in accordance with the Pact on Migration and Asylum- in order to make visa applications possible in the absence of physical embassies and consulates. Mobility systems, including migration management, will continue to face major challenges if they fail to adapt their institutional, operational, and legal dimensions to the digital era, promoting a transparent and easier process for citizens and residents. Internationally coordinated digitalization would therefore be instrumental in optimizing response to public health issues and facilitating the overall travel continuum therein. It is also important that such solutions are easily accessible with reasonable costs in order to allow swift procedures for regular travel.

### **3. Promote labour mobility pathways that are mutually beneficial and protect migrant workers**

In view of the EU's ageing population workforce and changing labour market needs, market-responsive labour mobility schemes can serve as one of the tools to dynamize European economies. The COVID-19 pandemic has demonstrated that migrant workers have been essential in keeping European economies and supply chains afloat in times of crisis, acting as key response agents across critical sectors. At the same time, the EU is also undergoing a transition towards greener and more digitized economies. IOM invites the Slovenian Presidency to support EU Member States in anticipating risks to and opportunities for migrant workers in the context of this economic transition. In that respect, the impact of factors linked to the future of work such as market automation and digitalization, the concomitant disappearance of some sectors, and the emerging need for skills linked to the green transitions, must be analysed in a timely manner and incorporated into policy and planning.

To respond to skills gaps and anticipate the need for new skills, IOM encourages the EU to promote flexible and accessible labour mobility pathways targeting migrants at all skill levels. The EU's Talent Partnerships can be modelled on IOM's Skills Mobility Partnership approach which is rooted in multi-stakeholder partnerships and integrates skills development at its core. EU skills and labour migration policy planning should also consider migration's development impact, synchronizing it with the 2030 Agenda. To harness the positive developmental outcomes of such schemes, IOM invites the Presidency to recognize an active role for partner countries in the very design and implementation of mobility schemes.

The exploitation of migrant workers' and their rights-violation is rampant throughout the labour migration cycle and across industries. Enhancing the transparency of recruitment processes through sound recruitment regulations and effective monitoring are key in protecting migrant workers. IOM's Montreal Recommendations on Recruitment offers a roadmap for policymakers towards fairer and more ethical recruitment practices and could be useful in framing the Presidency's position in that arena. In view of combatting labour exploitation,

particularly in the supply-chain context, IOM calls on the Presidency to promote sustainable corporate governance.

#### **4. Maximize migrants' integration prospects through inclusive policies**

To achieve comprehensive migration policies, including those related to labour migration, migrants need to be successfully included in European societies. While the COVID-19 pandemic has demonstrated migrants' valuable role to EU societies, it has also exacerbated the stigmatization of migrants and their unequal access to basic services, particularly healthcare.

In view of reversing such patterns, the Slovenian Presidency can positively guide the implementation of the EU's Action Plan on Integration and Inclusion under its term. The Action Plan provides a renewed impetus for more holistic migrant integration policies in Europe. To ensure migrants' inclusion in COVID-19 recovery plans, EU Member States should also be supported in identifying and lifting individual, cultural and structural barriers to migrants' access to basic services.

In terms of countering xenophobic sentiment and combating discrimination vis-à-vis migrants, the enforcement of anti-hate crime and antidiscrimination needs to be strengthened and addressed at institutional levels; aligning with the EU's Anti-Racism Action Plan priorities. IOM further recommends that the Slovenian Presidency endorses a positive and evidence-based discourse on migration, highlighting migrants' enriching value to societies.

#### **5. Increase capacities to fight smuggling and trafficking in countries of origin, transit and destination.**

During the Slovenian Presidency, the European Commission will adopt the EU 2021-2025 action plan on fighting migrant smuggling. As outlined in the Pact for Asylum and Migration, supporting third countries capacities in tackling trafficking and smuggling criminal networks, as well as judiciary cooperation between the EU and countries of origin and transit, is essential for an efficient response.

To ensure that intra-regional migration is safe, orderly, and regular, IOM recommends an approach to combatting human trafficking and migrant smuggling networks that integrates migrant protection efforts and capacity building of border authorities and law enforcement- on technical, operational, legal provisions. To achieve this objective there is a need for further regional cooperation, including information sharing, that is necessary for effective identification of potential victims of trafficking, investigation of smuggling and trafficking networks, and prosecution efforts while protecting vulnerable migrants. It is crucial to enable conditions to protect women and girls of the risks inherent to smuggling of migrants and trafficking in human being, while addressing trafficking in persons as a highly gendered crime and support transregional cooperation to break the chain of trafficking and ensure the protection of victims.

## RECOMMENDATION II.

### Foster international cooperation for holistic and coordinated responses on return migration

Return, readmission, and reintegration are an indispensable part of a comprehensive approach to migration management for many governments worldwide. To be effective, they require solid engagement and cooperation between its various actors, as well as balanced, holistic, and coordinated responses to the evolving challenges of migration.

Return and reintegration are transnational. There is a need for policymakers in countries of origin, transit and destination to enhance operational cooperation and build up coherent and tailored responses. IOM recommends to the Slovenian Presidency to promote efforts to encourage comprehensive migratory routes-based responses. A route-based approach is beneficial because it allows to monitor patterns and profiles in a collaborative manner. It also allows identification of migrant's individual vulnerabilities and better understanding of the socio-economic and psychosocial impact of COVID-19 on migrants' profiles and needs. This contributes to gaining the insights and thus predictability needed to adapt migrant assistance flexibly to needs when and where they emerge along the routes. Such flexibility is particularly relevant for migrants in situations of vulnerability who may have been subject to violence, exploitation or abuse or who may require specialized case management-based assistance due to specific health, psychosocial or protection needs. IOM also recommends to further build on existing good practices in this area that promote cooperation for harmonized interventions among states.

Return migration requires a rights-based migration management system to be protection-sensitive and efficient. In addition, to be effective as well, it should include comprehensive reintegration support as underlined in the EU Voluntary Return and Reintegration Strategy. Reintegration benefits migrants and society, by advancing their well-being and ensuring respect for rights. IOM reiterates that sustainable reintegration can only be achieved when linked to the broader context, as returning individuals are situated within a larger community structure and external environment that impact on sustainability. When strategically designed, embedding economic, social, psychosocial factors at individual, community and structural levels, reintegration becomes sustainable and enhances migrants' and communities' opportunities for sustainable development as well.

. The COVID-19 pandemic with its heavy socio-economic impact has also highlighted the critical need for adapted and more solid reintegration support. IOM calls on the Slovenian Presidency to support and strengthen partner countries capacities in including within national response plans the local development needs, along with the needs, vulnerabilities and concerns of returnees and those of the communities of return. Providing adequate measures and resources to cater the identified needs of receiving communities and migrants alike contributes to accelerate response to and COVID-19 recovery, stabilise communities, increase their reintegration capacity and counter drivers of irregular migration. This includes the provision of social protection and services, justice, health, psychosocial assistance, vocational training, employment opportunities and decent work. IOM stands ready to support in this area through the Mainstreaming Migration into International

Cooperation and Development ([MMICD](#)) tools that can be used to facilitate development cooperation and foster sustainable reintegration measures.

Direct participation of national and local authorities in partner countries in the design and implementation of reintegration can increase ownership and sustainability of the process. IOM recommends to the Slovenian Presidency to further nurture engagement with national and local authorities in partner countries as they play a vital role in reintegration. IOM avails of its long-standing experience and expertise to contribute to capacity development efforts on reintegration in partner countries.

To allow for an increased support to partner countries in harnessing sustainable reintegration, IOM calls the Slovenian Presidency to utilize the existing collaborative structures while working with the African Union (AU). The AU-EU-UN Taskforce can be a useful model to build and champion good practices by ensuring greater AU and AU Member States involvement in EU support for national reintegration systems.

## RECOMMENDATION III.

### Ensure that the role of safe, orderly and regular migration is integrated into the transition to a climate-neutral economy

Under the Slovenian Presidency, the European Green Deal will continue to top the agenda. On 21 April 2021, the European Parliament and the EU Member States reached a provisional political agreement on collectively reducing net greenhouse gas emissions by at least 55% by 2030, compared to 1990 levels, and become climate-neutral by 2050. IOM also welcomes the recognition of the role of adaptation strategies, programmes, and projects in reducing the risk of climate-related displacement in the new EU Strategy on Adaptation to Climate Change.

Well-managed migration can support the transition to a climate-neutral economy and green recovery from the COVID-19 pandemic. Migration can diversify livelihoods (e.g. financial and social remittances), reduce the pressure on natural resources, improve access to information, financial institutions and markets and expand social networks.<sup>1</sup> In line with the Paris Agreement on climate change, the 2030 Agenda for Sustainable Development, and Sendai Framework of Disaster Risk Reduction 2015-2030 and in view of the COP26, IOM encourages the Slovenian Presidency to promote the mainstreaming of migration – in all its forms – in the anticipated measures under the key policy areas of the European Green Deal: Biodiversity, building and renovating, climate action, clean energy, eliminating pollution, from farm to fork sustainable industry and sustainable mobility.

Due to economic restructuring as part of the green transition, changes in labour demands are likely in extractive and fossil-fuel dependent sectors. It is vital that migrant workers who are a part of these sectors – are also included in measures under the Just Transition Mechanism to ensure no one is left behind. IOM further recommends to the Slovenian Presidency to promote the inclusion of migrant workers in reskilling and other related initiatives supported by the Just Transition Mechanism.

The European Green Deal will reshape economies in other parts of the world. Migrants account for a significant portion of the workforce in many countries. IOM therefore recommends that the Slovenian Council Presidency promotes the principles of the European Green Deal in external action to ensure that migrants, their families, and communities are not 'left behind' across the global supply chain.

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<sup>1</sup> <https://publications.iom.int/books/world-migration-report-2020-chapter-9>



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