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Asylum and migration: common responsibility requires immediate common action

Position paper of the Bavarian, Baden-Württemberg and Saxon municipalities

For years, the associations of Bavarian, Baden-Württemberg and Saxon municipalities have continuously shown solidarity with the people fleeing war and violence. Now, the worsening situation in the face of rising numbers of irregular arrivals requires a decisive increase in solidarity from the EU and the Member States with the people in the municipalities who have to make tough decisions every day and tirelessly provide help for those in need. The local level has reached its breaking point in receiving and providing for asylum seekers. It must therefore be relieved in a timely manner in order to remain capable of acting for the citizens in all areas of responsibility. The European Parliament and the Council are called upon to finally do their bit by swiftly adopting and implementing the EU's Pact on Migration and Asylum. Swift trilogue negotiations are now essential, which must lead to effective and quickly implementable results.

Allow us to first point out the fundamental challenges that municipalities and local decision-makers are currently facing on the ground:

For more than a decade, politics and societies in Europe have been confronted with a dynamic and veritable landscape of crises, consisting of various geopolitical as well as global financial, economic and health crises. The continuing effects of the Covid-19 pandemic, the still very strong inflationary trend in the eurozone and the Russian war of aggression in Europe do also impact the ability of municipalities to act in guaranteeing democratic participation and the provision of the many vital services for their citizens. Therefore, it is necessary, especially in view of the current accumulation of crises, to focus on essential and necessary aspects in the many ongoing EU legislative projects, such as the European Green Deal. At the same time, the impact of a high number of refugees – from Ukraine as well as other third countries – shows that municipalities are currently not sufficiently seen and supported by the EU. Member States and the EU Parliament have not yet succeeded in agreeing on effective measures to better screen and control the influx of irregular entrants, to return them more effectively where necessary, and to achieve a fairer distribution of refugees in the Union.

The municipalities in Bavaria, Baden-Württemberg and Saxony are currently facing enormous pressure in the face of sharply rising numbers of asylum applications. In 2022, for example, 244,132 asylum applications were submitted to the Federal [Office](#) for Migration and Refugees, an increase of 27.9 % compared to the previous year. Furthermore, 1,045,185 refugees from Ukraine, mostly women and children, were registered in Germany by the end of 2022. For the year 2023, the forecasts assume more than 300,000 asylum seekers. Only through the high level of commitment of the population, especially for the war-displaced people from Ukraine, has it been possible so far to provide accommodation, care and the first steps of integration. However, in view of the acute housing shortage, thousands of missing day-care places, an education system that is working to capacity and strained medical care in rural areas, the breaking point has now been reached.

In this context, it is the duty of the Local Authorities of the three states to provide the upper levels of politics with a realistic assessment of the situation.

As the European Offices of the Bavarian, Baden-Württemberg, and Saxon Local Authorities, we raise the voice for the municipal state associations from states of Bavaria, Baden-Württemberg, and Saxony with their over 3,400 cities and municipalities, 116 counties and the seven Bavarian districts.¹

In this sense, the following demands are decisive from a local perspective:

- **The EU's Pact on Migration and Asylum must be adopted and implemented swiftly:** For almost three years now – in the case of one legislative proposal it has been more than six years – the individual measures proposed by the EU Commission for a Pact on Asylum and Migration have been waiting in the loop. Despite declarations of intent by the Commission, the Council, and the Parliament to have negotiated and adopted the legislative package by the European elections in 2024, the Local Authorities are calling for quick action. More years must not be allowed to pass in which EU-wide standards for the registration of irregular entrants or a common EU return system are not yet established.
- **Securing the EU's external borders:** Effective security of the EU's external borders is needed. The aim here is to limit illegal entries for those who have no prospects of staying in the first place. In this regard, the municipalities welcome the EU Commission's legislative proposals to screen irregular entries at the border and to speed up asylum procedures. It should be emphasised that the accelerated procedures for persons without clear prospects of staying should take place within short periods of time near the border. This way, secondary migratory movements within the EU could be prevented as far as possible and, at the same time, decisions on international protection could be reached more quickly for all parties involved (for the EU, the respective Member States, and their municipalities, and first and foremost: for the person concerned). The fact that the EU Parliament and now also the large majority in the Council of the EU (including the German Federal Government) are sending out approving signals here is expressly welcomed. In general, these and all other measures must

¹ Bayerischer Gemeindetag, Bayerischer Städtetag, Bayerischer Landkreistag, Bayerischer Bezirketag; Gemeindetag Baden-Württemberg, Städtetag Baden-Württemberg, Landkreistag Baden-Württemberg; Sächsischer Städte- und Gemeindetag, Sächsischer Landkreistag.

have the effect of better and more restrictive management of the admission of refugees and migrants in the EU and Germany.

- **Fair burden sharing:** With regard to expected further admissions, an even distribution must be ensured, taking into account Germany's previous efforts. For the sake of fair burden-sharing, there is a fundamental need for binding distribution quotas among individual EU Member States within the framework of a new Dublin procedure or, if these quotas are not met, effective compensation mechanisms for under-performing Member States. We welcome the general direction of the Commission's proposals and the positioning of the Council and Parliament. However, the thresholds at which a migration-related crisis situation exists in one or more Member States, thus making burden-sharing necessary, must be lowered. Special burdens on individual municipalities and regions must also be taken into account to a greater extent in the Commission's decision on the existence of a crisis.
- **Harmonisation of asylum procedure and return regulations in the EU:** A well-functioning asylum system requires an effective return system for those without prospects of staying. In order to close loopholes, measures need to be established across the EU.
- **Europe-wide harmonisation of integration and social benefits:** A uniform refugee policy at EU level also includes the equivalence of integration and social benefits granted in the individual Member States, measured against the respective prevailing national living and social standards. Different levels of benefits can further exacerbate uneven distribution across the EU. The EU and its Member States must prove that they can speak with one voice on such big issues.
- **Uphold human rights and continue EU-wide solidarity with refugees from Ukraine:** The Local Authorities are committed to human rights and the international conventions that apply to refugees. Therefore, particularly children and families deserve special protection, as already provided for in the Commission's proposals. In the face of war, hardship, and displacement – also in Europe – municipalities recognise the need for solidarity with refugees, especially currently with those displaced from Ukraine. The decisions taken already ensure that Ukrainians who have fled can work and live in the EU. However, these decisions must also be consistently thought through further in terms of the future legal status for this group of persons when the application of the Temporary Protection Directive (2001/55/EC) comes to an end. The establishment of an EU-wide coordinated approach is needed while the Temporary Protection Directive still applies.
- **Strengthen forms of legal migration:** Forms of legal (skilled) migration from third countries must be strengthened in order to counter the shortage of skilled workers in Europe that is weakening our economy. The Commission's proposals on legal migration (including the reduction of administrative burdens and the immigration of highly qualified workers by means of an EU Blue Card) are supported in principle by the municipal level. Initial German and/or English language skills should already be taught in the home country. In the recognition of equivalent professional qualifications, both in the academic field and

otherwise, further facilitation should be possible for third country nationals and for EU citizens.

The measures currently being discussed at the EU level regarding the Pact on Migration and Asylum go in the right direction, but they are still insufficient in many parts. The measures, such as for screening, for speeding up procedures, for returning and for distribution, must be effective and quick to implement in practice. This means that the national and European decision-makers must finally accept their political responsibility and achieve results as quickly as possible in the upcoming trilogue negotiations. After years of fruitless discussions and tactical stalling, the main points of the Pact on Migration and Asylum must be decided and implemented promptly so that Europe's voice in the world is taken seriously.

The European Offices of the Bavarian, Baden-Württemberg and Saxon Local Authorities will be pleased to provide you with further advice.