

**Welcome address**

**3<sup>rd</sup> Annual Dialogue on Multi-level Protection and Promotion of Fundamental Rights  
*Implementing Fundamental Rights of Irregular Migrants –Towards Multi-level  
governance***

Brussels 17 October 2011

CHECK AGAINST DELIVERY

Ladies and gentlemen,  
Dear colleagues,

I would like to welcome you to our annual dialogue with the Fundamental Rights Agency. I do this also on behalf of the CoR President, Mrs Bresso, who unfortunately is not able to be present today.

It is already the third time that we meet to discuss how best to protect and promote fundamental rights in a multi-level governance approach. From the very beginning of the Fundamental Rights Agency, the CoR invited the FRA to establish relations with local and regional authorities in order to benefit from their specific approach. Local and regional authorities, on the other hand, benefit from the FRA's research and the data provided when trying to improve the provision of fundamental rights.

Last year in Vienna, we already saw how important the role of local and regional authorities is in the implementation of fundamental rights following the entry into force of the Lisbon Treaty. It became clear that we share common positions for example on the multi-level protection and promotion of fundamental rights, to strengthening fundamental rights monitoring at the local level and to the multi-level protection and promotion of fundamental rights of persons belonging to vulnerable groups.

Only last week, the Committee of the Regions focused again on the implementation of the EU Charter on Fundamental Rights and commended to strengthen fundamental rights in the EU. We noted that there are deficiencies in the way rights are guaranteed in practice despite the solid legal framework that we have in Europe. These deficiencies can be found in several fields, one of which we have chosen for today's meeting, and with this topic we will feed into the discussions at the Agency's Fundamental Rights Conference in November.

The phenomenon of irregular migration is not new, of course. Nevertheless, it recently has attracted growing public and political attention, not least in the wake of the Arab Spring. The question often raised in this context is whether persons who are considered to live illegally in

one of our countries have the right to be a number of services which, after all, cost a lot of money to the taxpayer. The answer to this question must clearly be: yes. Fundamental rights provision is not a matter of the residence status of a person. Member States' legitimate efforts to prevent irregular migration and human trafficking need to be reconciled with their duties to grant the exercise of fundamental rights to the migrants.

Local and regional authorities and service providers play an important role in this connection: They are the ones that are directly confronted with the needs of irregular migrants, be it education for their children or basic health care provision. As public authorities they may often find themselves in a dilemma. I will not go into further details now, since we will hear examples of how solutions to this dilemma have been found. You will also find further examples in the paper that the Centre for European Policy Studies thankfully prepared with great flexibility and that was distributed as a background document for our debate today.

Not all local and regional authorities are aware of their role in this respect, and we therefore need to raise awareness among them. At the same time, it is necessary that we develop a more effective cooperation between different levels of governance from the local to the EU level. I therefore welcome in particular Mister Stefano Manservigi, the Director General for Home Affairs in the European Commission who is our keynote speaker today. We would have also liked to include the European Parliament in our debate. However, the concurrent meeting of the LIBE committee that is dealing with issues of migration today did not allow for this.

Ladies and gentlemen,

The Committee of the Regions is committed to developing such a culture of multi-level promotion and protection of rights. Two of our rapporteurs in this field, Ms Håkansson Harju and Ms Masini will specify this later today. As the chair of the CoR's committee that also deals with external affairs, it is only natural that I believe that our commitment to fundamental rights cannot limit itself to the borders of the EU. The Congress of local and regional authorities of the Council of Europe therefore is an important partner for us and is represented today by Ms Emer Costello who is Member of the Dublin City Council.

Multi-level governance also encompasses cooperation between public authorities and civil society. I look forward to hearing their contributions to our dialogue today.

And last but not least, the FRA plays an important role in developing knowledge and fostering the exchange of expertise on methods of implementing fundamental rights. We will hear about key-findings of their research later on.

I am convinced that we will receive interesting information today and hope for a lively debate. And now I have the pleasure to pass the floor to Mr Morten Kjaerum, the Director of the FRA, before Mr Manservisi will address us on behalf of the European Commission.

Thank you for your attention.