



الشبكة النقابية للهجرة ببلدان المتوسط و جنوب الصحراء
Réseau syndical migrations méditerranéennes subsahariennes
Mediterranean – subsaharan migration trade union network

Regularisation of undocumented workers in Europe

Concept note

The situation of undocumented workers in the European Union

At the RSMMS General Assembly in Lamezia Terme in November 2023, it was decided to look into the rules governing the regularisation of undocumented workers in the European Union countries.

It turns out that there are great differences in the possibilities of regularising undocumented workers in each member country of the European Union. Some of these countries offer the possibility of regularising undocumented workers through the application of rules. In other countries, regularisations are carried out on an ad hoc basis. In most cases, these regularisations depend on political decisions rather than laws that can be challenged in court.

As a result, a large number of migrant workers remain in an irregular situation, completely at the mercy of to their employers and at risk of being deported or detained in a detention centre at any time.

Moreover, all these workers, even if they are legal residents, cannot move to another country within the European Union in order to find work, as work permits are only valid in one country.

In recent years, migration policy has become a domestic political issue, playing on fear and xenophobia. The measures adopted or proposed make the reception and living conditions of undocumented workers even harsher, while at the same time keeping them in an irregular and precarious situation and denying the unmet labour needs in certain sectors.

The European Pact on Immigration and Asylum, which was adopted by the European Parliament on 10 April 2024, further tightens the rules on the arrival and residence of irregular migrants, in particular by facilitating expulsions and outsourcing the examination of asylum applications to third countries.

The establishment of a working group on the regularisation of illegal workers in the European Union.

To date, to our knowledge, there is no list of demands from trade union organisations at European level on this issue. Taking up the issue of irregular workers is therefore a central and priority issue for the member unions of the RSMMS, which will give new impetus to the activities of this group.

A small working group could start by taking stock of the situation in the countries most affected by labour migration (Spain, France, Italy, Belgium).

- By collecting existing documentation on the subject.
- By searching for missing information.
- By putting forward demands for the convergence and improvement of regularisation rules at European level.

The working group would be made up of representatives of the voluntary trade union organisations and a representative of the ETUC and PICUM.

The work will take place in face-to-face and online meetings. The first online meeting will be held on 16 September from 14.30 to 17.00 pm with interpretation in French and English.

The conclusions of the working group could be the subject of a meeting to examine them and could be the subject of a written document at the beginning of 2025 and before the next RSMMS General Assembly.