

EXTENDING THE FAMILY

Enlargement and Migration in the European Union

November 2014





Volonteuropa is an international network promoting the values and principles of volunteering, active citizenship and social justice for all. Through its members, associates and partners, the network works at a local, regional, national and European level. The Volonteuropa Secretariat is hosted and supported by CSV, UK's leading volunteering and social action charity.



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Foreword



Her Excellency Marie-Louise Coleiro Preca,
President of Malta

The movement of people from one country in the world to another, usually across state boundaries, for the purpose of taking up permanent or semi-permanent residence, has occurred throughout human history. As William Lacy Swing, Director General of the International Organisation for Migration quoted “These are unprecedented times. Globally, 1 out of 7 people are on the move in any given time”. There are various reasons for the migration of people, including environmental, political, economic, cultural or social. Yet, the ultimate aim of the displacement of persons is the constant search for a better life for themselves and their loved ones or to flee from persecution.

Malta has appealed to foreign nationals from time immemorial, but even more so since we joined the European Union during the enlargement of 2004, where Malta experienced an influx of European Union nationals in search for jobs. Data from Eurostat for 2012 shows that there are over 23,500 foreign nationals living in Malta, coming from 151 countries. This figure comprises 5.5% of the total population of Malta and Gozo. Although Malta is a tiny island, it is truly cosmopolitan. There are 151 countries represented in Malta.

There are 12,078 European Union, European Economic Area and Swiss nationals, as well as their relatives, living in Malta. Every Member State is represented except Luxembourg, with numbers varying as follows: United Kingdom 4,039, Italy 1,635, Bulgaria 903, Germany 699, Sweden 470, Hungary 446, Spain 423 and France 372. There are also 11,565 people from countries outside the European Union. An indication of the foreign nationals living in Malta is 1988 from Libya, 1206 from Somalia, 1,029 from Russia, 790 from Serbia, 662 from Eritrea and 608 from China.

Malta, together with other countries of Europe, is receiving a significant number of irregular migrants, being the first port of call in their quest to reach Europe. Irregular migration creates enormous human suffering, whether it originates because of political or religious persecution, oppressive regimes, conflict or outbreak of civil war. With no citizenship rights and social benefits, migrants can only make a living at the very margins of society. The only prospect seems to be the low paid and insecure informal economy which constitutes an important feature of a number of European countries.

Wherever we come from, whoever we are, we all share common aspirations of happiness, prosperity, and to live in peace, free from discrimination and persecution, but to be able to achieve them, we need solidarity among and within nations, a hand to reach out to.

As Robert Louis Stevenson rightly said, “We are all travellers in the wilderness of this world, and the best we can find in our travels is an honest friend”.

I congratulate Volonteurope on the significant and timely publication ‘Extending The Family – Enlargement and Migration in the European Union’ which portrays a true picture of migration in Europe today. I augur that the recommendations being put forward in the report will be heeded so that Europeans may enjoy the fruits of a just society for all.

Preface



Oonagh Aitken,
President of Volonteurope

This report is primarily concerned with the enlargement of the European Union (EU) and the movement of citizens from one Member State to another. In a sense this is simply movement within a single territory rather than migration, and the people who move are exercising their right to freedom of movement, which is one of the founding principles of the EU. These people are known as ‘mobile Europeans’. However, the EU is still made up of sovereign states, so in another sense such movement is a form of migration.

‘Migration’ also covers many other types of movement, both voluntary and involuntary: migration from outside the EU to inside, and vice versa; migration of refugees or asylum seekers as a result of war or humanitarian disaster; forced migration and trafficking; irregular migration (without valid documents). We therefore use the term ‘migration’ to cover the full spectrum of movement and ‘internal migration’ to refer to the movement of nationals within the EU. Our main purpose is to show the impact of internal European mobility, but we also look briefly at migration as a whole.

As a network of civil society organisations and institutions promoting volunteering, active citizenship and social justice, Volonteurope naturally attaches particular importance to the role of civil society in responding to challenges to social cohesion. CSV, the UK’s leading volunteering and social action charity, and our host organisation, shares this focus.

Civil society consists of organisations and stakeholders that are independent from the state. It represents the expressions of free citizens, who come together to set up their own voluntary organisations, whether local, regional, national or international. Civil society often involves grassroots stakeholders in areas where migrants settle and where migrants and indigenous people meet and live alongside one another. Many voluntary organisations and community groups facilitate this ‘meeting’ process, either as part of their explicit mission or as a natural extension of their concern for health, safety, education, environment, poverty or other such issues.

Volonteurope is delighted to publish this timely report, which has been made possible through funding from the European Commission’s Europe for Citizens programme. We would also like to thank the authors for their hard work and our member organisations and partners for sharing their insights and experience, upon which this report draws.

Key terms and facts

THE SUCCESSIVE WAVES OF INTEGRATION AND ENLARGEMENT

1951	The European Coal and Steel Community (ECSC) is established by the Treaty of Paris. The six founding members are Belgium, Germany, France, Italy, Luxembourg and the Netherlands.
1957	The Treaty of Rome establishes the European Economic Community (EEC) and the European Atomic Energy Community (EURATOM).
1967	The ECSC, the EEC and the EURATOM are merged by the Treaty of Brussels and become known as the European Communities (EC). The members are still the same six countries that founded the ECSC.
1973	Denmark, Ireland and the United Kingdom join the EC, bringing the number of members of the EC to nine.
1981	Greece joins the EC.
1986	Spain and Portugal join the EC, bringing the number of members to 12.
1993	The Maastricht Treaty renames the EEC as European Community (EC) and founds the European Union (EU). The three European Communities are made to constitute the first of the three pillars of the EU (the other two pillars are Common Foreign and Security Policy, and Police and Judicial Co-operation in Criminal Matters).
1995	Austria, Finland and Sweden join the EU.
2004	Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovakia and Slovenia join the EU, bringing the total number of members to 25.
2007	Romania and Bulgaria join the EU.
2009	The Treaty of Lisbon merges the three former pillars and provides that the EU will replace and succeed the EC.
2013	Croatia joins the EU, bringing the total number of members to 28.

Candidate countries to the EU in 2015:

Turkey and Macedonia (since 2005); Albania, Iceland and Montenegro (since 2010); Serbia (since 2012)

KEY TERMS

EEC

European Economic Community

EU

European Union

EU28

The 28 Member States of the EU

EU15

The 15 Member States of the EU before the 2004 enlargement

EU10

The ten Member States that joined the EU in 2004

Council of the EU

The institution representing the Member States' governments. Also informally known as the EU Council, it is where national ministers from each EU country meet to adopt laws and coordinate policies. The Council of the EU should not be confused with the European Council, which is another EU institution, where EU leaders meet around four times a year to discuss the EU's political priorities.

European Commission

The EU's 'civil service'. Commissioners are appointed from each Member State and are responsible for initiating legislation, which can be enacted if it has the approval of the Council of Ministers after soundings have been taken from the European Parliament and relevant committees.



Executive summary

This Volonteuropa report explores European enlargement and migration. First, we assess the policy background. Then, we look at internal migration against the backdrop of the successive stages of EU enlargement, drawing on independent studies. Next, we consider other forms of migration. We then focus specifically on the role of civil society in the development of the EU. Then, we explore how migration is perceived – and often misunderstood – by the public, politicians and the media. Finally, we summarise our analysis, draw some conclusions, and make recommendations for the EU, Member State governments, civil society and citizens.

Freedom of movement for citizens of any EU Member State is one of the fundamental benefits of the EU. As the EU has expanded from six to 28 Members between 1951 and 2014, this right currently applies to 503 million people. The biggest phase of enlargement to date took place in 2004, with ten new Member States. What was unique about this round of enlargement was the fact that eight of the new Member States had only recently emerged from communist regimes. At the time, there was some anxiety amongst some of the older, more prosperous Member States about a possible influx of migrants from newer, less prosperous Member States. In fact internal migration has been quite modest and slow (much less than among American states, for example), as people naturally weigh up the possibility of new opportunities against the importance of family, community, language and culture in deciding whether to migrate.

In 2014 some 2.7% of the EU population resided in a Member State other than their country of origin.¹

Some migration is ‘circular’, as migrants gain new skills and experience and then return to their home country, while purely economic motivation declines as the economies of newer and older Member States become more evenly balanced.²



Freedom of movement in the EU, also called ‘European mobility’, is often confused by the media, politicians and the public with migration from outside the EU, which is somewhat larger (approximately 20 million, compared with approximately 14 million).³ Migration from outside the EU covers both regulated and irregular forms, including asylum seekers, refugees and victims of trafficking.

All migrants – mobile Europeans, regular migrants from outside the EU and irregular migrants – have some needs in common, though irregular migrants are often the most vulnerable. Civil society plays a key role in helping to meet migrants’ various needs and giving them a voice. While Member State policies seek to cope with the many migration pressures that arise from global events, civil society organisations, often quietly yet effectively, get on with the work of responding to needs on a human basis, irrespective of origin.

However, migration is often misunderstood by the public and the media. Ignorance is exacerbated by exaggerated media reports and the lack of balanced information, or often any information, about migration within education systems.

Objective studies show that migration brings economic benefits to the EU as a whole, albeit with some short-term disadvantages, as sending countries may lose some skilled workers, whilst wages in receiving countries may be held down. However, these effects are very slight and temporary, and both sending and receiving countries ultimately benefit, as well as the individuals concerned.⁴ Fears of large scale influxes of workers from poorer to richer countries have proven to be unfounded, as the scale of movement has generally been modest.⁵

EU policy is also more balanced than it sometimes appears to be. As well as supporting freedom of movement, the EU has put in place equally important policies dedicated to the improvement of conditions in disadvantaged regions where people are already living. There is very little evidence of ‘benefits tourism’, and the notion that migrants are a drain on public services is a myth. Indeed, when compared with host populations, migrant populations have a higher proportion of working-age tax-paying individuals and a lower proportion of dependent young and elderly individuals.⁶

Recommendations include the following:

- Discussion of migration should distinguish between mobile Europeans and migrants from outside the EU.
- The burden of coping with irregular migration should be shared equally amongst Member States.
- The media should be more responsible in the way in which it discusses migration, and avoid adding to myths of large scale movement and detrimental impact.
- Schools and other educational bodies should develop and disseminate well-informed material on migration and EU policies.
- NGOs should be supported to take on a bigger role in the development of policy and practice in this area.
- A platform on migration should be established to give a voice to all groups and agencies working with mobile workers, migrants, asylum seekers and refugees.
- The European Commission should undertake a root and branch review of migration and development policy, with additional input from civil society, in order to produce a more coherent set of policies on European citizenship and mobility.

¹ EY, *Evaluation of the Impact of the Free Movement of EU Citizens at Local Level – Final Report*, EY, 2014

² D. Sriskandarajah, M. Latorre, and N. Pollard, *Floodgates or Turnstiles? Post-EU Enlargement Migration Flows to (and from) the UK*, IPPR, 2008

³ Eurostat, ‘Migration and Migrant Population Statistics’, <http://bit.ly/1dnj9ES>, 2014

⁴ F. D’Auria, K. McMorrow, and K. Pichelman, ‘Economic Impact of Migration Flows Following the 2004 EU Enlargement Process – A Model Based Analysis’, *Economic Papers*, No. 349, November 2008

⁵ European Foundation for the Improvement of Living and Working Conditions, *Mobility in Europe: The Way Forward*, Foundation Findings, Dublin, 2007

⁶ M. Benton, *Reaping the Benefits? Social Security Coordination for Mobile EU Citizens*, Migration Policy Institute, 2013

CHAPTER ONE

THE POLICY AND DEVELOPMENT CONTEXT

Introduction

There is a good deal of public and media confusion about migration: different forms of migration, legal and irregular, voluntary and forced, are often all vaguely lumped together. In seeking to clarify the picture, we need to take account of forms of migration that, though quite different from European mobility, often get confused with it. We also need to look at the larger context in which these movements take place. Whilst the problems of irregular migration, people trafficking and asylum seeking are too large for us to address fully here, we do need to show how the EU is approaching them.

A particularly important stage in enlargement took place in 2004, when no less than ten new Member States were admitted to the Union. Much of the literature analysing enlargement and its effects has focused on this point of change and the few years following it. In this literature the group of new Member States admitted in 2014 are often, for convenience, summarised as 'EU10' whilst the pre-2014 Member States are designated as 'EU15'. Broadly speaking, EU15 were more prosperous than EU10 at that time, so anxiety about migration in EU15 was about the scale of the expected influx of workers and benefit-seekers from EU10, whilst EU10 were concerned about the possible outflow of skilled young people.

Freedom of movement

Whatever problems the EU faces in the early 21st century, its development and enlargement over the past few decades has been an extraordinary triumph for peace, democracy and human rights. As with all political developments, attention is primarily directed at the problems of the moment, but sometimes we need to stand back and look at the bigger picture.

Built initially on the reconciliation of countries which had been bitter enemies during the Second World War, the Union grew between 1951 and 2014 to become a vehicle for the co-operative development of 28 countries. Many of these had formerly been subject to dictatorship, both right and left. Despite inevitable transitional problems, the Union retains its appeal, as demonstrated by the queue of countries seeking membership, even after the financial crisis of 2008.

The primary attraction of the EU is clearly economic, but the established body of law, including laws covering human rights and personal freedoms (often known as the *aquis communautaire*), is equally important. The Union has not pursued enlargement at any cost but only on condition of commitment to these social goods.

Conditions of membership

The Copenhagen European Council of 1993 established three criteria that candidate countries must meet in order to become Member States. These are also referred to as the Copenhagen criteria:

- political criteria: stability of the institutions safeguarding democracy, the rule of law, human rights and respect for and protection of minorities;
- economic criteria: existence of a viable market economy, the ability to respond to the pressure of competition and market forces within the EU;
- acceptance of the community *aquis*: the ability to assume the obligations of a Member State stemming from the law and policies of the EU (or the *aquis*), which include subscribing to the Union's political, economic and monetary aims.

The accession process can take several years, with progress monitored by the European Commission. But once a country has candidate status, it can receive some funding to assist the transition. When it has met all the criteria, there is an accession treaty requiring majority approval by the European Parliament and the ratification of all Member States.

European Commission, 'Conditions for Membership', <http://bit.ly/1jNwskO>, 2013

Central to these social goods is freedom of movement (of goods, people, services and capital), which is one of the four fundamental freedoms of the EU. Freedom of movement is clearly driven by a macro-economic rationale, but it is equally important for individual residents. A resident's move from one country to another, which may formerly have been difficult or even impossible, is now not only made easier but also involves an automatic transfer of rights – to seek work, obtain certain benefits, receive health protection, and vote in local as well as EU elections (but not in the host country's national elections). Some problems certainly still need solving, but a person who would previously have been a migrant is now simply a mobile European.

This shift, though welcomed by many, has understandably given rise to anxiety. Given that the standard of living in many of the newer Member States was lower than that of some of the older Member States at the time of accession, some commentators anticipated a huge influx of workers to the richer countries, with a consequent glut in the labour market, downward pressure on wages, and increased demand for public services.⁷ The true picture turns out to be substantially different. While there are indeed a number of problems, these are mostly of a different nature from those anticipated, and in many respects the effects have been beneficial both to ‘sending’ and ‘receiving’ countries as well as to the individuals concerned.⁸

At the same time, the evidence suggests that changes should be made to the way in which these problems are addressed as well as to the way in which public misconceptions are rectified. The EU’s own narrative on how it works as an organisation could also benefit from some rethinking. This is not merely a matter of combating media misrepresentation but also of improving the communicative style of EU agencies. It is interesting to note that many of those seeking advice on moving

to another Member State make use of NGO and other websites rather than EU sponsored sites such as EURES.⁹ It should be emphasised that the development of the EU is not a monolithic empire-building exercise but rather an innovative process, involving countries working cooperatively to share development decisions within a framework of humanitarian values. Of course this process is afflicted by many problems and dilemmas – as with every political process. Nevertheless, it is first and foremost a method for sharing not dominating, and it is far less monolithic than implied by its opponents or the media.

In the remainder of this chapter we briefly review how freedom of movement has featured in the growth of the Union. In Chapter Two we look at how freedom of movement is working so far. Chapter Three examines other forms of migration, and Chapter Four focuses on civil society’s special role in this field. Perceptions of and misconceptions about migration and freedom of movement are addressed in Chapter Five. The concluding chapter sums up our review and sets out a number of recommendations.

The growing structure

First there were six: France, Germany, the Netherlands, Italy, Belgium and Luxembourg. 15 years later there were nine, with the addition of the UK, Ireland and Denmark. In another eight years another country joined: Greece. Five years after that Portugal and Spain

joined, and nine years later came Austria, Finland and Sweden. The unification of Germany in 1990 effectively brought in another state and paved the way for the historic expansion of 2004, when a further ten countries (former Eastern Bloc countries) joined. This was followed by Bulgaria and Romania in 2007, and Croatia in 2013, making up the present complement of 28 Member States.



The founding treaties of what was originally called the European Economic Community (EEC) were mainly about free trade and political stability. The notion of a common market was built on the principles, established in the Treaty of Rome (1957), of free movement of goods, people, services and capital, the goal being to promote “a harmonious development of economic activities, a continuous and balanced expansion, an increase in stability, an accelerated raising of standards of living and closer relations between the States belonging to it”. In the following decades, there was in fact limited movement of workers and little focus on the implications of enlargement for free movement.

In the mid-1980s the EEC was lagging behind the rest of the developed world economically. It had high levels of unemployment and, due to its unwieldy decision-making processes, was in economic stasis.¹⁰ It was Jacques Delors who, on becoming President of the European Commission in 1985, took the initiative to relaunch the common market, publishing a White Paper which identified 300 measures to be taken.

The founding principles were further developed in 1986 in the Single European Act, which provided the basis for a vast six-year programme aimed at resolving problems with the free-flow of trade across EU borders and thus creating a single market. Free movement of people was intrinsic to this concept, and the Treaty on the Functioning of European Union (TFEU) finally established the European Union in 1993.

The Delors Commission also presided over the reunification of Germany and the accession of five new Member States. It established the Committee of the Regions, prepared the opening for the Eastern countries that finally joined in 2004 and laid the foundations for the single currency. Jacques Delors also foresaw, in his foreword to the paper Growth, Competitiveness and Employment, the fact that one challenge for the EU in the 21st century would be the meaningful engagement of citizens in the European project, or overcoming the ‘democratic deficit’.¹¹

Looking back we can see that the growth of the Union, embracing post-communist countries after the fall of the Berlin Wall, competing in an increasingly globalised economy and responding to the rise of the information age, has been dramatic.

The evolution of freedom of movement

The Single European Act (1986) wrote provisions into the Treaty of Rome to establish an area without borders and to abolish checks on persons at internal frontiers, irrespective of nationality. In 1990 the Council of the EU, also under the Single Act, extended the right of residence to persons who were not engaged in an occupation, provided they had sufficient resources and social insurance cover.

There were, however, disagreements over whether freedom of movement required the abolition of controls at internal borders. The Commission, in a Communication in May 1992, maintained that free movement within the internal market should apply not only to goods but to all persons regardless of nationality.

At the same time the aspiration for a border-free zone was introduced as the ‘Schengen Area’ – originally an inter-governmental arrangement between France, Germany, Belgium, the Netherlands and Luxembourg. The principal aim of the Schengen Agreement and Convention was to abolish checks at the internal borders within the Schengen Area by transferring them to the external borders (an aim achieved for the first group of Schengen members in 1995).

Eventually, however, the free movement of legally resident third country nationals within the Union was identified as a matter for inter-governmental cooperation, and the right of free movement as such has remained limited to nationals of Member States.

Enlargement

Soon after the fall of the Berlin Wall in 1989, the EC quickly established diplomatic relations with the countries of Central and Eastern Europe. It removed long-standing import quotas on a number of products, and concluded trade and cooperation agreements with Bulgaria, the former Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovenia.

During the 1990s the EC and its Member States progressively concluded association agreements, or ‘Europe Agreements’, with ten countries of Central and Eastern Europe. The Europe Agreements provided the legal basis for bilateral relations between these countries and the EU. The EC had already established similar association agreements with Turkey (1963), Malta (1970) and Cyprus (1972). In the case of Turkey, a customs union came into force in December 1995.

Enlargement was perceived as a general good for the EU. It would strengthen the Union's role in world affairs, extend the zone of peace, stability and prosperity in Europe, and enhance the security of all its peoples.¹²

The addition of more than 100 million people, in rapidly growing economies, to the EU's market of 370 million, was expected to boost economic growth and create jobs in both old and new Member States. It was also hoped that this would result in a better quality of life for citizens throughout Europe, as the new members adopted EU policies for the protection of the environment, and for the fight against crime, drugs and irregular migration.

However, in recent times, the appetite among the EU15 for enlargement has waned somewhat, as this extract from a report by the Balkan Civic Development Network suggests:

Enlargement is widely recognized as the most successful policy tool of the European Union. Yet enlargement was one of the few topics causing heated discussion among EU leaders working on the Berlin declaration marking the 50th anniversary of the 1957 Treaty of Rome establishing the European Community, the predecessor of the European Union. EU leaders agreed that the accession of 12 countries in 2004 and 2007 was a triumph of democracy over dictatorship. However, many were evasive about mentioning future enlargement in the declaration, with Member States divided in two categories: pro-enlargement States and enlargement-weary countries. Attitudes towards EU expansion in EU-15 and EU-12 are quite different. This lack of attention to the views of the newcomers and EU hopefuls is inadequate.¹³

Despite the official announcement of candidate countries (Turkey (since 2005); Albania and Iceland (since 2010); Macedonia (since 2005); Montenegro (since 2010); Serbia (since 2012)), there is thought to be no prospect of any new joiners before 2020. Indeed, the new Commission President, Jean-Claude Juncker, stated that there will be no accession in the lifetime of his presidency.¹⁴

The changing economic focus

If the European project in the latter part of the 20th century was bedevilled by unemployment and lack of growth and competitiveness, the focus had shifted by the beginning of the new century to the shrinking work force, the ageing population and education for the knowledge economy. From the late 1990s, economists became preoccupied with the implications of the shrinking and ageing labour force in Western Europe:

The working-age population and the labour force have been growing gradually older since the late 1980s. The labour market has adapted to significant changes in the age structure of the labour force in the past. The latest available labour force projections suggest that the process of ageing will continue at a similar speed to that experienced in the 1990s.¹⁵

Concerns were expressed and questions asked about what Western European economies could do to prevent a shrinking labour force. It was widely recognised that a crisis was looming, related not only to the ageing population of Europe and their support needs but also to the effect of the ageing workforce, with its rising costs and lack of mobility.

Van Dalen, citing a Dutch Labour Forces Survey from 2005, tells us proposed solutions included increasing migration:

A variety of measures are being promoted to increase the labour supply in these ageing labour markets. In general one can think of three elements to raise the effective labour supply: (1) increase the labour force population by means of immigration in the short run or by means of population policies in the long-run; (2) increase labour force participation rate by means of redefining the dates of entry (leaving school) and exit (retirement) from the workforce or working more hours or days; or (3) increase the productivity of workers.

This research, which surveyed Dutch employers, found them to be by and large unprepared to deal with the impending labour crisis. Employers' intended responses involved recruiting personnel from abroad, and a significant number (28%) had already done this.¹⁷

Given that the phenomenon of an ageing workforce and declining birth rate was widespread, and mobility among workers in the EU15 was relatively low – between 1% and 1.5%¹⁸ – it was not obvious that migration within Europe would provide a solution, as this quotation from the BBC's website in 2002 suggests:

Europe's rate of population growth is falling while the inhabitants are ageing. Who will produce the wealth to sustain the retired population? Some analysts believe that immigration could be the "magic bullet" which will solve Europe's labour market and welfare state problems. High level backing for that view appears to be growing. A 2002 United Nations report on 'replacement migration' suggested that immigration could help solve population problems. [...]

Perhaps EU member states can look to a pool of workers in central and eastern Europe ready to move west and plug labour market gaps? The evidence suggests not. Population trends in central and Eastern Europe mimic those in EU member states, while central and east European countries are becoming countries of immigration too.

It is too simplistic to imagine that there are hundreds of thousands of people sitting on their suitcases in central and Eastern Europe ready and eager to move west. [...]

That is why other types of intervention such as changes to the retirement age, the pension system, measures to stimulate mobility of workers within the EU, and enhanced productivity are at the top of the EU agenda too.¹⁹

European Citizenship

The original EEC Treaty included only the free movement of workers, not of all citizens. Under Article 45 the Community would secure 'freedom of movement for workers' for the nationals of all its Member States, banning all forms of discrimination based on nationality.

Prior to the Intergovernmental Conferences leading up to the Treaty on European Union (TFEU/Maastricht), calls were made for the development of greater human, social and civic rights in the Community. The Maastricht Treaty (TFEU) of 1992 established the notion of EU citizenship, which was accompanied by the right to move to and work freely in another Member State. The definition of citizenship was further developed by the EU Court of Justice, extending rights to tourists and students.

The provisions finally adopted (now in Article 20 of the Treaty on the Functioning of the EU) set out the array of rights that EU citizens enjoy:

- the right to move and reside freely within the territory of the Member States;
- the right to vote and to stand as candidates in elections to the European Parliament and in municipal elections;
- the right to enjoy, in the territory of a third country in which the Member State of which they are nationals is not represented, the protection of the diplomatic and consular authorities of any Member State;
- the right to petition the European Parliament, to apply to the European Ombudsman, and to address the institutions and advisory bodies of the Union in any of the Treaty languages and to obtain a reply in the same language.²⁰

These rights have been extended by the Court of Justice to family members that accompany the worker, although the former derive their rights from the latter.

Family members from non-EU States also have these rights, although they must claim them through an application process.

The fragmented regulations governing free movement were brought together under a single framework, Directive 2004/38/EC6, adopted by the European Parliament and European Council on 29 April 2004. However, EU15 Member States had discretion to limit migration from the 2004 cohort of new Member States to some extent for a number of years. Only the UK, Ireland and Sweden fully opened their labour markets to new EU citizens on 1 May 2004.

⁷ F. D'Auria, K. McMorrow, and K. Pichelmann, 'Economic Impact of Migration Flows Following the 2004 EU Enlargement Process', Op. Cit.

⁸ European Foundation for the Improvement of Living and Working Conditions, *Mobility in Europe*, Op. Cit.

⁹ Ibid

¹⁰ *Growth, Competitiveness, Employment: The Challenges and Ways Forward into the 21st Century – White Paper*, Parts A and B. COM (93) 700 final/A and B, Bulletin of the European Communities, Supplement 6/93, 5 December 1993

¹¹ Ibid

¹² K. Archick, and V. Morelli, 'European Union Enlargement', *Congressional Research Service*, Report 7-5700 RS21344, February 2014

¹³ Balkan Civil Society Development Network, *The Successes and Failures of EU Pre-accession Policy in the Balkans: Support to Civil Society*, Macedonia, 2009

¹⁴ J. C. Juncker, *A New Start for Europe: My Agenda for Jobs, Growth, Fairness and Democratic Change. Political Guidelines for the Next European Commission*, Strasbourg, 2014

¹⁵ H. Van Dalen et al, *Dealing with an Ageing Labour Force: What Do European Employers Expect and Do?*, Tilburg University, Center and Faculty of Economics and Business Administration; Netherlands Interdisciplinary Demographic Institute (NIDI), Report No. 73, 2006

¹⁶ Ibid

¹⁷ Ibid

¹⁸ European Foundation for the Improvement of Living and Working Conditions, *Mobility in Europe*, Op. Cit.

¹⁹ A. Geddes, 'Europe's Ageing Workforce', *BBC News*, 20 June 2002, <http://bbc.in/1uzDXw6>

²⁰ *Treaty on the Functioning of the European Union 2007*, Article 20

CHAPTER TWO

FREEDOM OF MOVEMENT – HOW IT IS WORKING

Seeing things in proportion

The pattern of migration within Europe has confounded expectations of large scale or sudden increases. Mobility after 2004 remained rather low, both by inclination and because of temporary limits that were in place for many would-be movers from the new Member States.²¹ Comparison between figures for 2003 and 2007 indicates a movement of 1.1 million extra individuals from the new Member States into old Member States.²²

However, the impact of the global financial crisis and austerity measures caused an increase in the number of people willing and able to move country in search of employment. By 2011, around 12.6 million EU citizens resided in a Member State other than the one of which they were citizens. The highest share of EU mobile citizens relative to the host population was reported in Luxembourg (37.9%), followed by Cyprus (12.6%), Belgium (7%) and Ireland (8.5%). In absolute terms, Germany, Spain and the UK were reported to have the highest numbers of EU mobile citizens (over 2 million each). In 2012, a total of 13.4 million EU nationals were living (for more than one year) in another Member State. Even so, overall intra-EU mobility is still a limited phenomenon: only 2.7% of the EU population resides in a Member State other than their country of origin.²³

It is also important to note that, across the Union, the total number of mobile EU citizens is well below the number of third country nationals living in the EU. Indeed, on 1 January 2012, EU Member States were hosting about 20.7 million non-EU nationals. This figure remains unchanged.

It is still too early to identify the overall impact of enlargement on EU mobility, as restrictions on many new Member States were in place until 2009 (and until 2014 for Romania and Bulgaria). A characteristic feature of post-enlargement mobility (and recent intra-EU mobility in general) is that a large part of it appears to be temporary. Evidence from some Member States indicates that many mobile workers go to another Member State for a few months or years but do not intend to stay forever. For example, data for the UK suggest that around half of those citizens from 2004 accession countries who came to work in the UK since 2004 may have already left the country again, with a similar picture emerging for Ireland.²⁴ A study of flows to and from Lithuania illustrates the complexity of the relationship.

Lithuania: Balancing emigration and return

A study on the effects of emigration from Lithuania to other EU countries in the first few years of its membership showed mixed consequences for the new member. In Western European countries, labour shortages, a decline in the working-age population and a desire for cheaper labour served to attract Lithuanian labour. In Lithuania, the free movement of workers helped to relieve pressure on the domestic labour market, driving down unemployment, putting upward pressure on wages, and increasing the rate of remittances received from the richer countries. However, it was not easy to maintain an ideal balance. Emigration began to result in labour shortages, increased demographic pressure and a loss of high level skills.

In her study, Laura Thaut argues that, in addition to benefitting the EU as a whole, labour mobility puts pressure on 'sending' countries to improve their own economies and conditions in order to reduce the pressure to emigrate and increase incentives to return. There should be a vigorous internal development policy, and incentives to encourage emigrants to return home once they have increased their skills. Returning migrants should become agents of change in building a strong civil society.

L. Thaut, 'EU Integration and Emigration Consequences: The Case of Lithuania', *International Migration*, Volume 47, Issue 1, pp. 191–233, March 2009

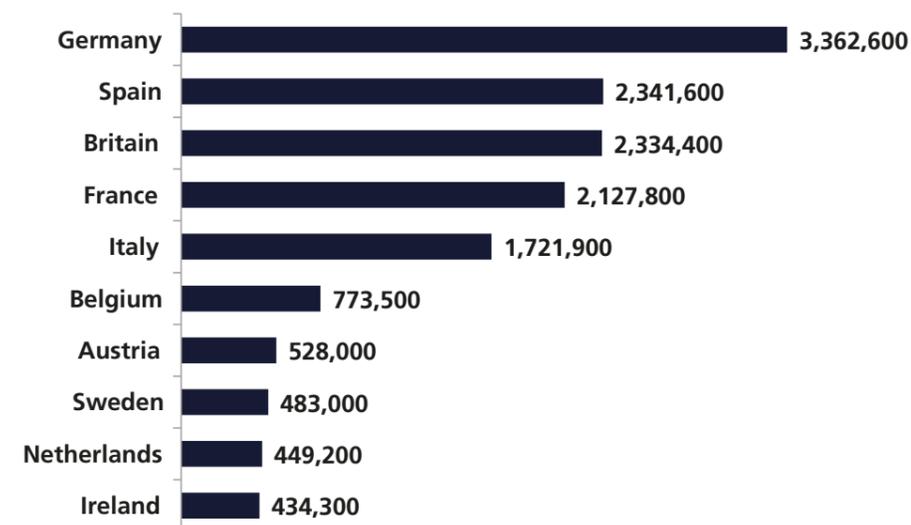
Thus the facts of internal migration have proved to be much less dramatic than the fears. In 2008 about 31 million people in the EU were not nationals of the countries in which they resided. This amounted to about 6% of the whole EU population. Approximately a third of these were nationals of another EU country, and two thirds were from outside the EU. After the 2004 enlargement, about 5% of residents in the new Member States said they wanted to migrate, but this figure had fallen to 3.6% by 2007, as incomes in the new Member States began to converge towards those in the older Member States. In 2007 around 3% of the working age population in Poland expressed a firm intention to move to another country within five years. The absolute numbers are considerable – around 750,000 – but the proportion is small.²⁵

The primary reasons given by people who want to move are to meet new people, discover new places, or find better or more remunerative employment. Motivations tended to differ between movers from EU15 and those from the new Member States. In EU15 lifestyle factors and retirement are the main drivers. In new Member States economic factors and better working conditions are stronger drivers. Access to welfare payments or better public services (so-called 'benefits tourism') is seldom cited in either group.²⁶

In 2012, 2.7% of the total EU population were internal EU migrants. The majority of these mobile Europeans had moved to find or take up employment, to retire or to study. Income differentials were an important driver for migration, with individuals seeking to improve their financial position and standard of living. More migrants

than nationals were of normal working age (15-64), and on average EU migrants were more likely to be in employment than nationals living in the same country (despite the fact that unemployment rates tended to be relatively higher amongst EU migrants). A third of EU migrants were pensioners, students, jobseekers or homemakers. 3% could not work due to permanent disabilities – considerably lower than the proportion of nationals. There was little evidence to suggest that the main motivation of EU citizens to migrate and reside in a different Member State was benefit-related. In most countries, immigrants were less intensive users of welfare than nationals. Analysis of EU data showed that migrants were less likely to receive disability and unemployment benefits in most countries than nationals.²⁷

EU States with the biggest populations of people born in another EU Member State, 2011



Graph based on data from Steve Doughty, '2.33m EU migrants are living in Britain: Only Spain and Germany more popular than the UK', *Mail Online*, 12 July 2012, <http://dailym.ai/1rsbqYE>

About 17% of the EU population is over 65, and this is increasing. Mobile Europeans help raise the stock of the working age population in the receiving countries, but decrease it in the sending countries. The average age of internal EU migrants is lower than that of the native

born population in most EU countries, e.g. three years lower in Austria and the UK, six in Ireland and eight to ten in Finland, Greece, Portugal, Italy and Spain. Migrant households tend to have more people of normal working age and fewer elderly people.²⁸

Employment and economic patterns

It is mainly relatively young, better educated workers within the EU that have benefited from the expanded labour market opportunities arising from enlargement: "The majority of migrants are young, and have significantly higher levels of education than those who have no intention of moving. An inflow of energetic and skilled workers can be a gain for the recipient country, but a loss for the home country".²⁹ Migrant workers on average contribute more in taxes and consume less in benefits than native-born workers. Nevertheless, EU migrants are more likely to be engaged in elementary ('blue collar') occupations, such as construction, mining and retail, than are native-born residents.³⁰

A World Bank study in 2010 showed that in many, but not all, EU countries the living standards of migrants were on average lower than those of the native populations, and the risk of poverty was higher. But, because migrant populations include more people of working age and fewer retired people, this lower standard of living did not lead to greater proportional demand on public services and benefits. It was estimated by EU-SILC in 2008 that internal migrants in EU15 countries made a net contribution of €50bn a year to the national tax and insurance systems of their adoptive countries.³¹

Sending money back home

Remittances are an important source of external funding in a number of the EU10 countries,³² often rivaling foreign direct investment. For example inflows between 2004 and 2007 amounted to 5.4% of GDP in Bulgaria, and 4.2% of GDP in Romania. Remittances have also been an important source for Lithuania, Poland, Latvia, Estonia and Hungary. The true size may be even larger, as not all remittances sent home by migrants through informal channels are recorded. Among the main remittance corridors are those from Germany to Poland and Romania; from Austria to Hungary, the Czech Republic, Slovakia and Poland; from Spain and Italy to Romania; from Germany to Bulgaria; and from the UK and Ireland to Latvia, Poland and Lithuania.³³

Past and future trend

Studies of the migration patterns following the stages of enlargement suggest that there is unlikely to be any dramatic change in the level of internal migration:

Despite their approval of mobility as a concept, EU citizens are unlikely to show a dramatic increase in actual mobility in the near future. Moving across borders represented a challenge for potential migrants: they risk losing the support of their social networks, and finding a new job is a challenge, as is dealing with the administrative systems of a new country.³⁴

Moving region or country poses challenges to citizens, their families, employers and the wider society. Workers take a risk when moving. They may suffer material loss, or find that their new job is less suitable than they had hoped. They may find that their previously valued skills are no longer applicable, and that the support of family and community networks is gone.

The Eurofound study found that the extent of mobility tends to decrease as the distance between the destination and the country of origin increases. 18% of Europeans have at one time or another moved to another region in their own country, while only 4% have ever moved to another country and 3% to a country outside the Union. Approximately equal numbers of men and women have lived elsewhere, with women being slightly more mobile. By contrast, 32% of US citizens live outside the state in which they were born. However, moving within the US does not entail the change of language and culture that may be involved in moving within the EU.³⁵

While long distance mobility may deliver clear economic benefits, the numbers who intend to stay where they are indicate that citizens consider a wide range of factors in deciding whether to move. Responses to the Eurofound survey indicate that EU citizens balance aspirations for career advancement with the uncertainty of moving and the potential loss of support systems. For the (then) EU25 as a whole, the key factor that deters people from moving is the fear of losing one's social network. Over 70% cite loss of support or contact with family or friends as a reason for not wishing to move – far more than the 19% who saw having to learn a new language as a disincentive.³⁶

While most European citizens are broadly in favour of having the option of mobility, most have no intention of moving in the near future, or perhaps at all. But networks of migrants from one country who have already made a move to another create an additional pull for potential migrants from the same country of origin.

Delivering services to migrants

A number of support and preparation activities are available to ensure that those moving are well prepared. Some of these receive EU funding support, such as the industry-specific website put in place by the European Federation of Building and Woodworkers.

The European Construction Mobility Information Net (ECMIN)

The European Federation of Building and Woodworkers (EFBWW) is coordinating a project funded by the European Commission. The main goal of the project is to provide potential and future migrant workers in the EU with precise, concise and easily-accessible information about the sector-specific working conditions in the main countries of destination (“know before you go”) as well as with trade union contact information. This is planned to be realised through a multi-language website (first Polish, then Romanian, later other major migrant languages). The website will contain the information about working conditions such as wages, working hours, overtime payments, daily and weekly allowances, rules on accommodation, holiday and pension schemes and related issues. The Polish/English website will be published at the meeting in Warsaw and contains information about 15 European countries: Norway, Sweden, Finland, Ireland, Iceland, Belgium, Netherlands, Germany, Switzerland, France, Czech Republic, Great Britain, Italy, Spain and Austria.

European Construction Mobility Information Net,
<http://bit.ly/1t6ncw8> (accessed 30 October 2014)

Another example of this is the European Fair Mobility Network, launched in 2014 by law centre networks in the UK, Belgium, Italy, Romania and Bulgaria.

European Fair Mobility Network

This project proposes the creation of a network of rights advisors who can mentor Bulgarian and Romanian workers moving to Belgium, Italy and the UK. The project involves:

1. The creation of a network of migrants' rights advisers who will provide and distribute information to EU migrant workers through:
 - a dedicated web hub providing practical information on working abroad including practical guides on working in the UK, Italy and Belgium;
 - pre-departure information meetings in RO and BG providing information on practical issues, working conditions in the destination countries, an overview of free movement rights etc;
 - post-arrival 'town-hall' meetings in BE, UK and IT where partners will address rights and means of redress, followed by Q&A sessions allowing for individualised responses from rights advisers;
 - feedback and evaluation meetings ('What is my future here?') in Belgium, the UK and Italy where the emphasis will be more on group and one-to-one feedback and evaluation of their mobility experience.
2. Legal support to EU migrant workers will also be provided through:
 - the mentoring of 20-30 workers in each destination country by the partners, enabling migrants to solicit assistance from the partners when facing problems when moving to another EU country to work;
 - a secure members-only free movement discussion forum that can build the capacity to provide legal assistance to migrants, focusing on monitoring information sources and providing data on cases handled by the partners.
3. Identifying and evaluating sources of EU and national sources of information on working in Bulgaria, Belgium, Denmark, Italy, Ireland, Romania and the UK, which will be assessed for their user-friendliness.

DG Employment, Social Affairs and Inclusion, *Grants Awarded as a Result of the Call for Proposals, Vp/2013/011, 2013*, <http://bit.ly/1nA7BUU>



While some initiatives receive EU support, others are self-resourced. New Europeans, for example, was created in December 2012 as a UK-based agency. New Europeans aims to promote the value and benefits of EU citizenship and active citizenship; the interests of new Europeans (expatriate EU citizens), particularly with respect to their political and social rights; the participation of new Europeans in all aspects of civic life; and the involvement of new Europeans in articulating the future direction of the EU.

The organisation is volunteer-led and -run. It offers support for all mobile Europeans, both members and volunteers, and promotes active engagement in EU issues amongst the wider public. It provides a platform that allows authentic, positive voices to be heard speaking about Europe and the benefits of free movement in what can sometimes be a virulent anti-European environment. New Europeans works tirelessly, with very little funding and a small team of dedicated volunteers, to promote this positive view through bulletins, new media, web work, seminars and conferences. It works both independently and alongside academics, civil society groups, community groups and individuals.

New Europeans also works for tangible change. After the European elections in May 2014, New Europeans discovered that hundreds of thousands of Europeans who were eligible to vote in the UK had not been able to do so. It developed the Vote Denied campaign, identifying cases and reporting to the Political and Constitutional Affairs Committee and the European Commission on the difficulties. The Electoral Commission admitted that the process for Europeans was unhelpfully complex, and agreed to reform the registration process for the next elections. New Europeans has now been invited to join the working group on electoral reform.

²¹ European Foundation for the Improvement of Living and Working Conditions, *Mobility in Europe*, Op. Cit.

²² D. Sriskandarajah, M. Latorre, and N. Pollard, *Floodgates or Turnstiles?*, Op. Cit.

²³ The World Bank, *Taking Stock of Recent Migration Flows in the European Union*, Washington, DC, 2010

²⁴ D. Sriskandarajah, M. Latorre, and N. Pollard, *Floodgates or Turnstiles?*, Op. Cit.

²⁵ European Foundation for the Improvement of Living and Working Conditions, *Mobility in Europe*, Op. Cit.

²⁶ Ibid

²⁷ ICF GHK, and Milieu, *A Fact Finding Analysis on the Impact on the Member States' Social Security Systems of the Entitlements of Non-Active Intra-EU Migrants to Special Non-Contributory Cash Benefits and Healthcare Granted on the Basis of Residence*, 2013

²⁸ M. Kahanec, and L. Kureková, 'European Union Expansion and Migration', *IZA Policy Paper*, No. 36, Bonn, December 2011

²⁹ European Foundation for the Improvement of Living and Working Conditions, *Mobility in Europe*, Op. Cit., p. 5

³⁰ The World Bank, *Taking Stock of Recent Migration Flows in the European Union*, Op. Cit.

³¹ Ibid

³² The ten countries which joined the EU in 2004

³³ The World Bank, *Taking Stock of Recent Migration Flows in the European Union*, Op. Cit., p. 47

³⁴ European Foundation for the Improvement of Living and Working Conditions, *Mobility in Europe*, Op. Cit., p. 5

³⁵ Ibid, pp. 6-7

³⁶ Ibid

CHAPTER THREE OTHER FORMS OF MIGRATION

“In 2011 there were 33.3 million foreign citizens resident in the EU-27, 6.6% of the total population. The majority, 20.5 million, were citizens of non-EU countries (third country nationals), while the remaining 12.8 million were citizens of other EU Member States.”³⁷

Freedom of movement in the EU is based on the rationale that labour mobility across the Union contributes positively to the functioning of labour markets throughout Europe. However, Member States evidently want to attract the skills they need whilst limiting access through border control to those migrants whose engagement they do not require. This latter group, often described as ‘sans papiers’, informal or irregular migrants, is a mixed group of often desperate economic migrants, refugees and asylum seekers. Some enter the EU by a range of ingenious and sometimes dangerous routes.

Many Member States have a history of immigration from former colonies and welcome a range of third country migrants, particularly those filling skill shortage areas: ‘Blue Card’ (high skill) migrants, and those supporting health services and the IT industry. In the knowledge economies of the EU, highly educated and skilled workers, researchers, students and posted workers from outside the EU are to be found everywhere. A study in 2013 by the European Migration Network³⁸ noted that their mobility between Member States was as pronounced, if not greater than, that of mobile EU workers.

Thus in terms of the EU economies, migration is generally seen as positive, and this is reflected in the Union’s migration directives. Article 31 of the Charter of Fundamental Rights of the European Union provides that “every worker has the right to working conditions that respect his or her health, safety and dignity”.³⁹ This applies to third country nationals as well as nationals of the EU Member States. Article 15(3) of the Charter establishes a principle of equal treatment as regards working conditions between non-EU nationals and EU citizens, a principle not explicit in the Treaties.



However, the media and general public do not always take such a positive attitude towards migrants, as Kazmierkiewicz notes:

Although demographers and economists point to the EU’s growing need for immigrants to rejuvenate the labour force, many politicians and journalists choose to stress the negative aspects of opening up to newcomers. The tendency to look at migration from a populist perspective shapes the entire discourse on the subject. Furthermore, the public does not distinguish between on the one hand visitors who enter the EU under a visa-free regime and are allowed to stay for 90 days within a 180-day period, but are not entitled to work or to reside for longer in the EU, and on the other hand migrants who live in the EU with or without authorisation on a more permanent basis or asylum-seekers. In advocacy efforts, it is important to emphasize that these are different categories of migrant, and the problems faced by them, or potentially caused by them, are also different.⁴⁰

Even more fundamental is the distinction between mobile Europeans and third country nationals. One study in 2006 estimated that there were over 11 million third country nationals who, whilst legally resident long term in an EU Member State, had not become citizens of that state and thus were not eligible for European citizenship.⁴¹ This highlights the fact that there is no coherent set of rights for third country nationals in EU law. Rather, there is a potpourri of actual and potential rights that may be gathered from international agreements and indirectly from the rights granted to Union citizens.⁴² The Charter of Fundamental Rights Article 45(2) states that freedom of movement and residence rights “may be granted”, in accordance with the EC Treaty, to third country nationals legally resident in the territory of the Member States.

EU support in the field of migration

As migration has become increasingly central to EU discourse, the Union has sponsored agencies to clarify policies, support and inform its own institutions and those of its Member States. At the same time, given that this policy area is the responsibility of Member States, it offers little in the way of operational support. However, in the new semester, funds designed to support Member States in responding to the challenges of migration and promote integration have been increased and brought together in one fund.

AMIF (The Asylum, Migration and Integration Fund) is the new EU programme for integrating asylum-seekers, refugees and third country nationals. It integrates three previous funds: the European Integration Fund, the Refugee Fund and the Return Fund. It is primarily administered by the Member States. AMIF was set up for the period 2014-20, with a total of EUR 3.137 billion. It will promote the efficient management of migration flows, and the implementation, strengthening and development of a common Union approach to asylum and immigration. The Fund combines these three objectives:

- Legal migration and integration: supporting legal migration to Member States in line with labour market needs, and promoting the effective integration of non-EU nationals
- Return: enhancing fair and effective return strategies, which contribute to combating irregular migration, with an emphasis on the sustainability and effectiveness of the return process
- Solidarity: making sure that Member States that are most affected by migration and asylum flows can count on solidarity from other Member States

The Schengen Agreement

The Schengen Agreement began as an attempt to give practical meaning to the notion of free movement, originally mentioned in the Treaty of Rome. The aspiration was for an internal border-free zone with a common visa policy and strengthened external borders. There was complete agreement on the free movement of EU nationals from an early stage, but no agreement on the controls for non-EU nationals. So it was that five Member States (France, Germany, Luxembourg, Netherlands and Belgium) signed an agreement outside the parameters of EU law in 1985 establishing a border free zone: the Schengen Area. The agreement was signed in a small village of that name on the borders of Luxembourg and Germany.

The agreement was fleshed out by the 1990 Schengen Implementing Convention, with the Commission, in a Communication in May 1992, maintaining that free movement within the internal market should apply not only to goods but to all persons regardless of nationality providing they had insurance cover and would not become a burden on the state to which they were moving.

Eventually, the free movement of legally resident third country nationals within the Union was identified as a matter for inter-governmental cooperation, and the right of free movement has remained limited to nationals of Member States.

Most Member States joined the Union in the late 1990s and early part of the 21st century. Today the Schengen Area comprises 26 countries, including some non-EU members (Switzerland, Norway and Iceland), with Romania and Bulgaria waiting to join, Croatia and Cyprus outside, and the UK and Ireland opting out.

Other aspects of Schengen that have become important include common rules on asylum, common standards for the policing of external borders, a common list of countries not requiring visas (the 'White List') and shared information for fighting crime.

Problems have arisen with Schengen, following the Arab Spring in 2011 and other significant influxes of migrants from Africa and Asia. The European Commission decided to review Schengen and produced a report in April 2014 suggesting several changes, including then adoption of the recommendations of the Mediterranean Task Force (see Chapter Six).⁴³

Most EU countries have abolished borders with each other via the Schengen Agreement, but Europe still has a lot of external borders. Those borders where the EU meets non-EU nations are 8,400 miles long. Its coastline is longer still: 41,000 miles in all. Frontex, the EU agency charged with assuring the security of the Union's external borders, estimates that in 2013 there were approximately 107,000 irregular crossings with the majority from Afghanistan, Syria, and Eritrea. Significant numbers also arrived from Russia, Georgia, Serbia and Moldova.⁴⁴ In the case of those arriving in Italy, 73% met the criteria for being considered as asylum seekers.

The impact of global events

The Romans called the Mediterranean Mare Nostrum, meaning 'our sea'. But 'our sea' is not hospitable to outsiders. At least 500 would-be immigrants are known to have died in the Mediterranean in 2012,⁴⁵ 800 in 2013 off the island of Lampedusa, including 300 in one incident.⁴⁶ In response to these tragedies, the Italian government launched the Mare Nostrum Task Force as a preventative measure, and the European Commission initiated the Task Force Mediterranean in December 2013.⁴⁷ The Guardian newspaper reported estimates of 2,500 people dead or lost at sea in the Mediterranean by 21 October 2014.⁴⁸

It is estimated that 20 boats a day leave Libya heading for Italy – an unforeseen consequence of the removal of the Gaddafi regime and political instability in Libya. Next come Syrians fleeing their civil war, mostly sailing from Egypt. Currently, around a third of all irregular immigrants to the EU are Syrians.⁴⁹

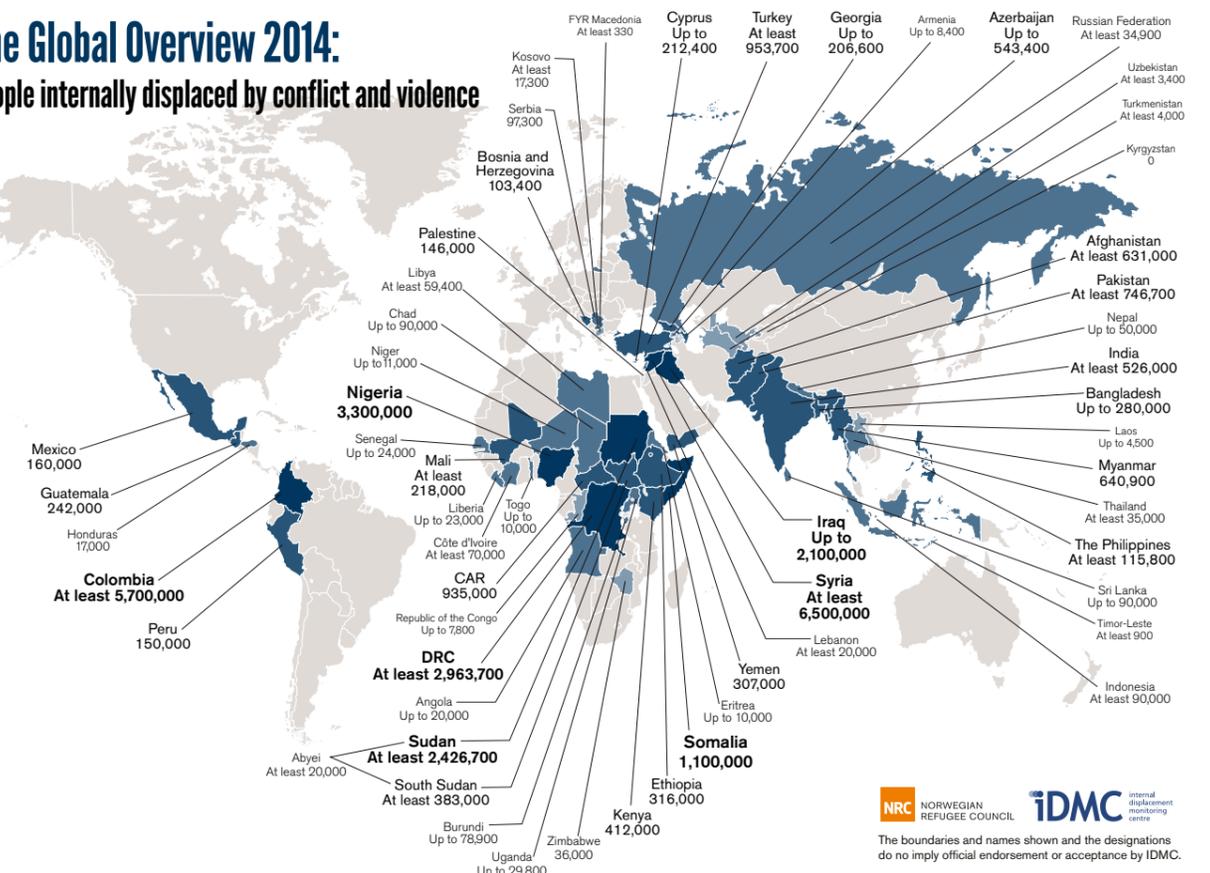
The conclusions of the Council of the EU published in June 2014, following the election of a European Parliament which returned an unprecedented number of anti-immigration parties, recognised that migration is a matter of external relations as well as internal impact: "The answer to many of the challenges in the area of freedom, security and justice lies in relations with third countries, which calls for improving the link between the EU's internal and external policies."⁵⁰

This focus on the need to harmonise the EU's internal and external policies is a response to the continuing economic crisis and political instability in the Mediterranean, and the continuing and escalating conflicts in the Middle East and the Horn of Africa, which have significant migratory repercussions for Europe.

A map from the Internal Displacement Monitoring Centre (IDMC) – Norwegian Refugee Council (NRC) graphically summarises the scale of displacement of people by various conflicts around the world.

The Global Overview 2014:

People internally displaced by conflict and violence



There is inevitably some tension in EU policy on global development. On the one hand, successive administrations and European Councils have voted to commit funds to realise the UN's Millennium Goals, including decent work for all, humanitarian treatment of migrants and the eradication of poverty. Recently they have also endorsed the objectives of the Global Forum on Migration and Development:

- To expand legal opportunities for migration
- To protect migrant rights
- To develop gender sensitive policies, and
- To create decent work opportunities in home countries in order to reduce migration pressure

Indeed, the foundations of development cooperation are laid down in Title III of the TFEU, which states that the main objective of the EU is to eradicate poverty. The EU is also the world's largest development aid donor, acting on the principles signed up to at the UN's Global Forum on Migration.

At the same time, spending on support for greater border controls, enforcement and repatriation has doubled, and the budget for fighting irregular migration has been increased.⁵¹

Coincidentally, one of the first announcements following the recent appointment of the new Commissioner for Foreign Affairs, Federica Mogherini, in October 2014 was an increase in Frontex activity in Italy, where more support for its Operation Triton supporting the Mare Nostrum Initiative was announced.⁵²

However, as with developments in other regions of the world, the restructuring of the European economies has contributed to the informalisation, flexibilisation and casualisation of work, growing job insecurity, and downward pressure on wages. So migration, both regular and irregular, is inevitably likely to be a growing feature of the European landscape.

Sharing the burden

Structures for migration in the EU are set out in various treaties and as part of Schengen. Those Member States close to external borders, especially on the Mediterranean, are far more exposed to irregular migration than others,⁵³ and the current EU structures for migration, embodied in a document known as the Dublin Regulation,⁵⁴ leaves countries with very unequal burdens in terms of coping with asylum seekers, refugees and other migrants.

The Dublin Regulation establishes the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third country national.

The Dublin system, originating in the Dublin Convention of 1990, but with subsequent modifications, was designed to identify which Member State would be responsible for handling the applications of people seeking asylum under the Geneva Convention. It outlines acceptable levels of protection, and humanitarian support and accommodation. It uses a number of factors to determine the responsible state, but in practice this has usually meant the Member State where the individual first enters the EU. As a result of this, a small number of Member States are at present handling large numbers of asylum cases, dealing not only with those refused asylum in their own country but also with people who have been refused asylum in other Member States.

The situation of those seeking to enter Europe – fleeing conflicts, human rights abuses, poverty and economic collapse – is desperate and deteriorating. Those Member States at the front line insist that the current system places disproportionate burdens on them to deal with asylum seekers, refugees and other migrants.⁵⁵

Upheavals and conflicts in African countries and the Middle East have placed an extraordinary burden on some Member States.⁵⁶ A recent study by members of the Expert Council of German Foundations on Integration and Migration⁵⁷ casts doubt on the fairness of the Dublin Regulations, suggesting that a common asylum policy that lives up to the principles of solidarity outlined in the various treaties is yet to be agreed. The authors offer a new model for allocating asylum applications, based on strength of a country's economy, its population size, the size of its territory and its unemployment levels. Their multi-factor model would transform the reception of those migrants in need of help and support. For example Malta, which received over 9000 applications between 2008 and 2012, would see a 33% reduction, whereas Portugal, which processed just over 1,000 applications in the same period, would see a 20-fold increase. The following table shows the variation from the current situation of Member States handling asylum applications to the distribution that would be the case if the Expert Council's multi-factor model were employed.

De facto and fair asylum quotas across Europe

	Fair quota	De facto applications	Deviation from fair quota (%)
Sweden	42,017	153,900	+266.3%
Belgium	32,017	95,720	+199.0%
Greece	27,189	64,970	+139.0%
Austria	31,960	71,510	+123.7%
Cyprus	7,193	13,680	+90.7%
Malta	6,457	9,060	+40.3%
France	170,953	232,680	+36.1%
Netherlands	51,954	62,080	+19.5%
Germany	205,974	201,350	-2.2%
Denmark	22,706	21,100	-7.1%
United Kingdom	150,457	137,940	-8.3%
Italy	140,580	107,800	-23.3%
Finland	27,905	19,960	-28.5%
Hungary	20,837	13,740	-34.1%
Ireland	16,629	10,730	-35.5%
Luxembourg	9,951	5,810	-41.6%
Poland	67,695	38,590	-43.0%
Bulgaria	16,568	4,750	-71.3%
Slovakia	12,738	3,140	-75.3%
Croatia	12,195	2,600	-78.7%
Lithuania	9,350	1,740	-81.4%
Czech Republic	25,262	4,570	-81.9%
Romania	39,924	7,100	-82.2%
Spain	108,280	16,260	-85.0%
Slovenia	9,622	1,240	-87.1%
Latvia	7,416	690	-90.7%
Portugal	23,860	1,040	-95.6%
Estonia	6,537	230	-96.5%

Table reproduced from J. Schneider, M. Engler, and S. Angenendt, *European Refugee Policy: Pathways to Fairer Burden Sharing*, Sachverständigenrat deutscher Stiftungen für Integration und Migration (SVR) GmbH, Berlin, 2013, p. 8, <http://bit.ly/19hv0h9>. The deviations are the authors' own calculations based on data provided by Eurostat.

Thus far, however, Member States have rejected the idea of taking on new obligations.

Combating trafficking

It is widely acknowledged that migration into the EU is a complex picture. Where people decide to move and how can involve a range of individuals, family, diaspora activity, recruiters, employers, traffickers and even organised crime.⁵⁸

“Migrants entering the EU clandestinely via land and sea routes, or those who have acquired false travel documents, often put themselves in the hands of criminal organisations.”⁵⁹

In some cases, migrants continue to depend on these criminals after they arrive in the EU. Several thousand people are trafficked into the EU or within the EU every year. With a view to tackling human trafficking networks and smugglers, the EU has established tougher rules for action against criminals involved in human trafficking, combined with better assistance for victims.

The EU is also reinforcing its policy on human trafficking. In 2010, the European Commission appointed an EU Anti-Trafficking Coordinator to improve the coordination of actions by EU Institutions, EU Agencies, Member States, non-EU countries and international players in the fight against trafficking. In addition, an EU anti-trafficking website has been launched, with the aim of providing a one stop shop for anti-trafficking practitioners, civil society, academics and other concerned parties.⁶⁰

The existence of an informal labour market is a pull-factor for irregular immigration and the accompanying exploitation of non-EU nationals.⁶¹ EU Member States have agreed rules to counter this effect. In addition to preventive measures and stricter inspections, the Employer Sanctions Directive targets employers who employ such migrants. The Directive not only seeks to make employing irregular migrants more difficult but includes protection measures for workers, especially those exploited by unscrupulous employers.

Whether or not the new model is preferable to current practice, it is to be hoped that the the impact of human tragedies, such as the one that occurred off Lampedusa in early September 2014, together with the pressure from Member States at the external borders, and perhaps the appointment of the Italian Commissioner for Foreign affairs, will lead to concerted action on a common asylum policy in the near future.

Asylum seekers and refugees in Malta

Since 2002, asylum seekers and migrants have been attempting to reach Europe by setting sail from North African shores. In many cases the vessels carry people fleeing war or persecution mixed with other migrants. Malta is centrally located in the Mediterranean and is responsible for a large search and rescue zone. Each year an average of 1,650 such people reach Malta (population about 411,000), most of them rescued at sea by the Maltese armed forces. For many, Malta would be only a temporary stop or they would be returned to their country of origin, but by 2013 about five or six thousand people who had entered the country as asylum seekers remained. Studying their conditions, Aditus Foundation identified a number of problems and organised training sessions with public services in order to address them.

Refugees were generally able to access the health service, but many people in need were not reaching out to government services or approaching humanitarian organisations for support. Services were keen to improve their reach but didn't always understand the obstacles to refugees' participation, whilst refugees often did not understand the functions and procedures of the service agencies. Employment was a key mechanism for integration, but there was relatively high unemployment amongst the refugees, and many had few or no Maltese friends or acquaintances.

Working with the agencies, the Aditus project sought to

- Improve access to mainstream services
- Ensure that service-providers were aware of the different statuses and entitlements of people who approached them
- Stimulate inter-agency cooperation on service to refugees
- Improve cultural awareness and sensitisation
- Provide guidance on integration, self-reliance and access to services.

All agencies were strongly committed to improving their quality of service to all, irrespective of nationality and status. Helena Dalli, Minister for Social Dialogue, Consumer Affairs and Civil Liberties, and Marie-Louise Coleiro Preca, Minister for the Family and Social Solidarity, affirmed that the government saw integration as a dynamic, multifaceted process of mutual accommodation by immigrants and residents of Member States.

Aditus Foundation, *Nitkellmu? Refugee Integration Perspectives in Malta*, Aditus and UNHCR, Malta, 2013



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Lampedusa Sabir Festival

Sabir refers to a dialect spoken all around the Mediterranean in medieval times so that those working in the ports could understand each other. The Lampedusa Sabir Festival was an arts, music and meetings festival organised by European and Italian NGOs in October 2014 on the island of Lampedusa, where so many people fleeing conflicts, human rights violations and poverty have perished trying to cross the Mediterranean. During the festival, parallel concerts and performances took place in various parts of the island, along with a series of conferences, debates and workshops on the role of Lampedusa as a bridge between different people in the heart of the Mediterranean. Two topics in particular were the subject of international conferences: 'Migrations' and 'Euro-Mediterranean Participation and Democracy'. The period of the festival coincided with the anniversary of the 3 October 2013 shipwreck in which 368 asylum seekers died, and was intended to draw attention to the collective responsibility for those deaths. October 3 was set as a day of remembrance, with the hope that the festival helped to restore dignity and voice to all the victims of migration.

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- ⁴⁷ European Commission, *Communication from the Commission to the European Parliament and Council on the Work of the Task Force Mediterranean*, Op. Cit.
- ⁴⁸ M. Rice-Oxley, and M. Mahmood, 'Migrants' tales: 'I feel for those who were with me. They got asylum in the sea'', *The Guardian*, 20 October 2014, <http://bit.ly/1yRTi1X>
- ⁴⁹ M. Manrique Gil et al, *Mediterranean Flows into Europe: Migration and the EU's Foreign Policy*, Directorate-General for External Policies, Policy Department, In-Depth Analysis, DG EXPO/B/PolDep/Note/2014_5, March 2014
- ⁵⁰ J. C. Juncker, *A New Start for Europe*, Op. Cit.
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- ⁵² 'More Technical Support Needed for Operation Triton', *Frontex*, 13 October 2014, <http://bit.ly/1rs6bHa>
- ⁵³ G. Henry, and F. Pastore, 'The Governance of Migration, Mobility and Asylum in the EU', Op. Cit.
- ⁵⁴ European Commission, *Council Regulation No 343/2003*, 18 February 2003
- ⁵⁵ J. Schneider, M. Engler, and S. Angenendt, *European Refugee Policy: Pathways to Fairer Burden Sharing*, Sachverständigenrat deutscher Stiftungen für Integration und Migration (SVR) GmbH, Berlin, 2013
- ⁵⁶ G. Henry, and F. Pastore, 'The Governance of Migration, Mobility and Asylum in the EU', Op. Cit.
- ⁵⁷ J. Schneider, M. Engler, and S. Angenendt, *European Refugee Policy*, Op. Cit.
- ⁵⁸ L. Davies, 'Mediterranean Escape Route Claims 260 Migrants in One Weekend', *The Guardian*, 24 August 2014, <http://bit.ly/YTG70N>
- ⁵⁹ 'Irregular Immigration', *Directorate-General Home Affairs*, 21 August 2014, <http://bit.ly/1nSEdJy>
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CHAPTER FOUR

THE ROLE OF CIVIL SOCIETY

The role of civil society in the development of the EU has often been overlooked. And yet, in many areas, including enlargement, migration and human rights, its effects can be clearly identified and documented.

...In enlargement

In terms of enlargement, the first principles of the *acquis communautaire* for would-be EU Member States concern democracy, and the description of a functioning democracy includes references to a robust civil society.

The accession process involves dialogue with civil society. The Copenhagen Criteria see a healthy civil society as necessary to the establishment of stable democratic institutions:

A well developed and functioning civil society is an essential element of a democratic system, and efficient NGOs have a key role to play, in expressing the demands of citizens by encouraging their active participation and raising awareness.⁶²

The European Community's Phare Programme, created in 1989, set out to provide financial support for the former Soviet countries' efforts to reform and rebuild their economies. Phare soon became the world's largest assistance programme in Central and Eastern Europe, providing technical expertise and investment support. It incorporated specific programmes to develop the capacity of civil society groups.

Equally, the aptly named Instrument for Preaccession (IPA), introduced in 2007 for candidate and pre-candidate countries, included a fund for the support and development of civil society groups, and established the obligation to consult civil society groups.

The CSF Civil Society Facility operated three programmes:

1. Capacity building at the national and local level
2. People to people programme of exchange of knowledge and good practice with other EU civil society organisations and institutions
3. Partnership actions for the formation of networks, and transfer of knowledge and skills



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Involving civil society in accession processes is another way of engaging with citizens over reforms required as part of the *acquis*.

Significant actors, such as the Open Society Foundation and other European foundations, have supported the development of civil society in accession countries. Actions include developing networks of volunteer bureaux to encourage active citizenship and supporting think tanks.

In this respect, positive steps have been taken both to build capacity within civil society and give it a voice, and to engage civil society groups in policy debates. There is equally an emphasis on engaging them in policy development and in the delivery of European investment funds in the fields of education, inclusion, sustainable development, labour markets, and the integration of refugees and asylum seekers.

These activities, taken together with access to existing centralised EU funds such as **Erasmus Plus**, **Europe for Citizens** and the **Asylum, Migration and Integration Fund**, illustrate the range of civil society operations.

...In migration

Civil society is an essential ingredient in facilitating migration, helping states understand the impact of policy on migrant groups and channelling the voice of migrant groups to policymakers. But all too often, their role in the latter is overlooked, or their impact is much less than it could be.

It is widely acknowledged that migration in the EU forms a complex picture. Where people decide to move, and how, can involve a range of individuals, family, recruiters, employers and the activities of diaspora groups.⁶³ Neither individual states, nor even the EU as a whole, can solve all the problems of migration, not least because the management of migratory flows across EU borders is not subject to a unified EU regulatory approach but has been left to Member States.⁶⁴

NGOs are extremely active at the European and international level in the fields of migration and development. There is a strong tradition of relief effort from European countries. Sweden, Norway, Denmark, Germany and Switzerland all have extremely active refugee and asylum support agencies as well as relief and development functions. Religious organisations from all over Europe are also heavily engaged with these areas.

The role of NGOs in supporting migration includes:

- Delivering services to migrants
- Championing migrants' rights
- Advocacy and policy work around migration

Natalie Banulescu-Bogdan⁶⁵ describes civil society's work in supporting migration as divisible into five categories: service provision, advocacy, policy formulation, implementation and monitoring, and umbrella groups.

Whilst her typology was developed for international migration, the same distinctions can be made for EU mobile citizens. There are many agencies working at street level, supporting individuals seeking to move country and engaging in integration work. Many such agencies are led by diaspora and/or church-based groups. Their work may be about raising awareness and providing advice to groups of nationals 'at home' before they leave, or it may be about supporting migrants when they arrive.

Recent migrants may be concentrated in unskilled work, with low wages, often despite high levels of education. In many cases new migrants have precarious employment and housing arrangements, are vulnerable to exploitation, or lack support networks and access to information. Finally, language barriers may always be an issue.

Organised NGO activity in the field of migration

NGOs are very active across Europe in the field of migration generally, and in service provision, advocacy and campaigning. They operate at every level, nationally, across the EU and internationally, and are often linked to the United Nations or other international organisations. There are a number of outstanding multi-country networks such as IOM (International Organisation for Migration) and SOLIDAR.

Despite this extensive engagement, there is no dedicated platform for coordinating these efforts in the EU. Nor is there any EU-wide activity or coordinated voice on European mobility issues. An example of such a body in a parallel field is Concord, the European NGO Confederation for Relief and Development. This is a Brussels-based interface between the EU Institutions and (overseas) development NGOs. It brings together 1,800 organisations working in the field of overseas development to inform debate and assist with policy.

The nearest thing to such a coordinating body was, formerly, the European Migration Dialogue, a partnership of key civil society organisations dedicated to linking the national and European debates on immigration and integration. Funded by the European Commission Directorate-General for Justice, Freedom and Security, under the INTI funding programme, it came to an end in 2006. There are, however, three networks that provide some degree of co-ordination:

- The European Migrants Network (EMN) was established in 2008 by a Council Directive on the basis that EU institutions and Member State governments need good information to be able to develop a common asylum and immigration policy. All Member States with the exception of Denmark are members of the network. It has a steering committee comprising representatives from the EMN National Contact Points, experts and Members of the European Parliament. Its audiences include policymakers and practitioners.
- The NGOs' Platform on EU Asylum and Migration Policy is an informal group of European NGOs and networks seeking to contribute to the debate on asylum, refugee and migration policy development in the EU.
- PICUM (Platform for International Cooperation on Undocumented Migrants) is a network whose members concentrate on the migration issues associated with asylum seekers and refugees.



Sustained integration

Since 1999, CSV's Media Clubhouse in Ipswich has been offering support and services to communities across Suffolk (from literacy, IT, music and art to local radio). In recent years, it has also been working with third country migrants to promote integration. They have run a number of projects, using European structural funds.

CSV's Media Clubhouse has worked with 1336 individuals, from 40 nationalities, speaking 53 languages since 2007.

The Media Clubhouse recruits, trains and provides volunteering opportunities to support integration. Its 'graduates' go on to support others, generating a virtuous circle of migrants supporting migrants. In the seven years they have operated, it is estimated that beneficiaries have given the equivalent of £1.6 million volunteer hours.

Most recently, staff and volunteers worked on GIVE (Grassroots Integration through Volunteering Experience), a transnational project led by the International Organisation for Migration (IOM). A toolkit of good practice was produced and disseminated to agencies working with migrants.

Support for mobile EU citizens in host countries

In the field of internal migration, civil society is active in many spheres, such as advice, support and campaigning. For the most part, practical advice and support to mobile Europeans is provided in the country of destination, primarily by diaspora groups.

In the UK, the Poland Street Association was one of the first groups to develop a guide for Polish nationals in their own language following the 2004 enlargement. The association provides legal, financial, educational and administrative support, among others. Similarly in most Member States there are groups such as the British in France. The AMIC⁶⁶ association in Barcelona (self-help group for migrants) developed a Guidebook for Immigrant Workers, a basic tool to guide any worker, regardless of his/her origin, nationality or legal situation, into the local labour market.

Equally, The Committee of Italians Abroad provides information, support and advice to newcomers. The committees are very widespread, established by Italian law in 2003 in every area outside Italy where more than 5,000 Italians are living.

At the same time, generic advice bureaux have found themselves, in some countries, dealing with enquiries from mobile Europeans, primarily on issues of housing and employment. Specialist groups have been established that employ mobile Europeans themselves to help provide advice and support. An example of this is the East European Advice Centre in West London, which undertook research in 2013 on Eastern European migrants' housing, employment, household income and support needs.

The research found that there were many issues for Eastern Europeans in London, particularly in the areas of housing, employment and income. In 80% of cases, word of mouth was the dominant way of gaining knowledge and getting advice. When in need, Eastern Europeans tend to turn to peers: colleagues at work, acquaintances, family members and friends. Many seek help through social outlets, such as churches and shops, and through social networks, Eastern European websites and the community press.⁶⁷

Similarly META (Mobile Europeans Taking Action), based in Thetford, serves areas of Norfolk and Suffolk, which boast not only large Eastern European communities but also a substantial Portuguese community working in horticulture and agriculture.

Support for EU Citizenship and citizenship rights

Support in the area of citizenship and rights is relatively new, as European citizenship itself is still a rather nebulous concept for most Europeans. The need to champion the right of European citizenship is underdeveloped, with the exception of high profile cases. In August 2014, the parents of Aysha King, a small boy recovering from a brain tumour, exercised their (and his) right to free movement in transporting him from the UK to the Czech Republic for treatment.

There are a number of civil society groups concerned with campaigns and policy work on European citizenship, mostly allied to constitutional rights. ETTW (Europeans Throughout the World) and Europeans Abroad seek to harmonize the regulations for Europeans voting in a Member State other than their country of origin. Although European Citizens have the right to vote (and stand) in European elections, local elections (and in some cases Mayoral and devolved parliamentary elections) in any Member State, in some cases national rules prevent them from doing so. Citizens of Ireland, Malta, the Czech Republic and Slovakia are not allowed to vote for European election candidates in their own countries while living in another Member State, nor are citizens who have lived outside Great Britain for 15 years allowed to vote in the UK. Equally, citizens living outside the EU altogether, from Belgium, Cyprus, Czech Republic, Denmark, Greece, Italy, Malta and Slovakia, are not allowed to take part in any elections in their country of origin.

Let Me Vote is a citizens' initiative group asking for mobile Europeans, as taxpayers, to be allowed to vote in general elections in their country of residence. As mentioned in Chapter Two, a few groups, such as New Europeans, seek to mobilise European migrants in cross-country groups on issues of citizenship that affect them all. Their Vote Denied campaign focused on the number of EU nationals, over 100,000, who had not been able to vote in the May 2014 European Parliamentary elections despite following required procedures. They gave evidence to the Electoral Commission, the Committee for Constitutional Reform in the UK as well and produced a report for Viviane Reding, the former European Commissioner for Justice and Rights, who was in charge of European citizenship in the previous European Commission.



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Refugee action

For 20 years prior to 2014, asylum seekers in the UK were not allowed to engage in work, including voluntary work, despite the substantial benefit to both individuals and the wider community. The British charity Refugee Action organised a Right to Volunteer campaign, which involved lobbying ministers and civil servants, and organising a petition which called on the Home Office to change the rules that prevented many asylum seekers from sharing their skills through volunteering. In July 2013 Nabil Al-Inzy, a Refugee Action volunteer, handed in a petition with more than 1,500 names calling for the Home Office to take urgent action. The Home Office reviewed their request and in April 2014 published new guidance that makes it possible for asylum seekers to volunteer in the UK.

Refugee Action Website, <http://bit.ly/1zIClC0> (accessed 30 October 2014)

Empowering Asylum Seekers

'Exchanges' was an example of a transnational partnership run by voluntary organisations, with support from the EU, with the purpose of assisting asylum seekers in Europe to integrate in the host society. Operating under the 'EQUAL' programme from 2004 to 2007, the project worked in France (Paris), England (London, Leeds, Liverpool and Newcastle) and Hungary (Budapest, Bekescsaba and Debrecen).

Activities for the asylum seekers were dedicated to overcoming social exclusion, learning languages, accessing the labour market and participating in decision-making on the projects themselves. Innovative vehicles such as theatre workshops, radio broadcasts and vocational training were also used. 'Empowerment' was the linking theme, and experiences in the different locations were compared by networking and in annual conferences. "The very important thing" said one beneficiary, a man who had fled Chechnya with his wife and five children as a result of the conflict there and applied for asylum in France, "is that [through the project] we met other asylum seekers, refugees and French citizens, and now we are friends, we are not alone any more. Volunteering gives people the opportunity to begin living normally... I take part in this project in order to be ready to work when I will be authorised to do so".

The project concluded with strong recommendations about good practice at European, national and local levels, highlighting language training, employment and holistic capacity building.

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⁶² Directorate-General Enlargement, *Standard Summary Project Fiche TR 0301.03*, 2003

⁶³ N. Banulescu Bogdan, *The Role of Civil Society in EU Migration Policy: Perspectives on the European Union's Engagement in its Neighbourhood*, Migration Policy Institute, 2011

⁶⁴ G. Henry, and F. Pastore, 'The Governance of Migration, Mobility and Asylum in the EU', Op. Cit.

⁶⁵ N. Banulescu Bogdan, *The Role of Civil Society in EU Migration Policy*, Op. Cit.

⁶⁶ Associació d'Ajuda Mútua d'Immigrants a Catalunya (AMIC), *Labour Guidebook for Immigrant Workers*, AMIC, Barcelona, 2010

⁶⁷ East European Advice Centre, *A Peer Led Study of the Issues Faced by East Europeans in London Relating Housing, Employment, Household Income and Support Needs*, EEAD, London, 2013

CHAPTER FIVE

PERCEPTIONS AND MISCONCEPTIONS

The issue of migration in all its forms elicits two kinds of dialogue, which often diverge widely, even wildly. On the one hand, there is the methodical monitoring and collection of information. On the other, there is the reporting about it in the media. A good deal of the latter, even in many serious media, is largely about reactions to perceptions of migration rather than the facts or balanced insights into it. And there is very little systematic education about migration to counter the exaggerations.

The EU's emphasis on freedom of movement, combined with inflated anxiety in some wealthier countries about the inflow of migrants, produces an unbalanced narrative about migration. This can give the impression that there is nothing holding people in their own countries except the borders, they are straining at the leash to leave, and all that the EU is interested in is galvanising a free market in highly mobile labour.

Labour is inevitably less mobile than capital, for perfectly good reasons. People do not simply move from areas with few economic opportunities to areas with more. Rather, the greater opportunities created by migration are balanced against loss of community and local network support as well as familiar culture and history and, crucially, language.

People value their home countries, language, culture, families and social networks. These are not lightly given up. Many people have no wish to move even if they are under severe economic pressure. Indeed, networks of family, friends and colleagues become, if anything, even more important in such conditions. And even for those who do want to move to another Member State, whether to improve their earnings, widen their experience or meet other people, there is still an intention to return to their home country at a later time.

The remitting of money from many migrants back to their family in their country of origin – an important element in the harmonising of the EU economy – shows the importance of continuing ties, as does the cyclical return of some migrant workers, bringing back new skills and ideas, and becoming change agents in their home country. These would not make sense if the migrants did not regard their country and family of origin as a relatively stable anchor of identity, no matter how long their absence, and one which they may want to return to one day, or to which they return periodically.

All this is assumed rather than expressed in much EU discourse. There is a dominant emphasis on mobility because it is one of the most attractive benefits of EU enlargement, both for individuals and for the dynamism of the EU economy. But in reality EU policy (and political common sense) equally addresses the need to improve conditions where people are already living. The Structural and Investment Funds, allocated on the basis of relative regional need, are an important mechanism for equalising development:

Throughout the EU's history, regional development support has played an important role in protecting the human, social and economic capital of marginalised areas [...] If mobility policy was implemented in such a way as to facilitate the permanent mass migration of better educated citizens from these regions, it would undermine policies of regional support [...] Mobility policy should be designed in the context of an integrated EU employment, regional and social policy.⁶⁸

As the economy of new Member States improves, part of the motivation to migrate is reduced. The trend is not towards a continent in which ever-increasing numbers of people keep changing their domicile but rather towards one in which there is always the option to do so, with a proportion of people taking these opportunities, some permanently, some temporarily, but a majority of people remaining settled where they are.

Hardening attitudes

Boeri and his colleagues⁶⁹ studied changes in attitudes to migration (in general, not distinguishing mobile Europeans from third country migrants) between 2002 and 2006. They found that attitudes were becoming generally more hostile, in terms of agreement with statements like 'immigration is bad for the country's economy', 'immigrants make the country worse place to live', 'unemployed immigrants should be made to leave'.

As this was before the crash of 2008, these changes were unlikely to have been affected by economic downturn. They may have reflected anxiety about inflow following the 2004 enlargement. Of the largest countries, attitudes were most hostile in the UK, followed by Italy, France, Germany and Spain.

Well-educated people had a more favourable perception of migrants than people with lower levels of educational attainment. This may be a reflection of their higher level of job security. But both well- and less well-educated people greatly overestimated the number of migrants in their countries.

Most governments of the Member States reacted to citizens' growing concerns by either tightening migration policies or restricting migrants' access to welfare provision. Reducing access to welfare for migrants was intended to reduce the proportion of unskilled workers coming into a country, but it also tended to delay the assimilation of migrants who were already there. In any case, such policies are difficult to enforce: "Restricting migration or cutting welfare access, besides raising issues of equity, may not be feasible strategies to decouple migration from welfare".⁷⁰ Boeri suggests making more use of other mechanisms such as a points-based system to reward skilled migrants (which is already used in the UK, and for similar reasons in Australia, Canada, New Zealand and Switzerland), and harmonising welfare standards across the EU, so that there is no motivation for migrants to prefer a particular country because it has a more generous welfare system. But Boeri doubts whether the EU is currently capable of much better coordination in the area of welfare.

It is quite clear that xenophobia played a part in the 2014 EU Elections, and it is well understood that this syndrome is associated with fear of job losses and the erosion of national or cultural identity. Whilst these fears may be largely irrational, this does not diminish their political importance. Fears associated with migration, which, however irrational they may be, are psychologically and culturally real, should be addressed empathetically, not merely ignored or attacked. EU discourse should do more to acknowledge and quell these fears with reason and evidence, and it is to be hoped this small publication makes some contribution to this.

The original (and continuing) emphasis on freedom of movement needs to be seen against the background of local communities, neighbourhoods, towns, cities and regions.

A certain degree of stability is desirable, alongside which freedom of movement is an added option. Without this background of stability, local communities would suffer for lack of continuity and coherence, culture and identity. Equally, communities that host incoming migrants need a certain degree of stability in order to welcome and absorb the variety of incomers.

In practice, the EU does recognise the importance of stabilising disadvantaged areas and improving their conditions, exemplified in the use of the Structural and Investment Funds. But this major aspect of EU operation is curiously muted in public discourse and the media. The narrative on EU migration in 2014, the year of lifting of final restrictions on individuals from Bulgaria and Romania, became increasingly negative. The European Elections of May 2014 saw a rise in nationalist groups. In some countries media comment reached fever pitch.

It was common to confuse EU mobility with other forms of migration, whether legal or irregular. Tabloids, especially, tend to put different types of migratory flows all into one bag. In this way, the discussion on opening the UK labour market to workers from new EU Member States is often contaminated by other largely unrelated issues.

Research carried out by the Institute of Public Affairs in Warsaw exposed the distorted treatment of Polish migrants in the British press:

The discourse on Polish immigration in the British press is strongly embedded into a few broader debates: on immigration, immigrant integration and the multicultural State, as well as the UK's membership in the EU. Both the EU and immigration are highly sensitive issues in British politics. The British press is tuned to the readers' Eurosceptic and anti-immigration attitudes, and for this reason one rarely finds a positive case for (Polish) immigration in newspapers.⁷¹

Perceptions of the impact of Polish migration in the UK are complex and ambiguous. There are many conflicting messages sent out to the reader. Tabloid newspapers such as the Daily Mail and Daily Express tend to beat the chauvinistic drum and associate social problems with Polish immigration. In 2004 Polish immigration was depicted as threatening wage levels and causing unemployment for local workers as well as threatening the welfare state. There were fears of welfare system abuses and a huge strain on public services. Depictions of negative impact can be construed as critiquing the government's alleged failure to properly manage the labour market, or its unwillingness to have an open and sincere debate on immigration.

Yet it is widely acknowledged that the inflow of Poles has boosted the UK economy, not only benefitting many businesses by filling labour shortages but benefitting people at large by making different services more affordable.⁷² In 2007 the arguments about Poles stealing jobs somewhat subsided, as more information about Polish migrants demanding higher pay started to appear in the newspapers.

Evidence from members of the Volonteuropé network in Italy and France confirm that perceptions of European migration as described by the media are frequently at odds both with public perception and with documentary evidence and government reports.⁷³ While civil society can provide effective support and promote integration at a local level, the voice of those organisations championing the rights of migrants specifically from within Europe becomes entangled with the general migration debate.



Coming down to earth

Evidence from the European Commission's Directorate for Economic Affairs, working with the Free University of Brussels, provides a more objective picture of the economic gains and losses resulting from intra-EU migration. D'Auria and colleagues studied the economic impact of migration flows following the 2004 enlargement. In a balanced assessment, they found that there was overall gain for all Member States, whilst there could be temporary disadvantages for low skilled workers in the 'receiving' countries and medium to high skilled workers in 'sending' countries. Between 2004 and 2007 around one million people moved from the 10 new Member States to the existing EU15, an annual shift of about 0.5% of the working population. There was a slightly negative effect on wages in the receiving countries, and a slightly improved effect on the average wage in the sending countries, as migration reduced unemployment, accompanied by a slight increase in prices. The overall effect on the GDP of the EU was estimated to be a gain of around 0.27%, equal to €30bn:

This positive effect from cross-border mobility within the EU25 is in keeping with the view that migration increases the productive use of human resources within the enlarged area and hence adds to GDP as well as boosting productivity and GDP per capita [...]. Post enlargement intra-EU mobility flows have not led, and are unlikely to lead; to serious labour market disturbances [...] The balance of payments and public finance implications are generally negligible [...] The overall impact of post-enlargement mobility flows has been positive, with any negative effects for individual countries or for specific skill groups generally being both small in magnitude and time limited.⁷⁴

A study for the European Commission in 2014 by the independent consultancy Ernst & Young examined six cities that adopted a 'welcome culture' for migrants: Barcelona, Dublin, Hamburg, Lille, Prague and Turin. The proportion of mobile citizens in these cities grew following the 2004 enlargement, reaching from 2% of the local population in Lille to 9% in Dublin. The main inflow was of young, working-age mobile EU citizens who filled gaps in the labour market and supported some core sectors of the local economy: "EU mobile citizens tend to cover low-skilled occupations, which can be considered less attractive for native employees [...] as well as more high skilled occupations. Entrepreneurship is another relevant area of impact of intra-EU mobility". The research also looked into social and cultural impacts and effects on housing, education and social cohesion:

The overall evidence suggests that this situation is not placing major issues and burdens on the local communities or public services. However, EU mobile citizens do not always benefit from the same opportunities as native citizens when it comes to labour market conditions, housing options, or full inclusion of children in schools. Also, interaction with local citizens and participation in the city's civic and political life appear still limited [...] Nevertheless, new approaches are being introduced [...] and a range of inclusion and welcome policies are promoted.⁷⁵

⁶⁸ European Foundation for the Improvement of Living and Working Conditions, *Mobility in Europe*, Op. Cit., p. 18

⁶⁹ T. Boeri, 'Immigration to the Land of Redistribution', *Economica*, Volume 77, Issue 308, pp. 651-687, October 2010

⁷⁰ Ibid, p. 23

⁷¹ J. Fomina, and J. Frelak, *Next Stop London: Public Perceptions of Labour Migration Within the EU – The Case of Polish Labour Migrants in the British Press*, Institute of Public Affairs, Warsaw, 2008

⁷² Ibid

⁷³ Responses from Italy and France to the questionnaires administered by the authors

⁷⁴ F. D'Auria, K. McMorrow, and K. Pichelman, 'Economic Impact of Migration Flows Following the 2004 EU Enlargement Process', Op. Cit., p. 17

⁷⁵ EY, *Evaluation of the Impact of the Free Movement of EU Citizens at Local Level*, Op. Cit.

CHAPTER SIX

CONCLUSIONS AND RECOMMENDATIONS

Following the 2014 European Elections and the appointment of the new President of the European Commission, Jean-Claude Juncker, the Council of the EU set out its general agenda for the next five years. Contrary to some fears and caricatures of the Union as steamrolling its way through national interests, its approach is far from dogmatic and recognises different forms of migration:

One of the key objectives of the Union is to build an area of freedom, security and justice without internal frontiers [...] To this end, coherent policy measures need to be taken with respect to asylum, immigration, borders, and police and judicial cooperation [...] All the dimensions of a Europe that protects its citizens and offers effective rights to people inside and outside the Union are interlinked [...] The answer to many of the challenges in the area of freedom, security and justice lies in relations with third countries, which calls for improving the link between the EU's internal and external policies [...] Faced with challenges such as instability in many parts of the world as well as global and European demographic trends [...] a comprehensive approach is required, optimising the benefits of legal migration and offering protection to those in need while tackling irregular migration resolutely and managing the EU's external borders efficiently [...] informed by a dialogue with the business community and social partners. The Union should also support Member States' efforts to pursue active integration policies which foster social cohesion and economic dynamism.⁷⁶

The Union and the Member States should treat all types of migrants with compassion. Responding to the needs of different types of migrants requires a flexible approach.

The widespread conflation of mobile Europeans with migrants from outside the EU, and of legitimate migrants with irregular ones, stokes unwarranted fears about uncontrollable migration, and the indiscriminate association of migration with crime or exploitation. Added to this, parts of the media fuel the unfounded assumption that migrants are a drain on public services. In fact migrant populations on average make less demand on public services than do indigenous populations, as they contain a higher proportion of working age, tax-paying individuals and a lower proportion of elderly individuals.

One result of the conflation of mobile Europeans with general migrants is that it masks the benefits of European mobility, whilst exaggerating the scale of movement. Few take up the opportunity to move, but movement has had a perceptibly beneficial effect on the EU economy. There can be slight and temporary disadvantages both for 'sending' and 'receiving' countries, but these are outweighed by the medium- and long-term gains for both.

For the individual, moving country is not always easy, even within the EU. There can be problems of employment, housing, cultural adjustment and language. Civil society organisations play an important part in extending personalised help to migrants of all kinds, assisting them to find their feet in their adoptive country, and collectively to find a voice, and building links with host populations. But civil society organisations, like others, have suffered from the recent economic crisis, and need better support, recognition and coordination in carrying out this work.



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The following recommendations should be considered by EU bodies, national governments, the media, educational bodies and civil society as a whole:

1. Discussion of migration should distinguish between different types of migrants, and in particular should not confuse mobile Europeans with migrants coming to the EU, for whatever reason, from outside its borders. More care should be taken in differentiating between different forms of migration, and clarity encouraged among the institutions, civil society organisations and Member State governments about the situation of different groups.
2. EU discourse, whilst reaffirming ever-closer union and highlighting the value of freedom of movement, should avoid giving the impression that it is in favour of maximising movement at all costs, but should reflect the true range of its own policies, which balance freedom of movement with support for improvement of conditions for all people in their own countries and regions.
3. The burden of coping with irregular migration should, as laid down in the Treaty on the Functioning of the EU, be shared more equally between countries on the front line, like Italy and Malta, and those more distant from the immediate pressures. Alternative frameworks, such as that proposed by the Expert Council of German Foundations on Integration and Migration, should be considered, and there should be concerted action on a common asylum policy.
4. All types of migrant should be treated with compassion, and all legitimate migrants and mobile Europeans should be given what assistance they may need to integrate into their adoptive countries and exercise their rights of participation.
5. The media should report the true proportion and nature of migration, and avoid exacerbating myths of large scale movement and detrimental impact.
6. Educational authorities and institutions should develop and disseminate well-informed material on migration and on EU policies and practices about enlargement.
7. The European Commission should undertake a review of migration and development policy using a rights-based approach and involving all interested parties, including civil society. Such a review might take a Comité des sages (high-level reflection group) approach, reporting to the European Commission, European Parliament and Council. It would bring input and evidence from a range of institutions and actors to look at:
 - The recommendations on Sharing the Burden
 - The Dublin Regulations
 - The remit of Frontex
 - Humanitarian missions in the Mediterranean
 - EU strategy on trafficking of human beings
8. NGOs should be more engaged in influencing policy and mustering support for work in this area and should be better supported in this work
9. A platform on migration should be established to give voice to all groups and agencies working with mobile workers, migrants, asylum seekers and refugees, perhaps building on the work of the newly established Migration Forum, launched by the EESC in October 2014.
10. A more coherent policy should be developed on European citizenship and mobility issues, with simplification of administration and other systems to improve the experience for individuals, whilst safeguards are retained to ensure national workers are not disadvantaged by overseas recruitment.

Constructive recommendations made elsewhere should also be noted. For example in 2013 the EU Task Force on Issues in the Mediterranean Area came up with five main areas of action concerning the countries of origin and transit, to prevent migrants from undertaking dangerous journeys to the shores of the EU:

- Actions in cooperation with third countries
- Regional protection, resettlement and reinforced legal avenues to Europe
- Fight against trafficking, smuggling and organised crime
- Reinforced border surveillance to enhance the protection of migrants in the Mediterranean, and
- Assistance and solidarity with Member States dealing with high migration pressure.⁷⁷

Similarly the UK-based Institute for Public Policy Research (IPPR) made a series of recommendations in 2014 targeted at UK policy, but with positive implications for all Member States.⁷⁸ IPPR believes that public narrative on migration should shift emphasis from economics to fairness. The Institute wants to see migration policy linked to policies for equality and prosperity as a whole: “[Society] needs to become fairer and more equal, prosperity needs to be shared more evenly, and stronger communities need to be built which bring people together around a set of shared values”.⁷⁹

IPPR argues that current policy focuses too narrowly on the economic benefits of migration and on the question of migrants’ rights, and not enough on creating a narrative that expresses a fair deal both for migrants and host communities. Big businesses that use migrant labour should be obliged to create more apprenticeships and traineeships for existing citizens. There should also be more positive action towards integration:

Integration policy should put greater stress on togetherness, solidarity and shared values in order to build stronger local communities in which all people look out for each other [...] [there should be] more onus on immigrants [...] to play a full part in society, while being clear that discrimination against migrants is unacceptable and integration is always a two way street.⁸⁰

Education policy should be used to ensure that schools are key sites of integration, bringing children of all backgrounds and faiths together and promoting shared values.

⁷⁶ European Council, *Conclusions 26/27 June – EUCO 79/14 – Section on Freedom, Security and Justice – points 1-6*, 2014

⁷⁷ European Commission, *Communication from the Commission to the European Parliament and Council on the Work of the Task Force Mediterranean*, Op. Cit.; and European Parliament Resolution (2013/2827(RSP)) 3, Op. Cit.

⁷⁸ A. Glennie et al, *A Fair Deal on Migration for the UK*, Institute for Public Policy Research, London, 2014

⁷⁹ Ibid, p. 9

⁸⁰ Ibid, p. 6

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