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Transcript

The Future of EU Migration Policy

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THE FUTURE OF EU MIGRATION POLICY

Nick Robinson:

Delighted to see so many people here at Chatham House. I've often wondered who gets the time to come and here you all are, so I'm delighted. I normally don't, although there are many reasons I'd like to. Let me just introduce myself before I introduce our guest today: Nick Robinson, I'm the political editor of the BBC and delighted to be here. Delighted to be joining not just people here in the room but those people watching it livestreamed on the internet. We're in the very curious situation – probably not curious for Chatham House but curious for me – that the first thing I must say is that this Chatham House is not on Chatham House Rules. It is on the record. So everything we're going to discuss is on the record, just to be absolutely clear with everybody. You can say whatever you like. Don't worry, it's absolutely fine. If you want to comment on what you're hearing, there is of course a Twitter hashtag: #CHEvents, and another one called #AskCH.

This is a really interesting opportunity – at a time of a fascinating debate in the UK and throughout Europe about immigration, about migration, about freedom to movement – to talk to one of the EU commissioners responsible. For those who don't know Cecilia Malmström, just a couple of biographical notes. She is the commissioner for home affairs, as many of you know. She was the EU minister in the Reinfeldt government in Sweden from 2006, and before that an MEP. Dauntingly, in the way that only Brits do in a European context, we end up listing the languages the woman can speak, when I can only speak one: Swedish, English, Spanish and French; a little bit of German, a little bit of Italian. So feel free to ask questions in whichever language you like. Interestingly, and this may be reflected in our conversation, she is, of course, a Swede who now lives in Belgium but spends some of her time in France, lived and worked in Germany and Spain.

So I'm going to ask a few questions and then I'm going to open up to you to ask a few questions on this broad area. I thought it would be most interesting, Cecilia, to rather than ask you about any policy, let's just go way back to first principles. When you think of migration, immigration to the EU and freedom of movement – related but different – what are your starting principles? Are they your personal principles or do you believe that the EU, and the Commission particularly, has principles that you're bound to uphold?

Cecilia Malmström:

Well, yes to your second question. Yes. But first let me say, I'm really happy to be here. Thank you for inviting me, I'm looking forward to this.

I think that these issues are very much [indiscernible], in a way, because we are 28 countries in the European Union, we cannot have totally separate rules on this: we want to cooperate in the free market; we have common external borders, to a certain extent; we have Schengen (I know you're not in it, but the rest of us have Schengen). We have international rules that we all have signed up to, like the Geneva Convention. And we have a set of values that we are all determined to defend. They boil very much down to migration, freedom of movement. Freedom of movement is one of the oldest principles in the European Union. It's actually the most cherished one – if you ask citizens of the EU, what do you like most about the European Union: the fact that I can move around and study and work and visit, travelling from northern Finland to Malta without showing my passport. So I think it's a great privilege to be able to work with these issues on a European level.

Nick Robinson:

So that's within, freedom of movement. But what about the attitude, the principles, that underlie the idea of immigration into the EU as a whole, as against movement within?

Cecilia Malmström:

That, of course, is also related to that. You can't have two separate rules on that. But also, the European Union is a unique context and cooperation of democratic states. We have our problems, certainly, but we are setting that defence of democracy, human rights, freedom. People turn to us and ask for protection, because they run away from states that do not give them protection, freedom, fundamental rights. We have a moral obligation to respond to those needs. Of course not everybody can come to Europe. We need a set of rules. But it's a decency issue, that Europe – as the most democratic place in the world – also tries to help those who run away from non-democratic states.

Nick Robinson:

I know you're very proud of the work you've done on asylum, and I want to talk about that. But if we take migration that is not asylum – economic migration, in other words – do you think there's a European principle established that migration is a good? We should be, as the EU, welcoming people in, it's good for them, it's good for our citizens, it's good for our countries. Is that your view?

Cecilia Malmström:

Migration globally is a good thing. It is the most important source of development globally, that people move. They send home money, they bring their ideas. They move on, they start companies. So migration is, per se, a good thing. Now, that doesn't mean that everybody can come to Europe, of course. We need a set of rules, we need a managed migration. But as an idea, people moving freely in the world is a good thing.

Nick Robinson:

What if European people don't agree with you?

Cecilia Malmström:

Well, many of them don't. I get proof of that every minute in my Twitter flow. But I think it's a very important issue to defend, to try to defend some of these principles. But of course, also managing it.

Nick Robinson:

But in a sense, that's what I'm asking you. Who's 'we'? I was very struck on your website. It said the EU is facing an important election in May. 'We' must continue to defend free movement, stand against intolerance and recall that migration is an asset and a success factor. Who is 'we'? If there's an election, what happens if the electorate don't agree with any of those statements? What happens if they choose to vote first for UKIP in this country, or for the Front National in France? Who is 'we', and who is the Commission to say 'we'? Because you're not elected.

Cecilia Malmström:

No, we are appointed and confirmed by the European Parliament, and others. Many of us have been elected many times in our countries – I have, certainly. But it's true, we are not elected to the Commission. So 'we', in that sense, would mean 'we, the Commission' – 'we' as representatives of certain values enshrined in the treaties that most Europeans confess to. But certainly there would be lots of people who do not feel 'we' and who feel that what I am saying is not at all what they believe in, and those parties you mentioned and a couple of others will have lots of votes in the European Parliament. That worries me. Maybe it worries 'us', as well.

Nick Robinson:

Touché. The reason I ask the question is it's quite interesting: there is perhaps a rather British view that the Commission are really just civil servants. They are officials. They are shorn of politics, and they should do what the electorate tell them to do. So the reason I'm pushing you on this is: are these European principles, or do they just happen to be the conventional wisdom of the particular elite that currently runs the European Commission, and you're rather resistant to change them in the face of public opposition?

Cecilia Malmström:

Probably. No, but they are written down in the treaties that member states, represented by their elected leaders and prime ministers, have agreed to put in the treaties.

Nick Robinson:

Interesting. Good. Let's move on to a little bit about the politics of this. It is sometimes claimed, and I just wonder if you think it's true, that there is a movement in member states – amongst their governments, not amongst the smaller parties who may do well in the European elections – against what they call the 'abuse of freedom of movement'. It's sometimes claimed here that Germany, the Netherlands, Austria, Sweden – your own country – have got concerns. Do you detect that? Do you think that's true?

Cecilia Malmström:

I travel a lot around the European Union and I meet both citizens and different representatives of organizations, trade unions and so on. So yes, to a certain extent. But I tend to think that this debate is very British, in a way. There are individuals in other countries but overall the sort of 'social welfare tourism' is a very British issue. It is not that widespread in other countries.

Nick Robinson:

Why do you think that is?

Cecilia Malmström:

It's for you to tell me – I'm a guest in this country, I don't know.

Nick Robinson:

You could take the view that it is because the nature of our benefits system means that it is easier to claim without contributions. In many countries it requires a certain level of contributions before you can claim. That's one view. The other view is, as one of your colleagues put it, that UK politicians are pandering to prejudice and xenophobia and are being hysterical.

Cecilia Malmström:

I don't know who said that, but I wouldn't say it. I don't agree with that.

Nick Robinson:

Laszlo Andor.

Cecilia Malmström:

I think you have a generous welfare system, but so does many other countries. That's the beauty of the European Union, that we have different systems living side by side. So I don't know why this debate is so very intense in the UK. I certainly know it is and I've met many people and have had this debate many times. But I've also failed to get any concrete evidence that there is massive abuse of benefits. We've asked for that, because we are boring bureaucrats, non-elected elite in Brussels, and we need to act only by

evidence. And we haven't received that evidence, that there is a massive abuse going on in this country.

Nick Robinson:

Interestingly, Chancellor [Angela] Merkel, when she was in London last week, did say that she was interested in drawing the distinction – and again, on principle, I wonder if it's one that you'd draw – between the freedom of movement of people and the freedom of movement to claim benefits. This was a German chancellor speaking, not a Brit, who said she was interested in that.

Cecilia Malmström:

Freedom of movement is a principle that I defend very much. But of course, like all privileges or the rights that you have, it also comes with a few duties. Sometimes many duties. Abusing the rights or cheating is never anything we should defend. So if there is a case – and I'm sure there is, we just haven't seen the massive evidence for that – to fight abuses of free movement or rights that people are not entitled to – that goes not only for EU citizens going to another country but also for citizens of a particular country – to have well-functioning systems that benefit those in need, but where there are certain limits or difficult obstacles for those who want to use them.

Nick Robinson:

I suppose the devil is in the detail of the word. What do we mean by abuse of freedom of movement? Some people say there should be freedom of movement of labour, and they draw a distinction between that and freedom of movement of people. In other words, you should be free to get a job but you shouldn't be free to turn up in any country without a job and want to use the welfare system. Is that a real distinction or do you think that's a false distinction?

Cecilia Malmström:

You are allowed to turn up in any country to try to get a job, or to study or to do tourism or something. But if you fail to find a job, and there's a limit to the time you can use for that (three months), then you are not entitled to stay in the country anymore. You are not entitled to get the benefits. I know there are

lots of discussions on how to interpret this, because sometimes you can claim that you can sustain yourself if you are begging in the streets or playing in the metro or something. We have tried, with the colleague you referred to (Laszlo Andor), to produce an interpretation of the rules and a set of guidelines for how to interpret that, to assist cities and member states. There was a big conference last week with lots of mayors from different cities, in order to address this issue and to try to meet the concerns and respond to the questions on what is allowed, what is not allowed in the treaty.

Nick Robinson:

But in terms of the Commission's work at the moment, there's no particular work being done on changing the definition of freedom of movement.

Cecilia Malmström:

No.

Nick Robinson:

So when Chancellor Merkel talks about it, it's just at that airy political level, at the moment.

Cecilia Malmström:

I don't know exactly what she said, but if I can guess, I think she meant that yes, we should defend the freedom of movement and not change that. But of course, if there is evidence that there is an abuse, we can look at that without changing the treaties – to look at how we can better cooperate and to exchange ideas and good practices.

Nick Robinson:

The other interesting issue that's being debated is this issue of whether there should be higher hurdles, if you like, for future accession countries, for countries that join the EU in the future. Do you think there is a case, in principle, for saying that for Turkey, for example?

Cecilia Malmström:

We have already raised the obstacles or the criteria, especially in the field of justice and home affairs. We are now starting with all candidate countries, or potential countries, to look at those particular issues, because we know they are the most difficult: corruption, rule of law, good governance, anti-discrimination and so on.

Nick Robinson:

Forgive me, I meant laws specifically in terms of the freedom of movement of people. Some have argued there should be a longer timescale – not seven years but maybe longer. Some have argued that there should be an economic hurdle, that not until a country reaches a certain GDP per head in relation to the average in Europe. Some have said there should be a cap on the numbers that can come in any year. Do you think there's any argument for those sorts of arguments?

Cecilia Malmström:

That's for member states to decide. Personally, I don't think so. I don't think we should change the rules now, they are already very tough rules for enlargement. Enlargement has been very good for Europe, especially for the UK. No country in Europe has gained so much from enlargement as you have. It's a good thing.

Nick Robinson:

Just to pursue that – why so? Why do you say that Britain –

Cecilia Malmström:

If you calculate about – well, Germany has gained a lot as well. But if you calculate what the freedom of movement has brought, how many people have arrived, how much they have contributed to the social welfare systems, how much taxes they have paid – and they work to a larger extent than British people actually. They benefit less from social welfare. They pay more in taxes. The investments and the exchange of business has been very beneficial for the UK.

Nick Robinson:

So are you puzzled by the fact that every leading political party in Britain – not just UKIP – regards there being an immigration problem? You describe it as just a net gain.

Cecilia Malmström:

Basically it is. But of course people do not perceive it that way.

Nick Robinson:

Whose fault is that?

Cecilia Malmström:

It's nobody's fault – that's how it is. I can't really explain it, but I realize it's there and we need to address it. We need to talk about this and we need to see how we can address it. We need all the political parties to discuss these issues, based on facts, based on clear evidence. That's how it is. I can't really explain it. Maybe you can, you're a journalist.

Nick Robinson:

You can ask me the questions later. Let's just go back to Turkey and other accession countries for a second. You signed a readmission agreement. Some people have suggested that means there will be visa-free travel for Turks in Europe quite soon. Can you tell us a little bit more? How soon before Turks will be able to travel visa-free?

Cecilia Malmström:

That's two agreements actually that we – after long discussions and many years of negotiations – were able to sign in Ankara just before Christmas. It was one on a readmission agreement. That means that Turkey commits itself, once it's entering into force, to take back citizens from Turkey and third countries passing Turkey who are not allowed to stay in Europe. That's a good thing. People who cannot stay and who are from Turkey or have passed Turkey should be sent back. In addition to that, we also commit to launch a visa dialogue, that once we have – it's about document security, it's about

border control, it's about fighting corruption. It's about rule of law as well. That will lead to Turks travelling without visa to Europe.

Nick Robinson:

How soon could that –

Cecilia Malmström:

We don't know. It's very difficult, because we just signed it. But it will take some years. It's not tomorrow.

Nick Robinson:

Five? Ten?

Cecilia Malmström:

The Turks said, I think, three and a half years. That's their ambition.

Nick Robinson:

There may be people who think: visa-free travel from Turkey? A massive country, different culture – some people argue. Should they be worried? Or again, should that be seen as a welcome boost to the European economy?

Cecilia Malmström:

Actually there are more Turks going back to Turkey than going to Europe right now, if you look at the statistics. Turkey has had a big increase in growth and has been a more dynamic economy than many of the European countries. We need people to come. We need businessmen to come, we need tourists to come. We need to facilitate travel. I don't think there is a mass of Turkish people who want to come to Europe and just live here. They want to get rid of the hassle, the administration, the cost to get a visa to visit their friends in Germany or London.

Nick Robinson:

I know, perfectly reasonably, you said the idea of different hurdles was one for member states – the idea of a longer period, for example. But just as someone who observes these things, it's well known the French have always been resistant to Turkish membership. The Germans have got real doubt. The British have tended to be in favour. Do you think those countries could ever back Turkish membership with the existing rules on Turks arriving in their country, potentially instantly, at most with a seven-year delay?

Cecilia Malmström:

It's a very difficult question. The last years, the negotiations with Turkey have been standing still, more or less. We have opened a new chapter but it's not going very quickly. Also, the latest development in Turkey is quite worrying, I would say, with the dismissal of the judges, the corruption affairs and the new internet laws. It's going in some ways backwards. But some would argue, and I would tend to agree with that, that we actually pushed Turkey away from us. There were a few years with massive reform in Turkey that was very positive, but then we sort of said: stop. You won't be able to join anyway, ever. Then, of course, it took another direction, and that's worrying. So Turkish membership – I think Turkey belongs in the European Union. That might be a minority view. But it's certainly not for tomorrow.

Nick Robinson:

I mentioned Switzerland at the beginning, and we haven't talked about that yet. What is the thinking about how the EU should react to that vote?

Cecilia Malmström:

Although we, of course, respect referendums and the outcome, the EU has deplored the result. We just had yesterday a meeting with the Swiss minister, who sort of explained and interpreted the results. It would be very much for them to come back and see how they want to solve this, because of course quotas and so on – it's not what the European Union is going to deliver, quotas for the Swiss for the moment. You can't cherry-pick one part of the free movement. They have a lot of very favourable and beneficial agreements with us.

Nick Robinson:

So what's the ultimate sanction? If they say: look, the people have voted. Quotas is what they want. They want restrictions on immigration. Do you then say: the accession treaty is ultimately – they all go. Free trade with Europe, that goes. Special relationship goes.

Cecilia Malmström:

The referendum was only a couple of weeks ago. They have asked us for time to interpret it, to listen around, to find out different ways to approach it. They have three years. We say, of course, we will listen. The Swiss are our friends, our neighbours. We will try to help them. But to just cherry-pick is not an option. But to start to negotiate exactly how we solve it, I'm not in a position to do that, because I have no idea for the moment.

Nick Robinson:

You may know the phrase, 'speak softly and carry a big stick'. Now you're speaking softly. What's the big stick?

Cecilia Malmström:

For the moment, it's too early to say. But I was very clear, you cannot cherry-pick.

Nick Robinson:

Yes. You were clear about that, but you weren't so clear about what you'd do if they insist on doing it. There are only two possibilities: you back down or they back down. So you think the Swiss may just go back to the people and say: I know you voted for this but you can't have it.

Cecilia Malmström:

As I said, three weeks ago they voted, and they are still struggling to see how they will move forward. They haven't put that answer to their own citizens yet. They need some time and they haven't approached us yet.

Nick Robinson:

I guess that brings me back to where we began, and then I'll open it up for other questions. Who is the 'we' in this? It seems to me, listening to you and to your colleagues, that there is – stop me if you think this is wrong – there is a dramatic change that's happened in public attitudes to migration, it seems to me, throughout Europe and not just in the UK, which seems to have not been reflected in Brussels at all. There is a view that business just continues as usual. If countries like Switzerland vote for changes in migration rules, if electorates vote substantially for parties that are hostile to immigration, if governing parties adopt quite a lot of that agenda, does Brussels really just roll on saying migration is good for you? Freedom of movement is good for you, there is no problem. Move along here, we can see nothing.

Cecilia Malmström:

No, that's not really true. But Brussels is not a blob somewhere far away from here. Brussels is also a human being – it's us, it's you. It is the citizens and the elected leaders, and the European Parliament and the Commission and everybody in Europe. As far as I noted, there was a quite unanimous view on this from member states – elected leaders in the member states – saying that they deplored the outcome of the Swiss referendum. It was not on the agenda to cherry-pick and so on. Of course, the Commission makes proposals, but we do that according to the treaties and guidelines of member states. Of course we should listen, but just because there is a growth in racist parties saying we should close our borders and not have any immigrants and not accept any refugees from civil wars like Syria, doesn't mean that the majority of us who do not vote for these parties in any country just immediately have to change. There is something called leadership as well, standing up and defending the values you believe in. I will continue to do that until my very last day. Then okay, if I'm outvoted, that's it.

Nick Robinson:

Thank you very much indeed. Let me take some questions here.