

## Select Committee on European Union Minutes of Evidence

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### Examination of Witnesses (Questions 442-459)

Professor Andrew Geddes

13 JULY 2005

**Q442**Chairman: Professor Geddes, thank you very much for coming today. I do not think I was present at your previous appearance before this Sub-Committee; indeed there was another Peer of Richmond in the Chair, a different Richmond. Thank you very much for coming today. Thank you also for your written evidence, your memorandum, which is extremely helpful. I do not think I need to repeat the subject of our inquiry, which you know very well, because we are on the record and I have already described it. Can I ask you, would you like to start with an opening statement?

Professor Geddes: Thank you, my Lord Chairman. At the start, I would just like to thank you for giving me this opportunity to present evidence to the Committee and also to say from my own experience, and from speaking to colleagues across Europe, how valuable the work of this Committee is and how it makes a very important contribution to the understanding of questions such as migration in the European Union.

**Q443** Chairman: Thank you very much. Could I start with a question which to some extent is dealt with in your memorandum, and that is how should the EU labour market really be seen, as national, regional, local or EU-wide? You say there is a key point of principle of whether there should be an EU approach or whether national policies should prevail. Would you like to say anything more about this key point of principle?

Professor Geddes: This seems to me to be absolutely at the core of this whole discussion of economic migration. For the last three years I have been involved in a research project with colleagues in six other European countries looking at recruitment decisions and recruitment of migrants in the IT sector, the healthcare sector and the construction sector. What we see in this research is that we need to think about labour markets in the plural. What we found, for instance, when it came to healthcare was that labour recruitment is often quite nationally based and linked to government priorities. In the IT sector, the global sector, we find a lot of transfer of employees within organisations. In the construction sector we find some impact of European provisions in the movement of workers using EU provision, but also patterns of irregularity and economic informality in that sector. What I would say, and maybe it is not a very good answer to the question, my Lord Chairman, is that we need to think about labour

markets in the plural and one of the key challenges when considering the proposals for a European approach is to think about the relationships between different kinds of labour markets, national policies and also, because in European societies we are also talking about welfare states, different kinds of welfare arrangements. The key point in this is that when we discuss economic migration we are also discussing diverse types of labour markets and also the impact on social arrangements and welfare states which provides some contrast perhaps with approaches adopted in the United States where there is a more market driven approach, and in Europe we need to think about the welfare dimension.

**Q444 Chairman: We will come to the social dimension in a moment. Before we do that, how far do you think migration should be dealt with by individual states with a view to their protecting the domestic workforce?**

Professor Geddes: I think the question here is this issue of protection, regulation and the form that European policy should take. I think it is entirely feasible for European states to regulate migration. The evidence is that European countries do retain a fairly formidable capacity to regulate migration. What I would say is that when it comes to the discussion of what kind of system should be in place, I think the emphasis should be placed on a system in which there is more emphasis on enforcement and compliance of the labour markets within the Member States rather than a system that is perhaps more front-loaded and bureaucratic, which is something that personally I think is lacking in the Green Paper and could be developed within the discussion of economic migration.

**Q445 Chairman: Thank you very much. Have you put in any evidence to the Commission on the Green Paper?**

Professor Geddes: No, I did not.

**Q446 Chairman: Your views will be adequately reflected, I hope, when we put in our report.**

Professor Geddes: I hope so.

**Q447 Lord Marlesford: You mentioned the social dimension in the regulation of migration of labour. To what extent do you balance the economic considerations with the social? We rather got the impression that the economic is paramount but does social have a role? Can you give us any examples of where the social dimension would determine policies?**

Professor Geddes: My Lord Chairman, I think that the lessons of recent European history need to be borne in mind here and the **guest worker** and post-colonial migration that was seen across Europe in the 1950s and the 1960s. Europe recruits workers but it gets people, so

you cannot detach the discussion of economic migration from the discussion of social implications of that migration. Migrants themselves will have social needs and will be contributors to the welfare states, they will settle and may well bring family members with them. I think it is very important to link any discussion on economic migration to the discussion on integration. I think we can point to action at European Union level within this area. For instance, the application of the open method of co-ordination to social policy has seen some consideration of the position of migrants and some recognition of the exclusion of previous generations of migrants and the potential for the exclusion of future migrants coming to Europe. It is paramount to consider that and I think some consideration has been given to these questions already.

**Q448 Lord Marlesford: In a sense following on from that, the EU has quite elaborate policies reflecting asylum, admission for studies and research, family reunion and all that. At the moment it does not have any pan-European regulations or Directives, which is what the Green Paper is all about. Would you like to comment on the fact that this is not a subject at the present time? There is a big difference of view we have picked up that many people think leave well alone, let the national level do it.**

Professor Geddes: There is an argument for legal completion. Maybe there is a functional argument that would be more legally neat if other areas were included too, given that we see provisions on asylum, on family reunion and other things as well. Obviously, in a sense the Green Paper raises more questions than answers but the issue is what kind of system. If the argument is to be made that EU action is to be developed in this area, there needs to be a more robust explanation of on what basis, what kind of system. At the moment I see a lot of questions—necessarily, because it is a Green Paper, it is a discussion document—and I think a more robust explanation could be provided, from my own opinion, as to how when it comes to the development of the European approach, if it were to be developed, it would be enforced and implemented in Member States, how it could ensure compliance with decent working conditions, labour market standards and protection of the rights of migrants and other workers. To me, this discussion seems to be very important and is an area in which further elaboration perhaps is needed of where European Union added value could occur.

**Q449 Earl of Caithness: You have answered the question that I was going to ask you later in large part but perhaps I could just add a supplementary and we can then move on. Who could make that case in an intelligible form? Is it possible to make that case in an intelligible form and, if it is, who is the right person or the right body to do it?**

Professor Geddes: In terms of competence reach, the European Commission is in a position where it can co-ordinate, gather information, get a better understanding of practices in Member States, but when I think of some of the important issues to do with compliance, enforcement, decent working conditions, protection for rights of migrants and of native workers, then those questions often rebound to the Member States. As with many issues in the European Union, implementation structures in the Member States are very important.

Going back to an earlier question, the capacity of states to regulate and, in a sense, to put in place structures of good governance in their labour markets is very important here. The Commission does have a role to play, is playing a role, and that role potentially could be strengthened on the basis of these kinds of proposals, but ultimately many of the issues that are most important in relation to migration flows do depend to a considerable extent, for instance, on the workplace inspections in Member States and those kinds of procedures.

**Q450 Baroness Henig: In a way that covers probably the first of my questions. If I could move on to the second one: you welcome the Green Paper as encouragement to move beyond "Fortress Europe". Given Europe's need for labour, I wonder whether you saw economic migration as potentially a major breach in the concept of Fortress Europe.**

Professor Geddes: My Lord Chairman, I think that Fortress Europe is a mentality rather than a reality. Europe has never been a fortress in the literal sense. When European countries decided to stop labour migration in the early 1970s—Britain in the 1960s—family migration continued, so in a literal sense Europe cannot be a fortress and it is not a fortress. Liberal states are not a fortress in that way. I think there is perhaps a mentality which is more restrictive and exclusive. What I would suggest here is that the discussion of economic migration encourages us in a sense to think about the future of Europe, about the future of the welfare states, the types of labour markets. The challenge to the whole idea of Fortress Europe is a more fundamental challenge which is a debate about the kinds of labour markets in European States, the kinds of welfare states that can be sustained. It seems to me that migration seems to be part of that debate. It is not a solution, it is not going to destroy the welfare state or rescue the welfare state, but I think a lot of these debates are most intense when migration is the issue and I think it tells us quite a lot about these issues. The question of Fortress Europe seems to me to be where we see in public debate a mentality when we can see across the European Union a hostility to migration and perhaps scepticism about these kinds of proposals about the European Union moving into what are politically sensitive questions, which is why I think the case needs to be made robustly. I think there is a case but, as we know, this is a hot political issue across the European Union.

**Q451 Baroness Henig: Can I throw one question in which is on the Green Paper. You make the point that the Commission does not differentiate on gender issues and perhaps that is an area where it should think more in terms of addressing some of the issues. I wondered whether you could say something about that and what you hope to see in the future in the area of gender differences and how they play out.**

Professor Geddes: What we can see in terms of pattern of migration to Europe is the increased presence of women migrants. Women have always been present in migrant flows but women migrants tend to go to different sectors of the labour market where they may be open to abuse and exploitation of a different form from the abuse and exploitation that male migrants may occasionally encounter. This is an area to which attention needs to be paid and

in the context of the Green Paper and a discussion about economic migration I think that kind of distinction is useful and also could be included in discussions in relation to social inclusion of migrants more generally to make a distinction. Immigrants are often dealt with rather homogeneously. In fact, when we come to the issues of social inclusion it tends to refer to certain kinds of migrants and we can distinguish as well within those. I think a gender distinction could be usefully made.

**Q452 Earl of Caithness: Could I ask you to expand a bit more on the evidence you gave us in paragraph 10 of your paper. If we have an EU approach of horizontal principles, are there not a substantial number of differences in the labour market, different sectors within the labour market, that the horizontal approach cannot deal with properly and would not a sectoral regime tackle those shortages more adequately?**

Professor Geddes: I think this was an issue which in evidence I had to think long and hard about. What I tried to do in my paper, and perhaps did not do particularly well, was distinguish between what I would see as useful in relation to recruitment of migrants, which is an employee driven approach, and the need for common basic principles. While I think that economic migration could be quite closely tied to the requirements of particular sectors, I also think that there could be scope in order to protect the rights of the migrant workers entering Member States and in a way to reassure workers already in those sectors that basic standards and principles are in place. If I could refer you to page 10 of the Green Paper which does discuss this question of rights. I think the point made in the Green Paper is quite useful, that third country workers should enjoy the same treatment as EU citizens, in particular in regard to certain basic, economic and social rights, whilst recognising that rights do accrue over time. What I tried to do, and perhaps did not do particularly well, was distinguish between the method of recruitment and a system which I think could give some credibility to common action or co-ordination in this area based on common principles for, in effect, what could be called shorter term residents because after five years longer term residents do acquire rights within the European Union. I think that was the point I was trying to make.

**Q453 Viscount Ullswater: You have touched on your views on integration and the need for some form of policy for integration. Do you see that as being something that a nation state should undertake or do you see room for an EU approach in this area?**

Professor Geddes: My Lord Chairman, I think that the EU approach in this area has to some extent already developed. There are the Anti-Discrimination Directives, the Directives on the Rights of Long-Term Residence and the Directive on Family Reunion, not all of which apply in the UK but across the European Union you can see some attention to this. Perhaps I could draw your Lordships' attention to a research project in which I was recently involved with the British Council. We tried to map patterns of inclusion and participation of migrants, particularly in relation to the labour market across the EU 15 prior to the May 2004

accession. We can see a European framework that is in existence and we can see patchy implementation of that framework. I would argue that integration is an issue that needs to be considered at European level in relation to European economic objectives and to the European objectives in relation to social policy. I think that you can distinguish between the labour market questions, access to the labour market, types of employment, patterns of unemployment, and we tried to look at those in the research that we have done recently.

**Q454 Chairman: Has that British Council study been published?**

Professor Geddes: Yes. I can make it available to you if you would find it of use. We looked at questions to do with labour market access, implementation of anti-discrimination legislation and we also looked at the question of nationality, which is not strictly within the remit of the European Union but is clearly relevant to the position of migrants and minorities. Also, within the European Union more generally the use of indicators and targeting could be applied in these areas as well so that integration policies can be applied rather more specifically to certain areas of economic and social life to give a clearer picture of what is actually going on. That was what we tried to do in the research that the British Council in Brussels co-ordinated, to give a clearer picture because we have very divergent practices and often these issues of integration are closely linked to national models and national ideas about belonging and citizenship and identity but I think there is now an important European dimension.

**Q455 Viscount Ullswater: In your evidence you see quota systems as likely to be ineffective. Might quotas not be a fairer and less bureaucratic alternative to a work permit system? You also say that quotas are seen as a way of trying to curb flows of migrants from particular countries. Is that your view or is that a commonly held view?**

Professor Geddes: I was looking at the experience of Italy, for instance, which employs a quota system and uses those quotas to manage its migration relations with sending countries. I think that quotas could be used to manage bilateral relations between states and I think that is the Italian approach to the idea that you can prevent irregular flows by having some regular flows and trying to organise migration relations on that basis. More generally on the issue of quotas—this was obviously a discussion at the recent General Election—my own opinion is that quotas are likely to be reactive rather than proactive and there are other systems where we can look at traditional immigration countries, like Canada and the United States which have got different approaches, which allow more flexibility than a quota system, which I think could encounter difficulties. I suspect it might be reacting to conditions that previously applied and I think more flexible approaches could be adopted.

**Q456 Viscount Ullswater: Your first answer intrigued me in that you were detaching, were you not, the experience of Italy of quotas of migrants from any economic activity in your reply. Is that so?**

Professor Geddes: I am not an expert on Italian immigration, but I have spent time in Italy and followed the debates. I would not like to pretend that I am a great authority on Italian immigration. What I do know is that the context in Italy is rather different and perhaps tells us interesting things about a common European approach. Italy is more exposed perhaps to flows from the Balkans, South East Europe and North Africa, more exposed to regular flows, has a different kind of welfare state and more employment of migrants in the home, in domestic work, where we find women migrants present. The Italian debate has also been influenced by the presence in the government of the Northern League and the National Alliance which did steer policy in a more restrictive direction. I do not think there is an attempt to detach migration from the labour market so much as an attempt to deal with some of the issues of irregularity and illegal immigration and some of the source countries for that, but perhaps in a political climate which was becoming more hostile to immigration and imposed more restrictions and did limit the rights of migrant workers in Italy.

**Q457 Lord Marlesford: Italy is a very interesting example. Has there actually been any evidence that quotas in such countries have limited the irregular flow at all?**

Professor Geddes: That is a very good question. In this area I always find that evidence can often be lacking. I suppose it is academic special pleading to say we need more research but sometimes in these areas more research would be useful. All I do know is the Italian Government argued that they have worked and during their Presidency in 2003 there was the argument that this kind of approach could function as a European approach. In terms of whether this has been an effective policy, I am afraid I could not really say.

**Q458 Lord Avebury: You do not think it will be possible to arrive at a common policy on regularisations and amnesties because of the variety of schemes that have been applied by different Member States in the past, but you also say there is inter-dependency between Member States. I would like to ask you how regularisation in one Member State would be likely to affect employment in the rest of the European Union over the medium term. Obviously we are not looking at what happens this year in relation to the 700,000 people being regularised in Spain, but should we not bear in mind, or attempt to ascertain, what would be the effect of such large scale regularisations on the employment situation in other countries, not necessarily those immediately next door?**

Professor Geddes: My Lord Chairman, this is an important issue. In the UK this issue becomes more pertinent in the light of estimates of the population of illegal immigrants that were recently published. The Spanish regularisation is interesting because it introduces anxiety in countries that do not regularise and there is, I suppose, what could be called the bus stop theory of amnesties where there is the idea that migrants will come along because there will be another amnesty along soon. I think the conditions that generate irregular migration are also linked to the way in which the economies of countries like Spain and that

in the UK operate. In a sense, the other side of the debate about a dynamic, flexible, competitive European economy is the flexible labour force that can generate the services and products that people need. I think the debate about irregular migration is very important. We can see that it does demonstrate the way in which migration is functional to the operation of labour markets. This may be an area in which other witnesses have been able to provide more evidence. I am not aware of evidence to say whether the amnesty in Spain affects the labour market in France in either a negative or beneficial way. Perhaps other witnesses have been able to elaborate on that point. I think it could be quite interesting. I think the idea is that it is potentially damaging but possibly it may be beneficial and I suppose that most people who regularise have done so because they are settled in the country in which they have regularised.

**Q459 Lord Avebury: Whether it is beneficial or not, surely the European Union should have some facilities for taking it into consideration because out of those 700,000 people who come into Spain a sizeable fraction will enter the labour market either in Spain or another EU country. To that extent, it will be an unplanned addition to the labour forces in countries which think they have arranged their economic migration policies to exactly match the needs of the employers in their countries and suddenly find an additional inflow of people who are not considered in that equation. Is there not another factor in this, in that if you get lots of amnesties and regularisations this will simply encourage further flows?**

Professor Geddes: I think that is a point that does concern countries that do not employ amnesties or regularisations. This is where I think the research evidence is unclear because personally I am not convinced so much that it is the amnesty which brings in the migrants as the way that the economies function in countries that have amnesties; perhaps it is a combination of both of these factors. In Italy, Spain, Portugal and Greece, which have had amnesties recently, they do have large informal economies which rely on migrant workers also. I think that the Athens Olympics would have been rather different had the stadiums not been built and migrant workers helped build those stadiums. I know in Portugal for the European Football Championships migrant workers were extensively involved in the stadiums for that event as well.

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