

The hard facts on immigration

Concerns about immigration have been widely reported in coverage of the Rochester and Strood by-election. Mark Reckless found himself at odds with his new party's official position when he appeared to suggest that he favoured repatriating European workers who had settled in Britain. A recent opinion poll suggests that repatriation has the support of 1 in 4 of the electorate. Certainly in Rochester and Strood, Mr Reckless' comments have won him some support. The *Buzz Feed* news tracked down a number of voters in the constituency who were unashamed to admit that they would like at least some immigrants to go home. "I like the idea of sending them back" said a Mr Gilkes, who admitted that talk of repatriation had made him more likely to vote UKIP. According to The Times, research by YouGov has found that 90% of UKIP voters are likely to say immigration has been bad for Britain and 58% that immigration has been bad for them and their families.

While some commentators on the Left are horrified that anyone can express opinion like this in 2014, they are naïve to think that passing equality and diversity legislation alters the way people think – particularly in the face of immigration on such an unprecedented scale. Given that the same YouGov survey found that 55% of all voters consider immigration to have been bad for Britain, it is unsurprising that both the Tories and Labour have been toughening up their rhetoric and talking of restricting either benefits of immigrants or immigration itself in an attempt to stem the flow of support for UKIP.

Of course, immigration is not just an EU-related issue, although we do have the power to restrict immigration from outside the EU. However, even if non-EU migration was stopped totally, it would not allay the anger about child benefit being paid to workers from the EU whose family remain in their native country nor the money being paid to unemployed

foreigners.

So what options does David Cameron have when it comes to persuading the rest of the EU to change the rules? Our Prime Minister is no doubt aware that concern about immigration is one of the big factors likely to increase support for EU withdrawal. The *Open Europe* think tank, although taking a totally opposite line from the Campaign for an Independent Britain on whether we should leave the EU, has recently posted a helpful analysis. A paper by Stephen Booth and Professor Damian Chalmers suggests that it would be possible within existing EU treaties to restrict access to benefits, social housing and publicly funded apprenticeships for their first three years in the UK. They also propose that while EU citizens would have a right to access public healthcare within their host country, for the first three years, the costs would be borne by their state of nationality. David Cameron is widely believed to be on close terms to *Open Europe*, so these suggestions may well be points he seeks to renegotiate.

However, they do not address the big issue for many voters, which is to end the right of citizens from other member states to live and work elsewhere in the EU. Open Europe reckons that even an “emergency brake” – a temporary cap on migration levels will be a challenge. “He may just achieve it,” says their blog, as “there are precedents for brakes in other areas in the EU treaties and there is increasing awareness across the Continent that public concern about free movement is contributing to the EU’s unpopularity.” However, going beyond this – for instance insisting on permanent quotas on the number of EU migrants or introducing a points-based system – is likely to be one step too far. To quote Open Europe again, “it would involve fundamentally rewriting the EU treaties and unpicking one of the founding principles of EU membership. There is likely to be little or no political appetite for such a move among other EU countries.” Given that Angela Merkel, the most powerful political leader in the EU has said that she

would rather see the UK leave the EU than compromise on the principle of free movement of people, it is very apparent that David Cameron's hands are tied before the serious attempts at renegotiation have even begun. If the British electorate is determined to bring to an end the principle of free movement of people, then withdrawal from the EU is the only way whereby their wishes can be granted.

Having said that, withdrawal will not automatically give us total immediate control of our borders, assuming we withdraw by invoking Article 50 of the Lisbon Treaty and remain within the European Economic Area. We could certainly follow the example of Liechtenstein, which has availed itself of the right to restrict residency of EU citizens under Articles 112, 113 and Protocol 15 (articles 5-7) of the EEA agreement, but it would only a restriction, not a complete end to the rights of some EU citizens to move to the UK. The EEA route may therefore not satisfy the more strident opponents of free movement, but it is not only the least disruptive method of securing withdrawal from the EU but also the best option to present in any future referendum if we wish to secure an "out" vote. Furthermore, remaining in the EEA is viewed by most of its advocates as an interim state for the UK while a looser longer-term relationship is negotiated. Of course, dealing with the issue of free movement in these negotiations will be up to the government of that day. Any discussion of this subject would need to take into consideration the concerns not only of the indigenous UK population but also the UK EU-resident UK expatriate community, who may not take too kindly to being presented with the alternative of either returning to cold, grey Britain or becoming citizens of Spain, France or wherever.

In this article, CIB has sought to set out what our options will be. The Organisation recognises the concerns felt by many but has no official position apart from a firm belief that, as in other areas of national sovereignty, policy on immigration

should be determined by a democratically elected British parliament and not by the EU.