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Immigration, the EU and Britain

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Introduction

Since the mid-1990s, Britain has experienced higher levels of immigration. In recent years, this has become politically controversial. Opponents of Britain's membership of the European Union (EU) often use this increase in immigration as a reason why the United Kingdom should leave the EU. This paper explains why immigration to the UK has increased in the last 20 years, the response of the Government and the extent to which immigration relates to our EU membership.

Definitions

Several specialist terms are used in the immigration debate. The most important ones in the UK are:

<i>Immigrant</i>	a person entering the country to live here for at least one year;
<i>Emigrant</i>	a person leaving the country to live in another country for at least one year;
<i>Net migration</i>	the difference between the number of immigrants and the number of emigrants each year; ¹
<i>Asylum seeker</i>	a person who seeks refuge in another country "from fear of persecution for reasons of race, religion, social group, or political opinion"; ²
<i>Economic migrant</i>	someone who seeks to move country in search of better opportunities – sometimes they falsely claim asylum.

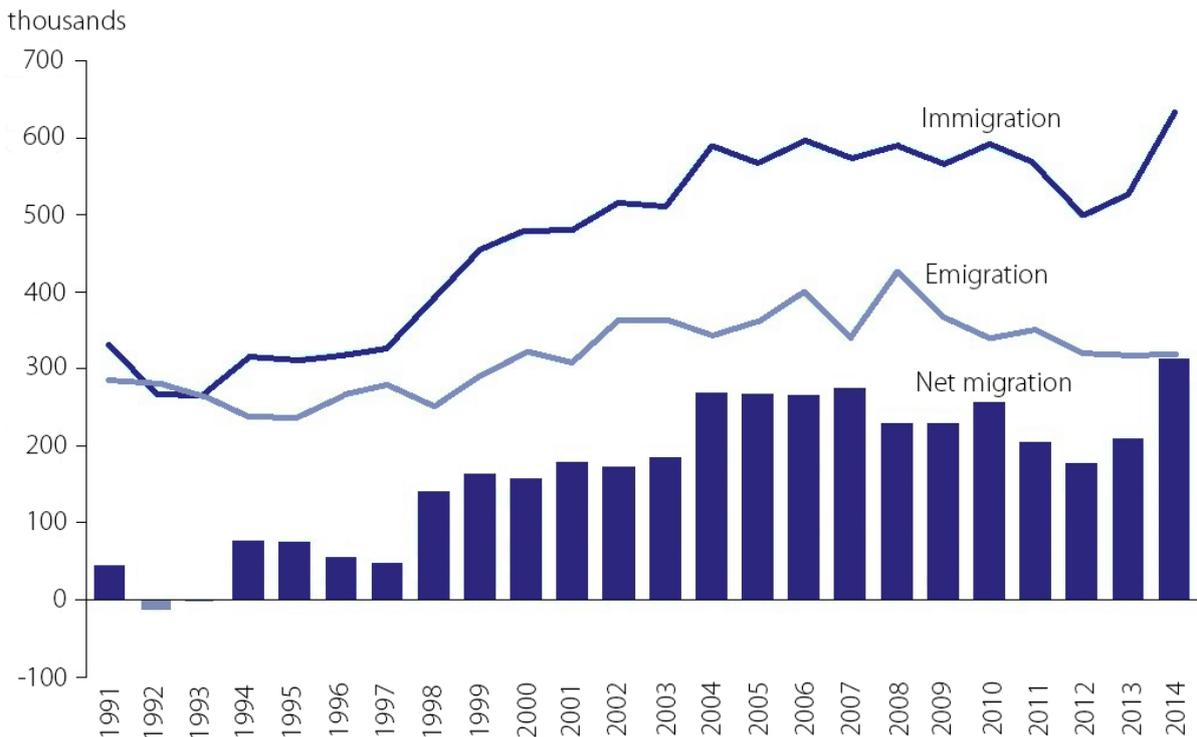
It is important to note that many people assume that the term "immigrant" means a foreign citizen who has moved permanently to the UK. The UK uses the UN definition of an immigrant as being someone who enters for more than a year, which means that students (and UK citizens returning from abroad after being away for at least a year) are counted in the statistics.

Immigration to the UK

The chart below shows long-term migration, that is immigration to the UK and emigration from the UK, between 1991 and 2014:

¹ For further information, see Office for National Statistics, *Quality and Methodology Information*, 26 November 2015

² Article 1 of the *Convention and Protocol relating to the Status of Refugees*, republished 14 November 2011; *n.b.* the 1951 Convention should not be confused with the 1949 Geneva Conventions on armed conflict

Chart 1: Long-term international migration in the UK, 1991-2014

The chart starts in 1991 because it is only from that date that more accurate figures have been available. It shows that net migration rose sharply from 1998 onwards, falling back from 2011 and then rising again in 2014.

There were a number of reasons for the significant increase in immigration from 1998:

- the relative strength of the UK economy combined with skill shortages in key sectors;
- the easing of restrictions on entry for marriage;
- the increase in the number of asylum seekers – but it fell back after 2000;
- the easing of restrictions on work permits;
- a large increase in the number of overseas students – from about 30,000 a year in 1996 to 180,000 a year in 2010;
- enlargement of the EU from May 2004 – discussed below.

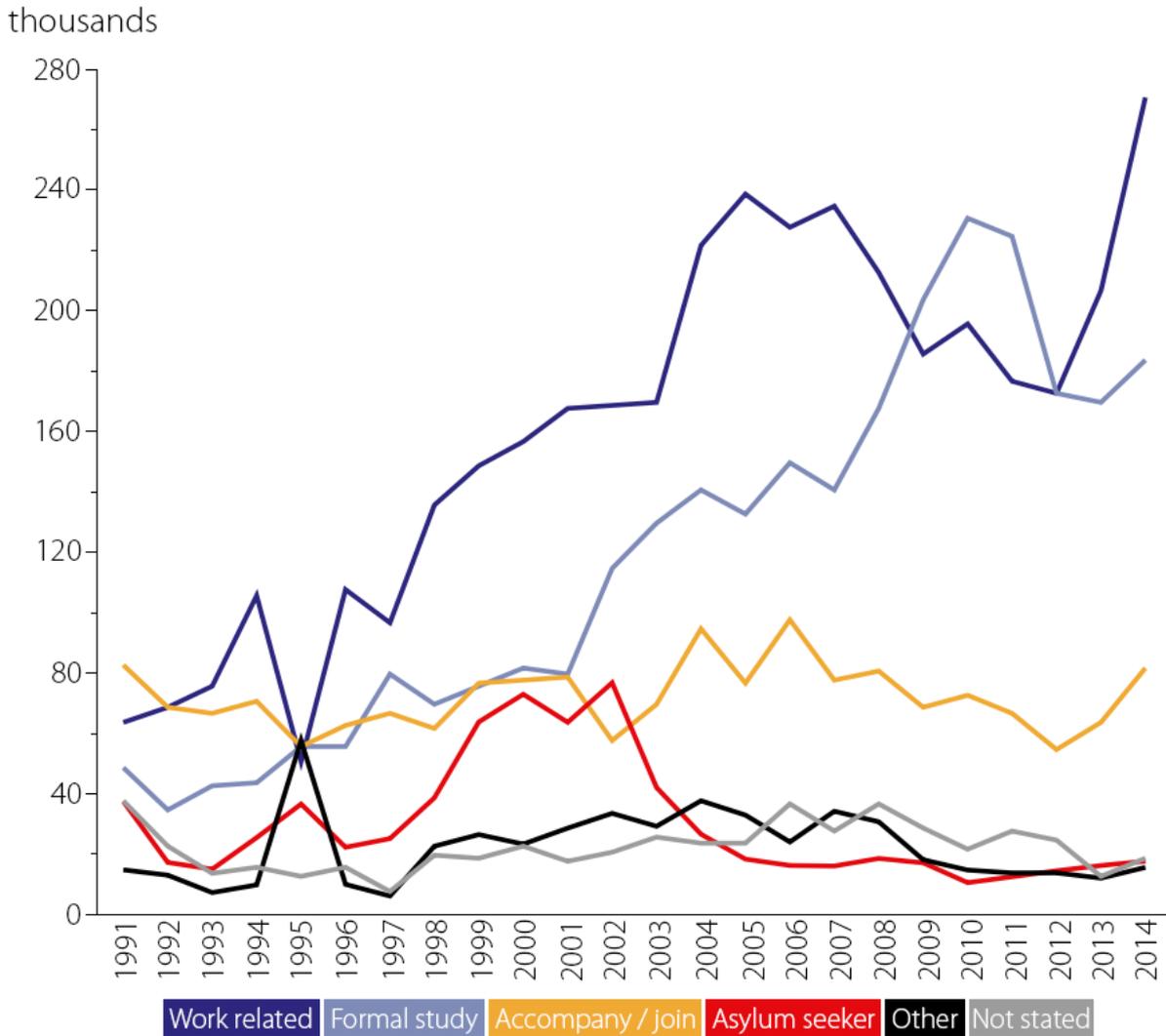
There were some other factors at work as well, notably the failure to deport many of those who had been denied asylum.

With the exception of the increase in asylum seekers, which was driven by international events such as the wars in the Balkans and the Middle East, the increase in immigration after 1997 was the result of the UK Government's decisions. The then-Government promoted the concept of "managed migration", partly in response to skill shortages. Under this concept the number of work permits issued to non-EU citizens rose five-fold. It also promoted British educational institutions to increase the number of overseas students (because of the benefits to the economy of the income they bring, particularly as a boost to

Britain's invisible exports). It also pursued a policy of tightening rules and procedures in order to drive down the number of asylum seekers.

The cumulative effect of all the changes after 1997 was that between 3.4 and 3.6 million people immigrated to the UK between 1997 and 2010. These figures include British citizens returning from overseas (about 800,000-900,000 in the period 1997-2010).³ About one million people left the UK, meaning net migration of approximately 2.5 million over that period.⁴

Chart 2: Immigration by main reason, 1991-2014⁵



³ Based on Oliver Hawkins, *Migration Statistics*, House of Commons Library Briefing Paper 15/6077, 3 December 2015, p. 13, Chart 6; the immigration statistics do not tell us how long the immigrants were permitted to enter the UK (in the case of those who needed visas or work permits) or how long EU migrants remained here

⁴ See Migration Watch UK, *Immigration under Labour*, Briefing Paper 11.36, 2 March 2015; the range 3.4-3.6 million has been given because of the fact that the 2011 Census found more immigrants in the UK than other statistical surveys had identified: see Oliver Hawkins, *op. cit.*, p. 8

⁵ Charts 1 and 2 are taken from Oliver Hawkins, *op. cit.*, pp. 7, 14, Charts 1 and 8; Chart 2 has been amended to show 'Asylum seeker' as a separate category

EU Freedom of Movement

The EU's right of free movement enables citizens from all Member States to work, live and study in the other countries of the Union. Some 2.2 million Britons are currently living in other Member States, whilst some three million citizens of other Member States reside in the United Kingdom.⁶

Every year from 1991 to 2015 immigration from outside the EU exceeded that from inside the EU but it was the immigration from other EU countries that caught the headlines. This is largely because of the high level of immigration from Central and Eastern European countries (known as the "Accession states") who joined the EU in 2004 and 2007 (Bulgaria and Romania). The British Government decided not to make use of the transitional provisions for new Member States joining in 2004, which would have allowed the UK to restrict free movement from these countries for up to seven years (it did do so however, for Bulgaria and Romania).

The relatively high number of Central and Eastern European migrants was also partly a consequence of the fact that the UK was one of only three Member States (with Ireland and Sweden) to allow unrestricted entry to people from the Accession states in 2004 and the only large country to do so.⁷ All Member States now accept free movement for those countries (except for Croatia which is still under transitional provisions). The main reasons why EU migrants seeking work were attracted to the UK were (and still are):

- skills shortages here – including in the medical profession, nursing and teaching;
- the unwillingness of British-born people to take low-skilled, and/or low paid, work;
- the differences in wages between their home country and the UK;
- the fact that Germany and other potential EU labour markets were closed to them (until 2011);
- in recent years the resumption of growth in the UK with the accompanying fall in unemployment; and,
- the high levels of unemployment in some southern EU countries, notably France, Greece, Spain and Italy.

The EU has, from its foundation in 1957, had free movement of people as one of the four freedoms – the others are: free movement of goods, of capital and of services. Free movement of people is inseparable from the other three freedoms. For example, if a British company wants to expand into another EU country, it can deploy staff there without having to obtain a work permit for them. Similarly, a company or an organisation in the UK (such as farmers or the NHS) can recruit without restrictions from other EU countries. Five out of the top 10 overseas sources for NHS staff are in the EU.⁸

⁶ British citizens living elsewhere in the UK: HL Deb 4 February 2014, vol 752, col WA25-26; figure for EU nationals resident in the UK: Office for National Statistics, *Population by Country of Birth and Nationality Report*, 27 August 2015, pp. 6-7

⁷ Carlos Vagas-Silva & Yvonne Markaki, *EU Migration to and from the UK*, Oxford Migration Observatory, 5 October 2015, p. 2

⁸ Institute for Public Policy Research, *A fair deal on migration for the UK*, 5 March 2014, p. 25

EU migrants and benefits

Some of the reporting about EU migrants and social security benefits has failed to make clear that migrants' entitlement to benefits depends not just on their rights under EU law but on national rules as well. Member States design their own national social security systems subject to the over-riding EU principle of non-discrimination.

Studies of EU migrants' benefit claims show that overall they are half as likely to claim benefits as British nationals.⁹ The main impact of migrant claims is on in-work benefits, such as tax credits and housing benefit, and not for out of work benefits. This is because in-work benefits are not based on National Insurance contributions but on wages and many EU migrants have taken lower paid jobs that British nationals have declined. For in-work benefits, levels of claims are similar between EU and British citizens.¹⁰ But even so, if in-work benefits claims from EU migrants did cost £530 million in 2013, as new estimates have suggested, that is 1.6 per cent of the UK's total spend on in-work benefits that year.¹¹

EU Citizenship

It is sometimes suggested that, because of EU free movement rules, refugees granted asylum in the EU will be able to obtain citizenship of another EU country and then move to the UK once that has been granted. After widely publicised attacks on women in Cologne on New Year's Eve 2015, it was even suggested that those refugees convicted of taking part in such attacks would be able to get German citizenship and then travel to the UK.

The rules for citizenship are a matter for each EU Member State (as is the decision whether or not to grant a particular person asylum) and all require a wait of five years or more before citizenship can be granted. In many Member States there are additional requirements; in Germany refugees wait up to eight years to be granted citizenship, must have no criminal record, have no other citizenship and be able to speak German.¹² A summary of the citizenship requirements of EU Member States can be found in the Annex.

The UK does not have to admit third country nationals, including refugees granted the right of residence (but not citizenship) in another EU country.¹³

Asylum Seekers

The UK is required by its obligations under the UN's 1951 Refugee Convention to give refuge to those with a well-founded fear of persecution. This obligation has nothing to with our membership of the EU. The number of people seeking asylum peaked in the UK at 85,000 in 2000. Since then it has fallen to under 30,000 a year.¹⁴

⁹ Christian Dustmann & Tommaso Frattini, *The Fiscal Effects of Immigration to the UK*, Centre for Research and Analysis of Migration Discussion Paper 22/13, 4 November 2013, p.28

¹⁰ Roderick McInnes, *Statistics on Migrants and Benefits*, House of Commons Library Standard Note 14/6955, 27 November 2014, p. 10, Table 4a

¹¹ 'EU migrants on benefits: separating the statistics from the spin', Alberto Nardelli, *The Guardian*, 10 November 2015; and Phoebe Arnold, 'Migrants and benefits: let's see the evidence', Full Fact, 10 November 2015, which has the figures on cost released by No. 10 to *The Times* but not included in the DWP report cited above; the new figures referred to were published in November 2015 and can be found at: HM Government, *Benefit claims by EEA nationals*, 10 November 2015, p. 7

¹² See Federal Government of Germany, 'Naturalisation in Germany', 25 December 2015

¹³ See Pawel Swidlicki, 'EU migration crisis: will refugees acquire full free movement rights?', Open Europe, 18 January 2016

¹⁴ HM Government, 'National Statistics: Asylum', 26 November 2015

The Net Migration Target

In 2010, the Coalition Government announced that it would seek to reduce net migration to the UK to the “tens of thousands”, *i.e.* below 100,000 a year. The target was not met. In July 2015, the new Government said that it would continue with the target in this parliament.

There are a number of difficulties for the Government in meeting this target:

- demand from employers to meet skills shortages;
- it has no control over how many people emigrate from this country;
- it has included students within its target – there are around 440,000 overseas students in the UK at any one time;¹⁵ it is government policy to increase the number of overseas students coming to the UK;
- it has no control over how many people will seek asylum in the UK; and
- it has limited controls over people exercising free movement from the rest of the EU.

These four factors interact with one another, making the target harder to reach. But, as the figures cited above show, the Government has not missed its target simply because of immigration from the EU.¹⁶

Implications of withdrawal from the EU

If the UK votes to withdraw from the EU most of the drivers of net migration will not be affected. The handling of non-EU migrants and of asylum-seekers will remain, as now, a matter for Britain to decide. For Britain, like any country in Europe, the pressures will be unrelenting. And the success, or lack of it, of the EU Member States in managing immigration will have a major impact on us too. Leaving the EU will not reduce the attractiveness of the UK economy to economic migrants or to those seeking asylum. And the special arrangements at Calais for conducting border checks in France might well not survive a withdrawal.¹⁷ As for the handling of EU migrants, a rejection of the free movement of citizens would be likely to have a serious negative impact on the trade relationship we would hope to negotiate with the EU and on the treatment of the 2.2 million of our citizens living in other EU Member States.

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¹⁵ Figure from UK Council for International Student Affairs, it includes students from the rest of the EU: ‘International student statistics: UK higher education’, 1 February 2016

¹⁶ See Sam Ashworth-Hayes, ‘Is EU immigration to blame for missing the net migration target?’, Full Fact, 7 October 2015

¹⁷ Rob Whiteman, former Chief Executive of the UK Border Agency, said on the BBC *Today* programme on 8 February 2016: “It’s fair for the Prime Minister to claim that the French would almost certainly bring it to an end if Britain left the EU. Since the Treaty was negotiated in 2003 there have been lots of upsides for Britain, and not much upside for the French”

Annex**Summary of the citizenship tests applied by EU Member States, Iceland, Norway & Switzerland**

Austria	Requires 10 years of residence; no criminal record; language requirement; no dual citizenship.
Belgium	Requires five years of residence; language requirement; dual citizenship is allowed.
Bulgaria	Requires five years of residence; no criminal record; no dual citizenship.
Cyprus	Five accumulated years of residence in the last 8 years; dual citizenship allowed.
Czech Republic	Requires five years of residence; language requirement; dual citizenship is allowed.
Denmark	Nine years of residence; no dual citizenship.
Estonia	Five years of residence; language requirement; no dual citizenship.
Finland	Five years of residence, dual citizenship is allowed. Four years for refugees, spouses, and people with strong ties to Finland. Two years for Nordic citizens.
France	Five years of residence but can be refused if you have been charged or jailed for terrorist offences; language requirement; no dual citizenship.
Germany	Eight years of residence, can be reduced to seven or six with integration and language courses; no criminal record; language requirement; no dual citizenship.
Greece	Ten years; language requirement; no serious criminal record; dual citizenship is allowed.
Hungary	Eight years; dual citizenship is allowed.
Iceland	Seven years; dual citizenship is allowed.
Ireland	Permanent residence in the country during five out of nine years is required. You must be a resident during the year before applying. Criminal record considered. Dual citizenship is allowed.
Italy	10 years of residence; criminal record considered; dual citizenship is allowed.
Latvia	Five years of residence; no dual citizenship.
Lithuania	10 years of residence are required; no dual citizenship.
Luxembourg	10 years of residence; no dual citizenship.

Malta	Five years of permanent residence (usually following five years of temporary residence); dual citizenship is allowed.
Netherlands	Five years of residence; no criminal record worse than an €810 fine; language requirement; no dual citizenship.
Norway	Seven of the last 10 years; no dual citizenship.
Poland	Five years of residence; no dual citizenship.
Portugal	Six years of residence; no dual citizenship.
Romania	Five years of residence, dual citizenship is allowed.
Slovakia	Eight years of residence are required; no dual citizenship.
Slovenia	10 years of residence; dual citizenship is allowed.
Spain	10 years of residence are required, except from a former colony, when it can be reduced to two years. Dual citizenship is allowed for the latter group only.
Sweden	Five years of residence; dual citizenship is allowed.
Switzerland	12 years of residence (time between age 10 and 20 counts twice); no danger to internal or external security; dual citizenship is allowed.
United Kingdom	Five years of residence; dual citizenship is allowed.



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