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MICHAEL JOHNS, LAURENTIAN UNIVERSITY (CANADA) – MJOHNS@LAURENTIAN.CA

Local Communities and the Protection of Rights for Intra-EU Migrants: Lessons Learned from Wales before the EU Referendum

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Abstract

This paper examines the role of local communities in the protection of rights for European Union citizens who have migrated using the freedom of movement found within the union. The paper uses the case of the United Kingdom to illustrate the challenges and opportunities faced by communities and the migrants themselves. With the “Brexit” referendum campaign and vote to leave, it is clear that the free movement of people is one of the most contentious aspects of the EU. By examining the development of free movement of persons/people across the EU generally and the intra-EU migrant experience in Britain specifically, the paper illustrates how challenging ensuring these rights have been. The paper uses the case study of Llanelli, Wales, to demonstrate how local communities can fill the gaps which the European Commission and national governments create. The paper illustrates that there are economic and social benefits for local communities who work towards integrating their intra-EU migrants as opposed to relying on higher levels of government to do so. The Brexit vote is evidence that questions surrounding free movement will be paramount for the remaining states of the EU moving forward. It will be local communities who will be required to do most of the heavy lifting to ensure the rights of intra-EU migrants are protected.

Introduction

The United Kingdom referendum in June 2016 that resulted in a majority of voters supporting the United Kingdom’s exit (“Brexit”) from the European Union will have long-standing consequences well into the future. The British pound has dropped in value to levels not seen in decades (<http://www.independent.co.uk/news/business/news/pound-sterling-latest-collapse-16-per-cent-brexit-eu-deutsche-bank-incredibly-complicated>) and after voting overwhelmingly to remain in the EU, there are rumblings of a second Scottish referendum to leave the United Kingdom (<http://blogs.lse.ac.uk/europpblog/2017/03/14/second-indyref-scotland-legal-issues>). The long-term survival of the European Union (and based on the above, the United Kingdom) is uncertain as Eurosceptics across the union look to replicate the British vote. Ahead of calling for the referendum, then Prime Minister David Cameron, recognizing the growing unhappiness in the country, looked to renegotiate Britain’s place in the European Union. The main issue that Cameron wanted renegotiated with the EU, and the issue that he felt once resolved could improve the fortunes of the “stay” side, was the rights of intra-EU migrants to access services and the policies surrounding free movement (Gowland, 2017).

Since the expansion of the European Union into Central and Eastern Europe, the United Kingdom, along with countries such as Luxembourg and Ireland, has experienced a sizable movement of EU citizens into the country. As Wadsworth et al. (2016) note, between 1995 and 2015 “the number of immigrants from other EU countries living in the UK tripled from 0.9 to 3.3 million” (2). This represents an increase from 1.5 to 5.3% of the total population of the country (Wadsworth et al, 2016, 2). Concerns over the impact of free movement (along with the influx of refugees from countries such as Syria) across the country became the defining issue of the Brexit campaign. That said, all states of the EU must address the question of intra-EU migration, some to a greater extent than the UK. While it has been the expansion of EU regulations and ECJ rulings over the past 60 years that have expanded the rights of EU citizens and the responsibilities of EU member-states (Geddes, 2008), much of the integration of the migrants has been left to the receiving state, and more specifically, the communities in

which they settle. The Brexit campaign centred on the questions of free movement and immigration in the United Kingdom. The tragic murder of MP Jo Cox by an apparent anti-immigrant nationalist is the sad proof of this (<http://www.telegraph.co.uk/2016/11/14>). With the negotiations to remove the UK from the European Union forthcoming, the question of free movement remains unanswered. It is unlikely that the EU will allow the UK to sign favourable trade deals without this provision remaining but the British government understands fully how important the end of free movement was to many who voted to leave. Regardless of the outcome of these negotiations, the post-Central and Eastern European years of British experience can provide lessons for the remaining states of the EU as they grapple with the question of free movement.

This paper will address the role of the local communities in both the integration of intra-EU migrants and in the protection of their rights as outlined by the European Union. It argues that with the EU being unable to adequately enforce rights and to ensure fair treatment of its citizens and the state's unwillingness to do so, the local community by default is left to be responsible. To illustrate this, the paper will use Great Britain as the case study, with particular emphasis on the Welsh town of Llanelli, as evidence of the benefits to both the migrant and the community of effective integration. The paper begins with a brief historical discussion of the development of free movement inside the European Union. The paper then examines the movement of Central and East European migrants into Great Britain after the 2004 EU expansion and the difficulties and obstacles many of these migrants faced. The paper then turns to examine a case of successful integration in Llanelli. The paper concludes with a discussion of why the British case is so important in the study of the protection of rights and the effective migrant integration in the EU, as well as the challenges faced by the European Union when the primary level of government downloaded with the responsibility of ensuring the protection of European citizens is the one with the least resources to do so.

Free Movement of People in the European Union

The concept of free movement of persons within the European Union dates back to the very beginnings of the organization (Title III, Chapter 1, Article 48 EEC Treaty) and is considered one of the 'fundamental freedoms' (along with freedom of movement of goods, services and capital) of the EU that comprise, as Reechi (2015) describes, the "engine for the construction of a united Europe" (2). While the four freedoms are all vital for this engine, the free movement of workers across national boundaries has always been the most problematic. Geddes (2008) identifies the scope of this problem in noting that to enforce this right "required the establishment of supranational legal and political competencies" which meant that "member states could no longer control migration by nationals of other member states moving primarily for the purposes of work" (43). While this has been the result, it is difficult to argue this was the initial intent of the founding fathers of the EU when the concept was introduced. In fact, it could be argued that of the four fundamental freedoms outlined in the Treaty of Rome, freedom of movement of persons may have been the lowest priority. While this last freedom comprised free movement of workers as well as freedom of establishment, the specific wording of Article 48 EEC Treaty on free movement of workers is instructive in that it indicates why governments of Member States, even in 1973, might have assumed that its scope was quite limited. Article 48 EEC, in its 3rd paragraph, specified that individual citizens from other member states could cross borders freely to take on employment that was offered (under conditions) and stay in the state only during the time they are employed in the specific job they were hired for.

By this reading, the freedom of movement of workers was meant to complement the other fundamental freedoms as it would allow very specific people, who had unique skills to be hired for specific jobs

to help increase production and trade for a limited period. The provisions might have read as not constituting a *carte blanche* allowing an individual to decide where they would live and look for work and stay whether they had employment or not. The initial interpretations of this freedom of movement did not even include the families of the worker who was allowed to cross international borders for employment.

After freedom of movement of persons was established in Article 48 EEC (Treaty of Rome) subsequent European Commission directives and regulations as well as rulings by the ECJ rapidly expanded and clarified the definition of who had the right to move freely. It is well beyond the scope of this paper to delve into the specific, piecemeal development of the interpretation of this concept (see Spaventa, 2015 or Recchi, 2015 for this discussion) but a clear pattern did develop. While the concept started as one worker free to move to one specific job for the duration of time they were in that job, it quickly (by 1968) moved to one worker and their family being allowed to move. This made sense, for if the goal is to ensure that the best people were occupying jobs, it is necessary to ensure that those people want to stay. Allowing individuals to take positions knowing that they were not going to have to leave their loved ones behind was both compassionate and economically prudent. If workers were able to bring their families then it naturally followed that those non-workers would require access to health, education and social services. They also would require the ability to seek employment. Eventually, this was expanded again to allow all family members to receive residency in the country (Spaventa, 2015, 467). From here, it was not a long move to allow all European citizens to move between member states at their discretion to work, to establish residency and to eventually qualify for the social benefits available to citizens of the country itself.

While this more robust understanding of the concept of free movement inside the European Union was by and large established by the 1970's, in reality very few citizens from member state countries opted to use it. By the 1970's only approximately one million people were living in a different EU (European Community at the time) country. By the end of the 1980's that number had doubled to two million but this represented less than 1% of the entire population of the EC (Hantaris, 2007). Menz (2002) suggests that the similarities in levels of unemployment and GDP, coupled with the difficulties of learning a new language would help explain why so few Europeans decided to use their new found rights.

Through the 1980's and into the 1990's, the concept of free movement, today coupled with the concept of EU citizenship, continued to evolve and expand to allow those who wanted the opportunity to move, seek employment and access services. While their rights expanded, the apathy most Europeans felt about the option to move freely across borders to work also continued (Spaventa, 2015, 458). There was fear, much like when the EC was expanding into Southern Europe, that this would change after the European Union decided in the late 1990's to expand its membership starting in 2004 into Central and Eastern Europe. Many believed that with this eastward expansion there was the possibility of mass migration into Western Europe (Johns, 2014). Unlike the relative equality in GDP and levels of unemployment found in the pre-expansion EU, the addition of ten (soon dropped to eight for 2004) poor, economically vulnerable former communist states represented the real possibility of newly minted EU citizens using their right to move and look for better opportunities. As McDowell (2009) explains, if this was to occur the fear was that "they would either swell the unemployment figures or take jobs of poorly qualified natives, as well as constitute a politically-awkward enclave" (20). In France, the possibility of a massive influx of East and Central Europeans competing against their own citizens for jobs and lowering wages was known, rather ineloquently, as the Polish Plumber Problem. Adding to this concern was a series of studies and polls that indicated that many of the potential new EU citizens did plan to move (Johns, 2014). The most alarming of these predictions came from Bauer and

Zimmerman (1999) who based on polling and models concluded that while the period of movement by citizens from the A8 countries (the eight Central and East European states poised for accession to the EU in 2004) would be relatively short, the number of people who would move initially was predicted to be staggering. They concluded that in the period immediately after accession up to 2 or 3% of the entire A8 population could move into Western Europe with the countries geographically closest, Germany and Austria seeing the largest influx. Other studies appeared to be less dire, such as Kupiszewski (2002) who predicted an initial large swell of Polish migrants, but the total number long-term settling at around one million (642). A different study seemed to provide further basis for the fear that entire industries could be overwhelmed by A8 migrants arriving and willing to work for less. In a study of Lithuanian pharmacists in the lead up to that country joining the union over a quarter indicated their preference to head west. With the average salary for a pharmacist in Lithuania being 5 to 8 times lower than other European countries, their decision seemed like an easy one (Šmigelskas et al., 2007, 507; Johns 2014).

Faced with this information many of the pre-2004 member states wanted to impose restrictions on the citizens of the incoming members, at least those from the A8 countries. This was seen by many in the West as a necessity but to the incoming EU citizens it was viewed as a “quarantine” on their membership (Johns, 2014) and only further illustrated the double standard in treatment the East and Central Europeans faced compared to other states who had gained accession earlier (Johns, 2003). The European Commission allowed the member-states to set conditions on citizens from the incoming country for a period of seven years. As Boeri and Brucker (2005) summarize, the various states chose one of four alternatives: 1) treat the new EU citizens the same as current intra-EU migrants, 2) impose work visas for monitoring migrants and limit benefits to those who work, 3) implement a quota system for new member states or 4) treat the new EU citizens the same as any immigrant from a non-member country (638). Not surprisingly, the states closest to the incoming members chose the more restrictive policies while countries such as the United Kingdom and Ireland opted for the less restrictive second option and allowed the intra-EU migrants to come relatively unrestricted.

Free Movement of People to the United Kingdom¹

When the citizens of the A8 countries entered the EU in 2004, they were limited in where they could go if they were hoping to look for work elsewhere in Europe. As mentioned, most states instituted harsh restrictions designed specifically to keep them out. Only three countries - Sweden, Ireland and the United Kingdom - would allow them to move with limited restrictions. While most Central and East Europeans lacked proficiency in Swedish, many could speak English and with jobs available, they started to arrive in large numbers. By 2016 Migration Watch UK estimated that there were over 3.3 million EU migrants in the UK, with over 1.5 million being from post-2004 accession countries (<http://www.migrationwatchuk.org/briefing-paper/354>). Due to a variety of factors, it is not possible to know the exact number of people who chose to migrate in the first few years. Most notably, many East and Central Europeans were already in the country working and living illegally and simply registered once their country was a part of the EU and even those who arrived were never properly registered under the system set up by British border control. What is known is that in the years after 2004 hundreds of thousands of citizens from A8 countries arrived in Britain and Ireland. The largest single group were Poles but also large numbers of migrants arrived from Hungary, Slovakia, the Baltic states

¹ The various experiences, challenges and successes of the intra-EU migrants in the United Kingdom would be impossible to fully discuss in this paper. For a full catalogue of the Polish experience please see the bibliography collected by Anne White at <https://www.ucl.ac.uk/ssees/research/polish-migration>.

and eventually Romania and Bulgaria as part of the second round of expansion in 2007. Some stayed for only a short time and left, some arrived and are still there, while many others have engaged in circular migration and have come and gone repeatedly over the years.

While many have found success, integrated into their communities and have not faced public backlash individually, as a collective they have struggled. These struggles can be broadly described as: deskilling, discrimination and an overall unwelcoming attitude in the media and among politicians. For the migrants, one of the most immediate issues they faced upon arrival in Britain was the issue of deskilling. Many of the migrants who came from Central and Eastern Europe were young and highly educated, having advanced degrees in fields that were deemed in high demand. Nurses, social workers and those who were trained in the high-tech sector moved west with the expectation that they would easily be able to find work. In reality, for many this did not happen. Indeed, for a large number of CEE intra-EU migrants their first experience in Britain was the realisation that their qualifications, degrees and experience were not recognized in their new state (van Riemsdijk, 2013, 122; Bettin, 2012). They were informed by their prospective employers that they would be required to earn the equivalent degree from a Western institution in order to be employable. This forced them to either abandon their plans to stay in Britain or to incur additional costs. For many of them this was a double blow in that they were not only unable to earn the wages they had anticipated in order to fund their time in their new country, but they also had to pay money to get additional qualifications. As a consequence, migrants were forced to accept jobs that were well below their level of qualifications simply to earn enough money to stay in the country and pay to re-certify. This led to a very high number of very qualified workers finding employment in the service industry working in hotels, coffee shops, etc. For others, it was not their credentials that were the problem, but their proficiency in English. While many may have believed they were functional in their second (or third) language, the reality of working in that language was simply too much. In some fields, their accents proved difficult for patients or customers to understand, making their continued employment impossible. Once again, this forced the migrants to either admit defeat and return to their home country or spend money on language courses. Without being able to work in their chosen field and requiring language lessons, the migrants were again forced into lower-skilled positions in order to pay their rent, buy food and pay for their new unforeseen schooling.

The deskilling of the intra-EU migrants had an impact on everyone involved in their decision to move. For the migrants, there was the disappointment of not being able to work in their chosen field. There was the anger at being told that their previous schooling was somehow not legitimate in the eyes of a fellow EU country. It also affected the migrant psychologically, as they were forced to work in positions not in their area of interest or at their perceived level of competence (Akhurst et al., 2012). Countries are always looking to ensure that the people who immigrate are filling needs and are highly trained. The UK, despite not having much ability to vet these migrants, received an influx of mostly highly skilled workers who could fill badly needed positions. However, due to their deskilling, they simply took lower skilled jobs, which put them in direct competition with local residents without having the same opportunities for advancement. Increasing competition with those working for a minimum wage in low skilled jobs opened the migrants up to potential discrimination and for the chilly climate politically and in the media to fester. Moreover, as Currie (2008) insightfully notes for Britain and (and to a lesser extent, Ireland) to accept “the usefulness of the CEE migrants for filling shortages, particularly in lower-skilled sectors, contradicts somewhat the established objectives of encouraging knowledge circulation throughout the EU” (74).

The intra-EU migrants also experienced what could be seen as discriminatory treatment in relation to those native to the country.² They were often underpaid, viewed as being unqualified and sometimes their accents led to patients and customers being unwilling to be served by them. For the less educated workers who often came without language skills and who were usually working farther away from large urban centres they often faced discrimination that bordered on exploitation. It should be noted that these migrants also reported more low-level discrimination than those in urban areas, often reporting experiencing different treatment by stores and offices once they were heard speaking with an accent. In a study of rural A8 migrants in Herefordshire Britain, Dawney (2008) found that every migrant she interviewed had experienced discrimination in some form and goes on to note that “this ‘low-level’ private sphere racist language and interaction is possibly the most insidious form of racism, and the hardest to combat” (8). Storey (2013) also found that in rural areas the Central and East European migrants often experienced higher levels of discrimination and mistrust. The various recruiting agencies used to attract migrants were particularly exploitative with their workers who often lacked the education or language to adequately complain. The British Equality and Human Rights Commission in a 2010 report found that employees hired by recruiting agencies suffered verbal and physical abuse, were prevented from taking breaks to use the restrooms, were not informed of their rights as workers in regard to conditions and health and safety and faced sexual harassment (<http://www.equalityhumanrights.com/en/inquiries-and-investigations/inquiry-meat-and-poultry-processing-sectors/background-meat-and-3>). In the most extreme cases, this discrimination manifested itself into violence by those who targeted the migrants for taking their jobs, or simply for being different.

The third main issue that many of the post-Accession intra-EU migrants have faced is what I have referred to as the ‘Chilly Climate’ (Johns, 2014) and it is this problem that came to a head in the 2015 British election campaign. In short, the political environment that the migrants have faced has not been welcoming. This hostility came from two main sources, the media and politicians. While all of the major newspapers at one time or another have reported on the issues surrounding the intra-EU migrants since 2004, the Daily Mail and The Sun have been particularly interested and negative in their reporting (Fomina and Frelak, 2008: 46). Article after article discussed the strain the migrants have placed on social services, hospitals and schools (Storey, 2013, 295). They have run exposés on what they argue are Poles who claim benefits but do not live in the country- such as the Daily Mail’s article from 29 July, 2014 entitled “This Polish Boy lives in Warsaw... so why do WE pay his child benefits”- (www.dailymail.co.uk/news/article-2710189/This-Polish-boy-lives-Warsaw-So-WE-pay-child-benefit)- emphasis in the original. The Daily Mail highlighted the use of low skilled East Europeans, in this case Hungarians, rather than unemployed British workers with their headline on 10 November, 2014 “Is there no one left in Britain who can make a sandwich?” (<http://www.dailymail.co.uk/news/article-2827625/Factory-bosses-forced-recruit-Hungary-locals-not-apply.html>). The reporting by the Daily Mail was so inflammatory that on 5 August 2008 the Federation of Poles in Great Britain attempted to bring a complaint against the newspaper to the Press Complaints Commission. On that same day the Federation issued a statement to the newspaper stating in part “Poles seem to be unable to please the Daily Mail, whatever they do. On one day you get a headline Poles Flood into England, implying the country is drowning in immigrants, and the next day you get Poles Desert England, as if we are abandoning them” (<http://www.theguardian.com/media/2008/mar/15/dailymail.pressandpublishing>).

² Here it should be noted that this paper, much like EU free movement law generally, uses a broad definition of discrimination which includes inappropriate pay, discrimination by the public in accessing services, lack of employment based on ethnicity, etc. It should also be noted that other migrants from elsewhere also experience many of these problems as well, however they lack the inherent protection of EU citizenship which should have prevented this treatment.

Many Poles, both representatives for the group and others, believe that the negative reporting by newspapers has led to discrimination, tensions and even violence against the migrants. With the expansion of the EU again in 2007 into Bulgaria and Romania (the A2 countries), the reporting only got worse. A 2014 report from the Migration Observatory at Oxford found that reporting surrounding Bulgarians and Romanians in the British newspapers were generally negative with the majority of the stories revolving around attempts at preventing them from coming to Britain and in the tabloid papers the articles written were often surrounding anti-social behaviour by the migrants (The Migrant Observatory, 2014, 2).

With this increase in tension and negative associations of intra-EU migrants created by the media, politicians have seen an opportunity to pander to voters. Early on, the only party in Britain that attempted to use intra-EU migration as an election issue was - not surprisingly- the anti-immigrant British National Party (BNP). The BNP saw an opportunity to exploit the movement of a large number of intra-EU migrants into areas of Wales and London and attempted to convert people's fears and potentially anger at their presence into votes (<http://www.theguardian.com/politics/2009/jul/01/bnp-llanelli-race>). The BNP was not able to elect Westminster parliamentarians in these areas but they did make progress in electing Members of European Parliament somewhat on the backlash against free movement in the EU. Other political parties also began to speak out against the movement of East Europeans including the United Kingdom Independence Party (UKIP) and eventually mainstream parties. While there was little the government could do to stop the movement of A8 migrants, the government in Britain aimed to severely restrict the movement of A2 migrants using the experience of the A8 as a justification. In doing so the government often cited the problems it saw with the A8 migrants and the strains they placed on the country. By 2012 the Conservative government was calling for a net-negative migration strategy and by 2014 Prime Minister David Cameron was calling for changes to the nature of free movement in the EU to restrict the benefits intra-EU migrants could receive, how long they could stay in the new country without a job and to place a cap or as he called it an "emergency brake" on the movement of people from across the EU (<http://www.bbc.com/news/uk-politics-29642604>). If the intra-EU migrants thought they would find an ally against this criticism in the Labour Party, those hopes were dashed when Ed Miliband announced that in the following election they would run on a platform to make it harder to hire non-British EU citizens, in order to prevent British workers from being locked out of jobs mostly held by intra-EU migrants (<https://www.theguardian.com/uk-news/2015/apr/28/labour-changed-immigration-ed-miliband-promise>).

Through the influence of UKIP, the media and eventually the major parties, by the lead up to the 2015 election the intra-EU migrants, particularly those from East and Central Europe, were clearly viewed by many in the public as the cause for many of the problems in the country. Despite being targeted for discrimination since their arrival, it was this group that was seen as a drain on public resources, a cause for overcrowding of schools and hospitals and the reason why many could not find a job. No place better demonstrated the public's frustration and targeting of these migrants than the northern English city of Boston. By 2012, 9000 Poles had moved to the city and the public felt that this was too many, too fast. There were even public demonstrations against migration in the town (<http://www.bbc.com/news/uk-england-lincolnshire-20385250>). Boston's local problem of handling the influx of EU migrants became a national story and the face of many people's anger when in 2013 a Boston resident and a Cambridge University historian engaged in a heated discussion on the BBC One program Question Time over the resident's belief that she was now living in a "foreign country". Not surprisingly, the Daily Mail was quick to run a story on "The Town that's had Enough" (<http://www.dailymail.co.uk/news/article-2272195/The-town-thats-We-visit-town-countrys-biggest-influx-East-Europeans.html>).

Llanelli and a Better Way

With the obstacles faced by the intra-EU migrants in Britain generally, and in towns like Boston specifically, it would be easy to assume that the experiment of free movement was an abject failure. This is not in fact true. Across the country many intra-EU migrants have enjoyed success and have established themselves in their new communities. Others have faced initial difficulties but successfully relocated to find better opportunities and to build their lives (Trevena et al., 2013). Moving away from the individual migrant experience, it is also possible to identify communities where intra-EU migrants have, on the whole, excelled. The obvious example is immigrant-magnet London. Due to the nature of the capital it has been somewhat easier for migrants to adapt. There are specific resources for migrants of all types in the city and due to its multicultural nature, there are pre-existing diaspora groups to rely on if a migrant finds themselves in some type of difficulty, or if they feel their rights have been denied.

While the migrants who moved to settle in and around London tended to be young, well-educated and potentially short-term, there is another example of successful integration which warrants more analysis. Llanelli is a small town in Southwest Wales near the larger city of Swansea. Until the 1970's its primary industry was tin, but as tastes and demands changed, by the 1980's it had fallen on harder times. By the time of the A8 expansion in 2004, the largest industry in the region was a meat packing plant outside of town. Despite the high levels of unemployment in the town the plant was only operating at around 50% capacity (Johns, 2014). Employment agencies saw an opportunity to recruit Poles who were willing to work and bring them to Wales for the plant. Unlike the well-educated, young A8 migrants moving to the larger cities, the Poles who were recruited to Llanelli were relatively poor, manual labourers with little to no English language skills. As a result, Llanelli became a most unlikely test of European freedom of movement of labour. The exact number of Poles who arrived in Llanelli after accession has never been verified. Thompson et al. (2010) notes that the number would be between 2500 and 10 000- the number often cited in the media. Regardless of the exact number, for a small town in Wales with a population of less than 30 000 people, such an influx was a considerable change to the demographics. At first, most of the community was unaware of the presence of such a large influx of migrants. This was due to the actions of the recruiting agency that brought them to Wales. While the recruiting agency made certain promises while the workers were in Poland, once they arrived in Wales the conditions of their employment changed. They received new 'zero-hour' contracts which meant that the recruiting agency would control who worked and when. Moreover, the workers were required to live in accommodations owned by the agency and their rent was taken directly from their earnings (interview with Lucas). Often the workers were forced to 'hotbed' in that the same room was rented twice with the agency ensuring that one worker was employed during the day and the other at night. Some workers were told that they had to pick up and drive other workers to the plant and the agency provided food- again charged against salary. With the migrants either at work outside of town, in their agency-controlled house, or being driven to work in agency- owned vehicles, it was possible that the average Llanelli resident did not interact with the now sizeable minority living among but apart from them. This started to change when some of the workers began to question the fairness of the employment status. The Poles who spoke out against the practices and restrictions placed on them by the recruiting agency found themselves not receiving enough hours at work (Johns, 2014). While their food and accommodation costs remained, their ability to pay for it was removed. As a result, some of the workers in Llanelli eventually found themselves homeless and looking to organizations such as the local Catholic Church for assistance (interview with Logue). It is here where the Llanelli story becomes critical for this paper. Once the community became aware of the existence and dire situation of the Poles, some people took it upon themselves to ensure that their rights were protected.

Once the local community was aware of the existence of such a large Polish migrant community in their midst and of their treatment, it recognized that it was responsible for their integration. Members of the local community, one of whom spoke Polish, transformed a credit union into the Polish Welsh Mutual Association (PWMA). The PWMA began to speak with the migrants and work to improve their condition. It lobbied the authorities to investigate the hot-bedding problem and pressured the recruiting agency to guarantee workers hours (Johns, 2014). It also worked on improving the day-to-day lives of the migrants by helping them pay bills, book travel home to Poland and any other problems they may have. The town council worked with local organizations to promote English language classes, particularly at daycare centres so parents could take classes where their children could be watched. The local police started an outreach program and even learned remedial Polish to help try to bridge the gap between the local community and the migrants. Even the local labour unions, which may have been expected to have an adverse reaction to the presence of such a large group of workers brought from elsewhere, recognized the opportunity to expand their membership and their responsibility to look out for all workers and began advocating for rights to be respected (Johns, 2014).

The end result of this work by the community was impressive and tangible. The Polish migrants felt better protected from the actions of the recruiting agency and the proper authorities eventually were able to inspect the residences and ensure improvements. The labour unions were able to change the nature of the employment at the meat processing plant and limited the use of zero-hour contracts. The PWMA became an integral link between the migrants and the rest of the community, helping to introduce them to local services, shops, etc. By 2013, almost a decade after their first arrival in Llanelli, the PWMA was seeing between 30-80 migrants a day requesting assistance in their integration into the community and the country at large (interview with Rybicka, 2013). Eventually, the number of Poles increased in the region with many still employed, at least initially, at the plant but many others looked for work elsewhere or started their own businesses in the region. While many Poles came and went from the region, exhibiting the classic circular migration pattern identified by White and Ryan (2008), Sumption and Sommerville (2010) and others as common for many of the Polish migrants to Britain, due to the reception and work put in by the various community players in Llanelli, they were replaced by people looking for opportunities in a welcoming environment. What happens now to the Poles of Llanelli is very much unknown in the wake of the Brexit vote. Both they and the region may see the hard work of so many go to waste if they are unable to remain.

Lessons to be learned from Llanelli

The Llanelli case is important in our understanding of who can best ensure the effective integration of immigrants inside the European Union. It provides a best practice which could be exported across both the United Kingdom and the European Union. When contrasted with the difficulties faced by other communities in Britain, the importance of local buy-in of the integration process is clear. Based on the problems faced by the Poles and other Central and East European migrants throughout the rest of the country, it is fair to ask why Llanelli was so different. While it could be argued that the Welsh are particularly welcoming due to their history of feeling like an outsider in Britain, or that it was serendipity that particular people happened to be in positions of authority, the answer lies somewhere beyond that superficial analysis. It is true that Llanelli and the rest of the region had a longer history with migrants due to its mining past. More importantly, it is also true that the arrival of the Poles came at a critical time for the town. Without the influx of the Poles the town would be in even greater economic hardship than it already is. Once the Poles began integrating into the community they provided new tenets to rent to, new customers in shops and new clients for services. It may have been out of goodwill that the citizens of southwest Wales mobilized to protect the rights of the Poles, but it also served

their self-interest as the economic benefits of this group staying in the region was European manna from heaven. Of course, this would have been true in most places across Britain where the intra-EU migrants move. While the arrival of thousands of Poles into Boston and elsewhere was seen as a potential threat to local employment opportunities and wages, as Wadsworth et al. (2016) note this is the “lump of labour fallacy” (6). They go on to explain that this theory only works if there is a finite number of jobs but “since immigrants also consume local services and goods, this increases demand and so raises job prospects of those who produce those goods and services (Wadsworth et al., 2016, 5). It would appear that Llanelli benefited by its openness while others may have missed that opportunity. Even still, it must be acknowledged that the region around Llanelli voted similarly to the rest of Wales with a slim majority voting to leave the EU in the referendum. However, as Moore (2016) contends it is not possible to explain why Wales voted against its self-interest by boiling it down to “the mediated construction of antipathy towards immigration” (28). The Welsh vote seems to have more to do with anger at the Conservative government, political failures and fears for the future.

Regardless of the reasons behind their generosity, the Llanelli case illustrates why local communities must take a lead role in the protection of intra-EU rights for the remaining members of the EU. The shortest explanation is that local communities must do this work because higher levels of government are unable or unwilling to do so. It could be argued, however, that it is the European Commission that should take the lead on this issue, as EU laws and regulations created the conditions for free movement to the extent that it currently exists (Johns, 2011). Free movement is now fundamentally tied to the larger concept of European citizenship (Maas, 2007). Unfortunately, beyond the flowery language set out in the Lisbon Treaty and on the Europa webpage, the EU has been unable to fully promote either concept. This is a growing problem because the EU’s absence on this issue has led to a growing divide between new and old members on both concepts. As a 2013 Eurobarometer poll indicates, when asked “Which is the most positive results of the EU?” and given the option of “free movement” 9 of the 10 countries with the highest positive respondents were from Central or Eastern Europe. Conversely, when asked if they knew their European citizenship rights 7 out of 10 of the countries with the highest answer of ‘no’ were from Western Europe (Eurobarometer, 2013). Faced with this growing divide, in 2013 the European Commission released a position paper on free movement in the EU and attempted to set out a roadmap for the protection of intra-EU migrants that included five actions.³ These were: 1) Helping fight marriages of convenience 2) Helping Authorities apply EU Social Security Co-ordination Rules 3) Helping Authorities Meet Social Inclusion Challenges 3) Addressing Needs of Local Communities on Social Inclusion 4) An Exchange of Best Practices 5) Helping Local Authorities Address Free Movement on the Ground (European Commission, 2013). With the exception of the first action item, it is clear that the Commission is aware that it is other levels of government that will bear the brunt of responsibility for the protection of these migrants. While the European Commission works on best practices and position papers through Justice and Home Affairs (JHA), the EU is left with only one additional avenue to preserve and enhance EU citizens’ rights: the European Courts. Unfortunately, these Courts are renowned for their backlog of cases with thousands of claims waiting to be heard. Despite creating the conditions that have caused the problem in the first place (Johns, 2011), it would appear that at the European Union level the enforcement of EU citizens’ rights regarding free movement is too slow, too little and possibly too theoretical.

Moving to the national level, once again it is possible to see a lack of commitment toward ensuring intra-EU migrants’ rights and successful integration. As Blauburger and Schmidt (2014) argue, it is at

³ The paper was entitled “Free Movement of EU Citizens and their Families: Five actions to make a difference” (European Commission, 2013).

the state level where the implementation of EU decisions on migration and free movement issues should occur. However, when it comes to intra-EU migrants, states across the EU have shifted “the burden of legal uncertainty from national administrations to EU migrants” (Blauberger and Schmidt, 2014, 4). The authors argue that in the face of a lack of firm rules from the EU, the national governments can make the rights set out by EU citizenship increasingly difficult to access and failure to do so could result in the loss of other rights- such as residence rights (4). In the case of Britain, it had in fact been the opposite with the Cameron government in particular looking to roll back the rights the migrants were to enjoy. Even before the 2015 British General election and subsequent negotiations with the EU designed to reinterpret Britain’s responsibilities for intra-EU migrants, David Cameron had been lobbying the rest of Europe to restrict rights. Not surprisingly at the time, it was the Polish government that responded most vociferously stating in 2014 that “[t]here is a red line we cannot allow ourselves to cross and that is discrimination against EU citizens.” (<http://www.independent.co.uk/news/world/europe/poland-threatens-to-veto-david-camerons-eu-migrants-benefits-cuts-plan-9934481.html>). By 2016, with the potential for a Brexit, Cameron was able to convince the other member states, including those from the A8/A2 expansions, to new conditions on free movement in Britain including a seven-year term of the emergency brake to restrict the benefits of new intra-EU migrants. These included child benefits, to be indexed to the standard of living of the country where the child is living, not always Britain (<http://www.consilium.europa.eu/en/meetings/european-council/2016/02/18-19/>).

Why the British government was so willing to target the intra-EU migrants and why did other states allow it to happen? Based on the referendum campaign, the one obvious answer is that governments want to be re-elected and campaigning on restricting immigration in all of its forms is a winning strategy in today’s Europe. As Blinder (2015) notes, when surveyed approximately three-quarters of all British respondents felt that immigration needed to be reduced and this applied to both EU and non-EU migration (2). These findings mirror the work of McLaren (2015) who found that not just Britain but “many European publics have been concerned about immigration and have felt uncomfortable with the presence of immigrants at least since the early 1990s and in some cases, the 1980s” (57). She argues further that the majority nation, looks to state institutions to protect their way of life and to promote social cohesion (McLaren, 2015). If the government ignores these concerns, then the public may start to lose confidence in political institutions and mainstream political parties. The rise and electoral success of radical right-wing, anti-immigrant, anti-EU parties across Europe appear to be proof of McLaren’s assertion (see examples in Mammone et al., 2012; Taras, 2012). While much of the anti-immigrant rhetoric currently used by these parties concentrate on the recent Syrian refugee issue, the intra-EU migrants are lumped into the larger group of unwelcome intruders who take jobs and change societies. In Britain, the early momentum of the anti-immigrant, anti-EU UKIP led the Conservatives to take a harder line against immigrants generally, and intra-EU migrants specifically, in the run-up to the 2015 General Election. While it was to be expected that a party like UKIP would be cavalier in advocating for the removal of EU citizens’ rights, it was telling that the government of the day was willing to do so as well. For the EU migrants it was probably even more troubling that no other mainstream party, including Labour, were willing to campaign against the idea. As the far right parties continue to grow and win seats, the probability that the national governments will be willing to champion the rights of migrants diminishes across the entire European Union.

Concluding Thoughts

The European Union lacks the ability to enforce rights for intra-EU migrants and the European Courts are too slow. At the state level, it is not electorally advantageous to advocate for rights to be enforced,

rather, as the British example demonstrates, it appears to be the opposite. Therefore, the job of enforcing and protecting the rights of EU citizens and assisting in their integration falls, by default, to local communities in some ways. That said, it is also true that the local communities, as the Llanelli case illustrates, are the first to be able to recognize a specific problem and look for a specific solution. They can operate on a smaller scale and better understand the needs of individuals rather than attempting to apply a general policy. While it is true that the same electoral arguments that appear to be influencing national political parties exist at the local level, those communities that recognize the value of intra-EU migration will stand to benefit. As Vargas-Silva (2014) notes, from 2001-2011 the economic impact of migrants from within the European Economic Area was estimated by some as a 22 billion pound fiscal contribution, with most of that being the A8 migrants arriving after 2004. Therefore, communities such as Llanelli stand to economically benefit, while communities where the local community is less interested in working with the migrants risk being left behind.

The relationship between local communities and intra-EU migration remains an important vein to mine. More work needs to be done to understand the role they play in protecting migrants rights and how their influence the development and maintenance of migration networks (see for example: White, 2011; Trevena et al., 2013; McCollum et al., 2013). Despite all of the issues currently plaguing the EU, the intra-EU migrants still have rights as European citizens. Someone must be responsible for the protection of those rights. If the EU is incapable and the state unwilling to help ensure these migrants of their rights, then local communities will have to become responsible for this work. As the UK case both in Llanelli and elsewhere illustrate this is exceptionally difficult and there is the possibility of resentment within the local communities to any attempt at integration. Those communities in the remainder of the EU that do take on this role stand to benefit economically from an eager workforce that is more likely happy to try to integrate into the society. If local communities fail in this work as the last line of defence then a fundamental freedom of the EU will eventually erode and the value of the entire enterprise will need to be reconsidered.

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