



REMINDER

ROLE OF EUROPEAN MOBILITY AND ITS IMPACTS
IN NARRATIVES, DEBATES AND EU REFORMS

**Free Movement in Europe:
Between Old Ghosts and New Beginnings**

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Executive Summary

The European Union is one of the world's most ambitious free mobility systems. It allows Europeans to move for love, work, retirement, or just to expand their horizons, all with minimal cost and effort. The complex framework of legislation behind this free movement has sought to remove barriers to mobility by making it easy for mobile Europeans to get their qualifications recognised, identify jobs and opportunities, and bring their acquired benefits and pensions with them to another country. But free movement has also attracted criticism. At different points in its half-century history, concerns have been raised that variations between countries in terms of wages, opportunities, labour market institutions, and social benefits systems have created incentives for some people to attempt to 'game the system', caused brain drain in countries of emigration, entrenched existing socioeconomic imbalances, and generally created 'winners' and 'losers' among the countries and population groups involved.

A large-scale European initiative, known as the REMINDER project (Role of European Mobility and its Impacts in Narratives, Debates, and EU Reforms), provides new evidence of how free movement is working as it matures. By testing long-held assumptions about the fiscal impacts of intra-EU mobility and their relationship with public trust, and by exploring mobility's effects on both sending and receiving countries, studies undertaken as part of this project highlight how free movement is much more multidimensional than the simple picture many European policymakers and members of the public have become familiar with. This report showcases key findings from across the REMINDER project and offers policy options that could be used to make free movement operate more smoothly and offer greater benefits to a greater number of people.

Free movement at middle age

Free movement has weathered a number of challenges. First, EU enlargements to the east in 2004 and 2007 brought an unexpectedly large increase in people moving from eastern to western Member States, raising concerns about a downward slide in labour standards (in more affluent receiving countries) and emigration and brain drain (in the less affluent sending ones). Second, the financial crisis that began in 2007, and the subsequent economic

downturn and troubled recovery, led to a temporary increase of south-north migration within the bloc and partially rerouted east-west movements; however, it did not lead as many mobile Europeans to return to their origin countries as had been expected. While the crisis allowed Member States facing more severe economic challenges to 'export' some of their workforce, countries suffering from a mix of population ageing and emigration began to worry about the long-term effects of these trends.

More recently, the 2015–16 European migration and refugee crisis took some of the wind out of concerns about free movement as anxieties shifted to focus on migration originating outside Europe. The 2016 Brexit referendum further dampened debate by taking the main complainant, the United Kingdom, out of the equation. Yet many of the nativist populist political parties that have grown in strength since then have done little to distinguish between EU and non-EU migration and often promoted an anti-Europe agenda. Meanwhile, the decision by several countries in the Schengen area to reimpose border checks to prevent asylum seekers and irregular migrants from moving on from first-arrival countries has shaken the foundations of the border-free area.

In this context, European free movement can be seen both as a model for how orderly and legal migration can operate *and* a microcosm for many of the most difficult migration policy challenges. Among them:

- how to mitigate the effects of brain drain in countries seeing large numbers of their (especially young and skilled) nationals leave;
- how to help local authorities manage bottlenecks in public services when experiencing an influx of newcomers;
- how to reinforce labour standards as new forms of work emerge;
- how to protect host-country welfare systems without pushing lower-earning and less skilled newcomers into destitution; and

- how to (re-)build public trust that migration systems are working, especially when public, political, and media narratives about the impacts of mobility are out of sync with what data show.

Policy approaches for the future

With the European Union deeply divided over how to handle mixed migration flows from outside the region, there is little appetite for sweeping reform of free movement—especially since the diagnosis of where the main problems lie differs depending on perspective. Policy discussions are therefore focusing on measures to improve its functioning and smooth out public anxieties. Such policy levers can be grouped into five categories:

- ***Improving the fairness of social security coordination.*** Despite evidence to the contrary, concerns have long existed that some countries, namely those with more generous welfare systems and those that receive large numbers of mobile Europeans, pay a larger price for free movement. Allowing Member States to impose restrictions, for instance on EU citizens' access to child benefits, could offer symbolic benefits by easing public concerns; yet the costs of administering such policies may outweigh their benefits. Clarifying terms in EU law that can be used to limit inactive mobile citizens' access to benefits, such as that they should not become an 'unreasonable burden' on the public purse, could encourage Member States to apply the rules more consistently and allow them to signal to their publics that protections exist against welfare abuse. But it is unclear whether adjusting policy and legislative frameworks would do much to alleviate public anxieties about migration, which have more to do with perceptions of loss of control and identity than with a cost-benefit analysis.
- ***Making labour mobility more efficient.*** Many economists argue that EU mobility has not lived up to its potential in helping countries weather economic storms or bridge skills gaps. Numerous policy approaches try to match labour supply and demand more efficiently and reduce underemployment or 'brain waste'. For instance, reforms to the European Employment Service, EURES, help movers understand how

their skills could be applied elsewhere and expand the volume of job vacancies listed through a centralised platform. Future efforts could encourage bilateral projects between high- and low-employment countries in certain shortage occupations. In particular, middle-skilled mobility is an untapped area that merits greater policy intervention. Further research is needed to understand how free movement might help alleviate challenges associated with broader demographic shifts and labour market changes in the region, and how the free movement of Europeans alongside the presence of larger numbers of non-European asylum seekers and migrants may affect labour markets.

- ***Offsetting the costs of emigration and brain drain.*** A number of EU Member States, particularly in eastern Europe, are struggling with ageing populations, skills gaps, and community disruption due to large-scale emigration over the past decade or more. Some of these countries are exploring measures to encourage their emigrants to return home and to retain nationals who might consider leaving in the first place. Yet whole-of-government approaches that aim to improve living standards and the quality of services within such countries have a higher chance of achieving these aims than one-off financial incentives, such as business grants for returnees. Channelling EU cohesion funding to support efforts in sending countries and regions coping with eroding public budgets—and possibly, linking funding with greater oversight of social policies and investments—could help them mitigate outflows and offer benefits to both nationals who remain and those who emigrate and later return. Finally, testing and evaluating more bilateral skills partnerships between Member States may shed light on ways to not only circulate but build human capital through mobility, with the costs of skills cultivation more evenly distributed.
- ***Improving workers protection and strengthening labour standards enforcement.*** Free movement, and especially the regime for the posting of workers, has been accused of undercutting labour standards and wages. The newly established European Labour Authority promises to bolster efforts to combat wage dumping and exploitative employment practices. However, additional measures are required to tackle enforcement gaps in cross-border work. While much has already been done to

strengthen EU legislation on these issues, more could be done to explore the potential of cross-border cooperation, for example, by encouraging national labour authorities and trade unions to share best practices for detecting labour violations. As new and increasingly mobile modes of work emerge, bridging rifts between these and other stakeholders will be key for the free movement framework's resilience and continued legitimacy.

- ***Restoring public confidence in free movement.*** Among European publics, free movement has proven a sensitive area over the years. For example, there are sizeable gaps between perception and reality as concerns the costs of intra-EU mobility, but addressing negative perceptions with economic arguments and myth-busting alone is likely to backfire. As media reporting on free movement is often very country-specific and coloured by national concerns, investments in Europe-wide masterclasses for journalists reporting on migration and mobility may allow for an exchange of perspectives and contribute to a more well-rounded coverage. Moreover, developing communication campaigns based on stories instead of facts may help shape a more positive narrative of free movement—but it risks coming across as top-down propaganda if the message and the messenger are not carefully chosen. Strengthening and highlighting the benefits of EU citizenship, particularly in the social domain, may reduce public concerns about free movement and promote trust in the wider European project.

While the successful functioning of free movement is, to some extent, in the eye of the beholder, a number of key principles can be discerned. Specifically, a free mobility system needs to be: fair (spreading benefits and burdens evenly), resilient (working well under different conditions), inclusive (benefiting all Europeans, even those who do not move), and able to inspire public trust that the system is working. To that end, the European institutions could invest in further building a more precise and granular understanding of free movement's fiscal, economic, and labour market impacts, including at the local level and for groups within a society. At the same time, policymakers should also be mindful of the perceived costs of mobility, as it is on such perceptions that public trust in migration systems lie. Free movement will undoubtedly face many challenges, old and new, in the

post-Brexit European world—from eastern emigration and changing forms of work and mobility, to reforms on issues ranging from the posting of workers to social security coordination—and compromise, pragmatism, and creativity will prove more necessary than ever.

I. Introduction

Free movement is one of the signal achievements of European integration and one of the world's most ambitious mobility experiments. With minimal cost and paperwork, citizens of any EU Member State can retire to the sunny Mediterranean coast, spend the autumn studying in Paris or Berlin, or split their lives between towns on either side of a national border or opposite sides of the bloc. On the whole, free movement has brought economic benefits, including by boosting gross domestic product (GDP), driving wage convergence between eastern and western Member States, and—some economists argue—dampening the effects of the economic crisis that began in 2007 and the subsequent recession.¹ But the costs and benefits have been uneven. Some groups, including native-born workers struggling amid sluggish economic conditions, feel cheated by competition with mobile EU citizens. Others worry that an influx of cheap labour could drag down labour standards or are angry that newcomers can access benefits without, in their view, having paid enough into the system.

These long-simmering concerns about free movement came to a head in 2016, with the United Kingdom's Brexit referendum. A major factor behind the vote to leave the European Union was a concern that free movement was a necessary 'cost' of EU membership—and one the British public felt was not worth paying. While the referendum results came as a shock to some, other countries have voiced similar concerns—notably, about the uneven impacts of the social security system that makes many EU movers eligible for the same welfare benefits as citizens. But for most countries, concerns about free movement faded

¹ Organisation for Economic Cooperation and Development (OECD), *Free Movement of Workers and Labour Market Adjustment: Recent Experiences from OECD Countries and the European Union* (Paris: OECD Publishing, 2012), <http://dx.doi.org/10.1787/9789264177185-en>.

from public discourse around 2015, when the arrival of millions of asylum seekers in Europe became the migration issue around which public debates and policy discussions revolved.

Against this backdrop, anti-immigration sentiment and xenophobia have manifested in heightened support for populist and nativist political parties, raising deep questions about free movement's future. Looming economic and demographic changes do as well. In the short to mid-term, Europe is facing a return to another rocky economic period; further ahead, labour market disruptions and fast-evolving demand for workers with different skillsets casts doubt on the continent's continued economic dynamism. And as populations age rapidly, reducing the number of people in the workforce and putting pressure on the public purse, significant fiscal and social challenges seem likely. Some regions already in the grip of these interdependent forces—demographic decline, troubling economic conditions, and a rise in support for populists—are experiencing the costs of outmigration as well.

This report explores ways to improve how free movement functions in Europe, given its history and the challenges on the horizon. It begins with an examination of lessons learnt thus far and what the future may hold. Next, it examines key policy challenges and possible interventions, before concluding with recommendations and suggested avenues for further research.

This study is part of a broader project on the drivers, impacts, and perceptions of free movement in the European Union, known as the REMINDER (Role of European Mobility and its Impacts in Narratives, Debates, and EU Reforms) project. This initiative seeks to understand both how well the system is working and how people *think* it is working—and the interaction between the two. Because ultimately, although support for free movement is currently high, its continued existence depends on how individual EU citizens perceive it, as well as on macro-level calculations of economic costs and benefits.

II. Free Movement at Middle Age: What Lessons Have Been Learnt?

The European Economic Area (EEA) is an ambitious and extensive transnational mobility system, comprising 28 EU countries alongside Iceland, Liechtenstein, and Norway.² It is anchored in the EU Treaties³ and further laid out in an elaborate body of legislation that governs general free movement rights for citizens and workers, coordination of social security systems, mutual recognition of qualifications, and family unification. The system of free movement of people complements the posted workers regime, which allows employers to temporarily send workers to other EU countries during which time they largely remain subject to the laws of the origin country,⁴ and the Schengen area, which enables people to travel within the region without mandatory border checks.⁵

The architects of free movement envisaged a smooth-running system in which cosmopolitan citizens would benefit from cultural exchange, providing the civic glue for the European project, and where labour supply would shift to match demand. Whether the system has lived up to its promise is, to some extent, subjective. Approximately 4 per cent of Europeans resided in a different EU Member State as of 2018,⁶ a figure that has led some analysts to

² For simplicity, this paper largely focuses on mobile EU nationals, rather than European Economic Area (EEA) and Swiss nationals; however, many of the same arguments apply. Switzerland is a member of the European Free Trade Area and has its own agreement with the European Union, the 1999 Agreement on the Free Movement of Persons. See Swiss State Secretariat for Migration, 'Free Movement of Persons Switzerland – EU/EFTA', updated 1 June 2019, www.sem.admin.ch/sem/en/home/themen/fza_schweiz-eu-efta.html. Croatia, the European Union's newest member, is subject to transitional provisions until July 2020, meaning other EU countries can still require Croatian citizens to hold a work permit or otherwise restrict access to the labour market. See European Commission, 'Enlargement – Transitional Provisions', accessed 24 November 2019, <https://ec.europa.eu/social/main.jsp?catId=466&langId=en>.

³ The legal basis of free movement of persons lies in Article 3(2) of the Treaty on European Union (TEU); Article 21 of the Treaty on the Functioning of the European Union (TFEU); Titles IV and V of TFEU; and Article 45 of the Charter of Fundamental Rights of the European Union. See European Parliament, 'Free Movement of Persons', updated November 2019, www.europarl.europa.eu/factsheets/en/sheet/147/free-movement-of-persons.

⁴ While posted workers are still largely subject to the laws of the sending Member State (e.g., regarding social security contribution), they are entitled to core rights in force in the host EU country, including minimum rates of pay. See 'Directive 96/71/EC of the European Parliament and of the Council Concerning the Posting of Workers in the Framework of the Provision of Services', *Official Journal of the European Communities* 1996 L18/1, 16 December 1996, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:31996L0071&from=EN>. A revision of the directive was agreed in 2018 and is discussed in Section III.D.

⁵ Free movement was originally conceived as enabling workers to freely travel and settle in any EU Member States, but successive expansions of the right of citizens to live in another EU country have been distinct from the Schengen Agreement, signed in 1985, on abolishing checks at common borders. The Schengen area encompasses most EU states (except for Bulgaria, Croatia, Cyprus, Ireland, Romania, and the United Kingdom) alongside Iceland, Norway, Switzerland, and Liechtenstein. See European Commission, 'Schengen Area', updated 1 July 2013, https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen_en.

⁶ Estimates vary depending on which variables are chosen; a 2019 study on patterns of intra-EU mobility found that, in 2017, 3.31 per cent of registered EU residents were citizens from another EU Member State, while the share rises to 3.99 if one considers country of birth rather than citizenship. See Katrin Marchand, Veronika Fajth, Zachary Strain, and Clotilde Mahé, 'Patterns of Migration in the European Union' (working paper, REMINDER project, Oxford, March 2019), www.reminder-project.eu/publications/working-papers/patterns-of-migration-in-the-european-union/.

conclude that intra-EU mobility is low, at least compared to the United States.⁷ But with numerous languages, cultural histories, and bureaucratic systems across the bloc, mobility could also be seen as high. Moreover, since many moves are temporary, they often fly under the radar of data collectors because of difficulties capturing short-term trends as well as the absence of visa requirements and, in many Member States, of requirements to register in the municipality.⁸

Like any other migration system, free movement in Europe has both winners and losers. Overall, most analysts agree that the system has had a positive impact on the finances of the region and its Member States. But it may also have negatively affected some vulnerable workers in receiving countries—especially the low skilled and previously arrived immigrants—though the evidence is mixed and indicates these negative effects have been more modest than those associated with other forms of immigration.⁹ At a local level, some communities have reported pressures following EU enlargements. Fluctuation in population size has resulted in some problems with congestion (due to the sheer number of people using services) and absorption (as a result of a lack of preparedness for new arrivals).¹⁰ And in eastern European countries of origin, brain drain and labour shortages have been a concern, although the evidence has been mixed on whether the benefits of emigration, on balance, have outweighed the costs (see Section III.C.).¹¹

⁷ In a 2013 paper, the World Bank found that three times as many Americans moved to find jobs and better lives than Europeans. See Indermit S. Gill and Martin Raiser, 'Internal Mobility: The United States', in *Golden Growth: Restoring the Lustre of the European Economic Model (Vol. 3): Country Benchmarks* (Washington, DC: World Bank, 2013), 97–101, <http://documents.worldbank.org/curated/en/394981468251372492/Country-benchmarks>. However, the long-held view that U.S. labour mobility is much higher than EU mobility has recently been questioned, with some experts showing that Europe might now have a similar degree of labour mobility to the United States. See Cinzia Alcidi and Daniel Gros, 'EU Mobile Workers: A Challenge to Public Finances' (paper presented at ECOFIN, Bucharest, 5–6 April 2019), www.ceps.eu/wp-content/uploads/2019/04/EU%20Mobile%20Workers.pdf.

⁸ In many countries, EU nationals are required to register with their municipality only after three months of residence, but in others, they are never required to register or it is not enforced.

⁹ Giovanni Peri, *The Impact of Immigrants in Recession and Economic Expansion* (Washington, DC: Migration Policy Institute, 2010), www.migrationpolicy.org/research/impact-immigrants-recession-and-economic-expansion. While few studies disaggregate the impact of free movement vis-à-vis other forms of migration, several UK studies suggest that EU migration has been able to avoid some of these distributional effects. See, for example, Nicola Gilpin et al., 'The Impact of Free Movement of Workers from Central and Eastern Europe on the UK Labour Market' (working paper 29, UK Department for Work and Pensions, London, 2006), https://cream-migration.org/files/Working_paper_291.pdf.

¹⁰ For an overview of the evidence, see Meghan Benton and Milica Petrovic, *How Free is Free Movement? Dynamics and Drivers of Mobility within the European Union* (Brussels: Migration Policy Institute Europe, 2013), www.migrationpolicy.org/pubs/MPIEurope-FreeMovement-Drivers.pdf.

¹¹ For instance, it is unclear whether labour market convergence in sending countries has been caused by emigration or other factors. See OECD, *Free Movement of Workers and Labour Market Adjustment*.

Over time, free movement has had to weather numerous challenges that have shaken its foundations. These range from the European Union's rapid expansion to eastern European countries (that, arguably, were not yet ready) to a massive economic downturn and recession, to growth in mixed migration flows from outside the bloc, to bitter public backlash and a tide of support for anti-Europe, anti-elite, anti-immigration political parties. Looking ahead, Europe's system of free movement will have to endure Brexit, rising inequalities within societies, the destabilisation of the political mainstream, and fast-moving labour market disruptions.

The past: Lessons from a rocky road

EU free movement has gone through several phases. In its early beginnings after the Second World War, it was designed to help meet labour shortages that could hinder reconstruction and postwar economic growth.¹² Free movement was gradually expanded to students, retirees, and other economically inactive people, and enshrined in a series of directives in the 1990s.¹³ Meanwhile, the introduction of the Eurozone in the late 1990s strengthened the economic case for a labour mobility area. The shared currency removed the ability of Eurozone countries to use exchange-rate adjustments to bring in investments and create jobs, which in turn made the freer movement of labour appeal as an alternative mechanism to reduce disparities between economies.¹⁴

EU enlargements

After several decades during which EU mobility existed only within the 'old' European Union or EU-15,¹⁵ the enlargements of 2004 and 2007 dramatically changed this. The large-scale movements that ensued came as a shock to many, especially since a number of economic

¹² For more information about this early chapter of free movement's history in Europe, see Saara Koikkalainen, 'Free Movement in Europe: Past and Present', *Migration Information Source*, 21 April 2011, www.migrationpolicy.org/article/free-movement-europe-past-and-present.

¹³ The Treaty of Maastricht, in 1992, outlined the founding principles of a political (rather than a solely economic) union and introduced the concept of European citizenship, of which free movement was a fundamental right. See Willem Maas, 'Trade, Regional Integration, and Free Movement of People', in *A New Atlantic Community: The European Union, the US and Latin America*, ed. Joaquín Roy (Miami, FL: University of Miami, 2015), www.yorku.ca/maas/Maas2015a.pdf.

¹⁴ See Julia Jauer, Thomas Liebig, John P. Martin, and Patrick Puhani, 'Migration as an Adjustment Mechanism in the Crisis? A Comparison of Europe and the United States' (working paper 155, OECD Publishing, Paris, January 2014), www.oecd.org/migration/mig/Adjustment-mechanism.pdf.

¹⁵ Free movement has been part of EU law since 1968, and there is a long history of mobility between certain Member States (e.g., Germany and Austria, the 'Benelux' countries, and the United Kingdom and Ireland).

models had predicted east-to-west movements would be modest.¹⁶ The three expansions—the rounds in 2004 (Czechia, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovenia, and Slovakia) and 2007 (Bulgaria and Romania), plus the 2013 addition of Croatia—almost doubled the number of EU Member States (from 15 to 28) and contributed to increasing the Union’s population by almost one-third.¹⁷

Though the scale of post-enlargement movements surprised some observers, the idea of admitting countries with lower average wages than existing Member States to the labour mobility area had attracted concerns from the outset. Countries were given the option of imposing transitional arrangements (i.e., restricting new EU citizens’ access to their labour markets for up to seven years), but three Member States chose not to do so in the first round: Ireland, Sweden, and the United Kingdom. Two of the three—Ireland and the United Kingdom—were among the countries that received the most mobile EU nationals in that period, due both to the lack of restrictions and to other factors, such as the flexibility of their labour markets and the use of English, a language spoken by many across the continent. Austria and Germany also received large numbers of newly mobile EU citizens, largely because of their proximity to eastern Europe and established migration networks. In the subsequent accession of Bulgaria and Romania, many countries chose to impose restrictions.¹⁸

The economic crisis and recovery

The economic crisis that began in 2007 and the subsequent recession recalibrated the scale and direction of intra-EU flows—at least to some extent. While some eastern Europeans in western Europe went home, others chose to stay, presumably because they had established

¹⁶ See Agnieszka Fihel, Anna Janicka, Paweł Kaczmarczyk, and Joanna Nestorowicz, *Free Movement of Workers and Transitional Arrangements: Lessons from the 2004 and 2007 Enlargements* (Warsaw: Centre for Migration Studies, 2015), <https://ec.europa.eu/social/BlobServlet?docId=14000&langId=en>.

¹⁷ The EU population grew from approximately 379 million people (EU-15) in 2003 to 507 million (EU-28) in 2014. See European Commission, ‘European Population Trends in 2002 EU Population up by 0.3% in 2002 to 379 Million’ (press release, 8 August 2003), https://ec.europa.eu/commission/presscorner/detail/en/STAT_03_92; European Commission, ‘EU28 Population 507.4 Million at 1 January 2014’ (press release, 10 July 2014), https://ec.europa.eu/commission/presscorner/detail/en/STAT_14_108.

¹⁸ Of the original EU-15 countries, all but Finland and Sweden chose to impose transitional arrangements in the 2007–09 phase, and Denmark, Greece, Portugal, and Spain followed in 2009. Spain was granted permission to reimpose restrictions because of concerns about its high unemployment rate and slow economic recovery. See European Commission, ‘Commission Report on Transitional Arrangements Regarding Free Movement of Workers from Bulgaria and Romania’ (MEMO/11/773, Brussels, 11 November 2011), https://ec.europa.eu/commission/presscorner/detail/en/MEMO_11_773.

ties or residence status, or preferred to ‘wait it out’. East-to-west movements to Spain and Italy were diverted to northern Europe to an extent.¹⁹ Meanwhile, south-to-north movements increased during this period as countries hard hit by the economic crisis, including Greece and Spain, saw increased outflows both of the native born and of mobile EU nationals; some emigrated to countries outside the European Union, but many moved within it.²⁰ While south-north movements increased sharply during this time, they remained much smaller than those from east to west—and below some expectations.²¹

The economic crisis and its aftermath provided an important opportunity to test a longstanding theory held by economists: that free movement could offer ‘damage control’ for the region during recessions.²² Some have argued that Member States’ uneven recovery and the absence of large-scale returns from receiving countries when their job markets became tighter demonstrate that EU mobility did not live up to its potential to regulate economies in difficult conditions.²³ However, without a counterfactual, it is difficult to tell what the impact of free movement was on the European economy during the crisis.

Austerity, anxieties about ‘benefits tourism’, and growing discrimination and xenophobia

The crisis and the ensuing slow recovery saw public anxieties in many Member States grow about the social and economic effects of migration. Battered by austerity measures, countries on Europe’s periphery began to worry about the lasting effects of the emigration of their young people, and about vulnerable groups including youth, jobseekers, migrants, and EU movers drawing from public funds. In Europe’s north, some municipalities expressed concerns about ‘poverty migration’ and the very limited policy levers at their disposal to

¹⁹ Simone Bertoli, Herbert Brücker, and Jesús Fernández-Huertas Moraga, ‘The European Crisis and Migration to Germany: Expectations and the Diversion of Migration Flows’ (IZA Discussion Paper 7170, Institute for the Study of Labor, Bonn, January 2013), <http://ftp.iza.org/dp7170.pdf>. The United Kingdom saw a drop in flows from more than 350,000 nationals of the new Member States in 2007 down to 200,000 by 2009. See UK Office for National Statistics, ‘UK International Passenger Survey’, updated 28 November 2019, www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/datasets/estimatesoflongterminternationalmigrationbyquarterderivedfromtheinternationalpassengersurvey.

²⁰ For an overview, see Benton and Petrovic, *How Free Is Free Movement?*

²¹ Nikolaus van der Pas, Mikkel Barslund, and Matthias Busse, *Making the Most of EU Labour Mobility* (Brussels: Centre for European Policy Studies, 2014), www.ceps.eu/wp-content/uploads/2014/10/CEPS%20Making%20the%20Most%20of%20Labour%20Mobility%20Oct-3.pdf.

²² In particular, economists had long argued that the Eurozone requires labour mobility as an alternative mechanism for absorbing shocks during economic downturns since countries lack the ability to adjust their currency through quantitative easing. See OECD, *Free Movement of Workers and Labour Market Adjustment*.

²³ Mikkel Barslund and Matthias Busse, ‘Too Much or Too Little Labour Mobility? State of Play and Policy Issues’, *Intereconomics* 49, no. 3 (2014): 116–58, www.ceps.eu/system/files/IEForum32014.pdf.

control immigration by EU nationals.²⁴ In 2013, four of Europe's most powerful governments asked the European Commission to draw up proposals that would allow Member States to restrict mobile EU citizens' access to national welfare systems, crack down on sham marriages and other forms of fraud, and use EU funds to alleviate the adverse effects of free movement.²⁵

Among the groups most often made scapegoats for the economic ills during this time were the Roma, Europe's largest minority of an estimated 10–12 million people, most of whom live in eastern Europe.²⁶ The Roma are a highly marginalised population that suffers from poor living conditions, discrimination, and social exclusion in many countries. Long-standing prejudice against the Roma has put them on the sharp edge of free movement; they have faced problems registering as residents or accessing social assistance or been subject to additional border checks or spot checks from police, all in the name of free movement rules.²⁷ In 2009, France deported 10,000 Roma residents back to Romania and Bulgaria, and another 8,000 the following year.²⁸ And concerns about 'benefits tourism' and 'poverty migration' have often been indirectly or directly targeted at the Roma.

It took landmark case law from the European Court of Justice—in particular, the *Dano* and *Alimanovic* cases—to take some of the heat out of the discussion about free movement's

²⁴ *Der Spiegel*, 'German Cities Complain of High Immigration', *Der Spiegel*, 4 February 2013, www.spiegel.de/international/germany/german-cities-worried-about-high-immigration-from-romania-and-bulgaria-a-881409.html.

²⁵ Letter from Johanna Mikl-Leitner, Austrian Federal Minister of the Interior; Hans Peter Friedrich, German Federal Minister of the Interior; Fred Teeven, Dutch Minister for Immigration; and Theresa May, UK Secretary of State for the Home Department to Alan Shatter, Irish Minister for Justice and Equality and President of the European Council for Justice and Home Affairs, 15 April 2013, www.statewatch.org/news/2013/apr/eu-4-ms-welfare-letter-to-irish-presidency.pdf. Meanwhile, the UK government launched a consultation into the impact, challenges, and opportunities provided by free movement in the European Union. See UK Home Office and Department for Work and Pensions, 'Review of the Balance of Competences. Internal Market: Free Movement of Persons' (call for papers, UK Department for Work and Pensions, London, May 2013), http://data.parliament.uk/DepositedPapers/Files/DEP2013-0818/Free_Movement_of_Persons_Call_for_Evidence.pdf.

²⁶ See European Union Agency for Fundamental Rights (FRA), *Second European Union Minorities and Discrimination Survey: Roma - Selected Findings* (Luxembourg: Publications Office of the European Union, 2018), https://fra.europa.eu/sites/default/files/fra_uploads/fra-2016-eu-minorities-survey-roma-selected-findings_en.pdf.

²⁷ FRA, *The Situation of Roma Citizens Moving to and Settling in Other EU Member States* (Luxembourg: Office for Official Publications of the European Communities, 2009), https://fra.europa.eu/sites/default/files/fra_uploads/705-Roma_Movement_Comparative-final_en.pdf.

²⁸ See European Roma Rights Centre, 'Freedom of Movement', updated 5 May 2011, www.errc.org/cikk.php?cikk=3836. Despite a 2013 EU Framework for National Roma Integration Strategies up to 2020, forced evictions continue. See European Commission, 'Communication from the Commission to the European Parliament and the Council: Report on the Implementation of National Roma Integration Strategies -2019' (COM [2019] 406 final, 5 September 2019), <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52019DC0406&from=FR>.

effects on receiving countries.²⁹ These rulings, in contrast with previous and more ‘generous’ case law by the same court, are widely seen as ushering in a more restrictive approach to economically inactive intra-EU movers’ access to benefits.³⁰ But while on the continent these decisions largely put out the fire, in the United Kingdom concerns about EU migrants accessing social benefits continued to fuel discontent, specifically with regard to non-contributory benefits, such as in-work tax credits, as well as child allowances exported abroad.

Box 1. The fiscal impacts of intra-EU movement and ‘benefits tourism’

A series of reports over the past decade have concluded that there is no ‘welfare magnet’ drawing EU citizens from countries with more limited welfare systems to those with more generous ones. Additionally, studies have shown that EU migration has a positive net impact on destination countries.

But public perception is another thing, and it does not always match up neatly to reality. A 2019 study published as part of the REMINDER project found that one in three Europeans think that mobile EU nationals receive a little or much more than the native born in welfare and benefits, while slightly less than half had the same view for third-country nationals. However, more than 80 per cent of survey respondents saw the two immigrant groups as having the same or similar levels of welfare impacts, suggesting that many lump the two groups together in their fears about free riding. Notably, while the study found some differences in views across EU countries, these gaps were smaller than those between some demographic groups, which runs counter to the common narrative that the biggest divisions in public opinion on free movement are between sending and receiving countries.

Sources: Corrado Giulietti, Martin Guzi, Martin Kahanec, and Klaus F. Zimmermann, ‘Unemployment Benefits and Immigration: Evidence from the EU’ (IZA Discussion Paper no. 6075, Institute for the Study of Labour, Bonn, October 2011), <http://ftp.iza.org/dp6075.pdf>; Carmen Juravle et al., *Fact Finding Analysis on the Impact of Member States’ Social Security Systems of the Entitlements of Non-Active Intra-EU Migrants to Special Non-Contributory Cash Benefits and Healthcare Granted on the Basis of Residence* (London: ICF GHK, 2013), http://ec.europa.eu/employment_social/empl_portal/facebook/20131014%20GHK%20study%20web_EU%20migration.pdf; Yvonne Markaki and Scott Blinder, *Perceptions of EU and Non-EU Immigrants’ Welfare Impacts: Who Receives More in Benefits?* (Oxford: REMINDER project, 2019), www.reminder-project.eu/publications/reports/perceptions-of-eu-and-non-eu-immigrants-welfare-impacts-who-receives-more-in-benefits/.

²⁹ Recent European Court of Justice case law has recognised Member States’ right to restrict access to social assistance as well as to certain (especially non-contributory) social benefits—such as jobseeker’s allowance—for EU citizens who are not working or looking for work and who do not satisfy the conditions for lawful residence. Landmark rulings including *Brey* (2013), *Dano* (2014), and *Alimanovic* (2015) have made it difficult, if not impossible, for poor and economically inactive EU migrants to access minimum subsistence benefits during the first five years of their residence in another EU country. See Cecilia Bruzelius, Constantin Reinprecht, and Martin Seeleib-Kaiser, ‘Stratified Social Rights Limiting EU Citizenship’, *Journal of Common Market Studies* 55, no. 6 (November 1, 2017): 1239–53.

³⁰ Some observers have regarded this turn as the court giving in to political pressures to safeguard the legitimacy of free movement. Some legal experts, however, have contested this widespread narrative of a ‘restrictive turn’, instead highlighting that the latter case law is actually more in line with the letter and spirit of the Treaty as well as secondary free movement law. Author interview with Anne Pieter van der Mei, Associate Professor in EU Law, Maastricht University, 15 November 2019.

The heightened arrival of mixed flows of asylum seekers and economic migrants on European shores beginning in 2015 created tensions that reduced trust and solidarity between Member States and opened old fault lines between geographical groupings. While the sense of crisis has dissipated as flows across the Mediterranean have slowed, public trust in governments' ability to manage immigration has evaporated. There are also lingering backlogs and bottlenecks in many national asylum systems, and the EU institutions are no closer to reaching a burden-sharing agreement.³¹

The Schengen system of free movement—logically distinct from the free movement of EU citizens, but intertwined conceptually and practically—came under threat as several countries imposed border controls in 2015 to prevent the secondary movement of asylum seekers from the countries where they first arrived in the Schengen area. Austria, Denmark, France, Germany, and Norway all temporarily imposed some controls at their borders with other Schengen states. This was permissible under Schengen rules that allow countries to reintroduce border controls for up to six months in the case of a security threat, and up to two years in exceptional cases.³²

While public concerns about migration from outside the European Union have overshadowed controversies around free movement, this turn has also unlocked a groundswell of xenophobic sentiment and support for far-right populism and nativism, with consequences for all foreigners. Election campaigns in several EU Member States have been fought largely on immigration issues, and nativist populist parties have both entered government and influenced mainstream parties and popular debates about migration.³³

³¹ Progress on asylum reform has stalled, including the Qualifications Directive, which sets out who is granted international protection and what rights they are granted; the Asylum Procedures Directive, which sets out how authorities can investigate whether the grounds for protection are met; the Asylum Procedures Directive, which sets out the support asylum seekers should get; and the Dublin Regulation, which sets out that asylum seekers can be returned to the country where they first entered the European Union. See Hanne Beirens, *Making Asylum Systems Work in Europe* (Brussels: Migration Policy Institute Europe, forthcoming).

³² As of 1 December 2019, seven EEA countries had temporary border checks (Austria, Denmark, France, Germany, Norway, Spain, and Sweden). See European Commission, 'Temporary Reintroduction of Border Control', accessed 12 December 2019, https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/schengen/reintroduction-border-control_en.

³³ For a discussion of the direct and indirect ways in which these parties have influenced policy, see Demetrios G. Papademetriou, Kate Hooper, and Meghan Benton, *In Search of a New Equilibrium: Immigration Policymaking in the Newest Era of Nativist Populism* (Washington, DC: Migration Policy Institute, 2018), www.migrationpolicy.org/research/immigration-policy-making-nativist-populism.

While the official position at the EU level has been that mobile EU citizens are not ‘migrants’, many of the effects of immigration are difficult to disaggregate in practice; so, while the explicit target of anti-immigration media and political rhetoric may have shifted from eastern Europeans and Roma to asylum seekers, the sense of anxiety associated with migration writ large has remained constant.

Box 2. Are attitudes towards free movement more positive than those on immigration more broadly?

Free movement might currently trigger less public pushback than other forms of immigration, yet it is by definition harder to control than most. European governments have few means of putting the brakes on arrivals, nor can they select who comes in as they do with most third-country nationals. At the same time, increases in spontaneous migration from outside the European Union have fuelled concerns about a loss of control over immigration more broadly. This raises the question: do European publics view free movers more positively than other migrants?

The answer may be ‘it depends’. A 2018 REMINDER study found that attitudes towards free movement were positive in six of the seven EU countries studied (Germany, Hungary, Poland, Romania, Spain, and Sweden, but not the United Kingdom). Publics in many of these countries were found to have more favourable attitudes to outward movement than inward movement. For instance, opinions are most positive in eastern European countries, yet these countries are less positive towards the immigration of workers from poorer countries elsewhere in eastern Europe. In addition, migrants were more likely to be perceived as economic, cultural, and security threats if they were from outside the European Union, though eastern European migrants were considered more of a threat than western Europeans. There were also notable differences between people of different age groups and levels of education, suggesting that attitudes towards free movement are hardly monolithic.

Source: Christine E. Meltzer et al., ‘Perceptions of the Impact of Immigration and Attitudes towards Free Movement within the EU: A Cross-National Study’ (working paper, REMINDER project, Oxford, March 2018), www.reminder-project.eu/publications/working-papers/perceptions-of-the-impact-of-immigration-and-attitudes-towards-free-movement-within-the-eu-a-cross-national-study/.

Brexit

In this context, the 2016 vote for the United Kingdom to leave the European Union was both a shock and something of a canary in the coal mine. In the years that followed, politicians who espoused populist and anti-immigration policies would gain support in countries across Europe, weakening longstanding institutions and mainstream political parties. Yet thus far, fears about a Brexit ‘contagion’ spreading to other Member States have not been borne out. In fact, the intensity of this anti-elite sentiment makes it somewhat surprising that free

movement—a highly complex, bureaucratic system with extensive legal protections and rules managed by Brussels—has not been more dramatically called into question.

Yet the United Kingdom's exit is creating headaches both for the country and the rest of bloc, the full extent of which remain to be seen. Administrative flaws have already emerged as both sides seek to regularise the status of existing residents (EU nationals in the United Kingdom applying for the new 'settled status' scheme, and UK nationals in the European Union registering with municipal authorities or national registration programmes).³⁴ Some of these challenges will be resolved if the withdrawal agreement goes through—something that now looks more likely following the December 2019 election that gave Prime Minister Boris Johnson a clear majority that should make it easier to get the deal through Parliament. Still, implementing the agreement could bring further challenges to light, especially since it contains limited provisions for what to do with Europeans in the United Kingdom and Britons in the EU-27 who have their applications for residence rejected.

Meanwhile, negotiations over the future trade deal that will begin in early 2020 will put the future immigration system front and centre; while free movement between the EU-27 and the United Kingdom will likely end unless the latter ends up in the EEA, some form of free labour mobility could continue, especially for high-skilled workers and those who fill the remote or seasonal jobs that native workers find less desirable.³⁵

The future: The calm before the storm?

Looking ahead, signs that the region could slide back into recession cast a dark cloud over free movement's future. Experience suggests that economic woes can sharpen social divisions over mobility even while strengthening the fiscal case for it. In the medium term, it

³⁴ Meghan Benton and Aliyyah Ahad, *On the Brink: Prospects for UK Nationals in the EU-27 after a No-Deal Brexit* (Brussels: Migration Policy Institute Europe, 2019), www.migrationpolicy.org/research/uk-nationals-eu-27-no-deal-brexite.

³⁵ The UK government's December 2018 white paper set out that there would be no difference for EU and non-EU citizens unless there were 'objective grounds to differentiate', which leaves it open that EU preference in the immigration system could be a sweetener in a trade deal. See UK Government, 'The UK's Future Skills-Based Immigration System' (white paper, December 2018), https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/766465/The-UKs-future-skills-based-immigration-system-print-ready.pdf. However, the Conservative Party manifesto of November 2019 (a less firm commitment than a white paper, yet more recent and endorsed by the party's current leader, Boris Johnson) describes treating EU and non-EU citizens equally and introducing an Australian-style points-based system that prioritises skills and educational criteria. See Conservative and Unionist Party, *Get Brexit Done: Unleash Britain's Potential. Manifesto 2019* (London: Conservative and Unionist Party, 2019), https://assets-global.website-files.com/5da42e2cae7ebd3f8bde353c/5dda924905da587992a064ba_Conervative%202019%20Manifesto.pdf.

remains to be seen whether and how free movement could help the continent adapt to challenges such as labour market disruptions and population ageing, given many countries are facing such pressures.

The changing world of work

New forms of work are proliferating in Europe, as elsewhere. In 2016, one in four employment contracts was for an ‘atypical’ forms of work, such as part-time work or ‘gigs’ found through digital platforms (e.g., driving an Uber or delivering food).³⁶ Yet most labour regulations are rooted in the traditional conception of an employer-employee relationship, a model of work that is becoming less dominant.³⁷

Recent EU-level reforms have established minimum rights for workers in such atypical arrangements,³⁸ which will affect an estimated 2–3 million nonstandard workers, including part-time workers and those on ‘zero-hours’ contracts.³⁹ However, many groups will remain outside the bounds of these expanded protections; this includes platform workers, who are officially considered self-employed rather than employees of the online platforms through which complete discrete tasks for clients. Moreover, some commentators have voiced the concern that a change in rules will be fairly meaningless without stronger labour enforcement.⁴⁰

The current lack of a shared definition of who is a ‘worker’⁴¹ might further complicate the position of atypical workers who move across Member States. Forthcoming changes to

³⁶ European Parliament, ‘Gig Economy: EU Law to Improve Workers’ Rights (Infographic)’ (news release, 11 July 2019), www.europarl.europa.eu/news/en/headlines/society/20190404STO35070/gig-economy-eu-law-to-improve-workers-rights-infographic.

³⁷ Author interview with Ines Wagner, Senior Researcher, Institute for Social Research, Oslo, August 2019.

³⁸ See European Parliament, ‘Gig Economy’.

³⁹ European Commission, ‘Impact Assessment: Proposal for a Directive of the European Parliament and of the Council on Transparent and Predictable Working Conditions in the European Union’ (SWD [2017] 478 final, 21 December 2017), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52017SC0478>.

⁴⁰ Bartłomiej Bednarowicz, ‘Workers’ Rights in the Gig Economy: Is the New EU Directive on Transparent and Predictable Working Conditions in the EU Really a Boost?’ EU Law Analysis, 24 April 2019, <http://eulawanalysis.blogspot.com/2019/04/workers-rights-in-gig-economy-is-new-eu.html>.

⁴¹ See Section III.D. In deciding what qualifies as an employment relationship, case law on free movement leaves space for interpretation and national discretion by not defining clearly some key terms. It only stipulates rather broadly ‘that for a certain period of time a person performs services for and under the direction of another person in return for which he receives remuneration’ provided ‘the pursued activity is genuine and effective, to the exclusion of activities on such a small scale as to be regarded as purely marginal and ancillary’. See *Deborah Lawrie-Blum v Land Baden-Württemberg*, C-66/85 *European Court Reports* 1986 -02121 (European Court of Justice, 3 July 1986), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A61985CJ0066>; *D.M. Levin v Staatssecretaris van Justitie*, C-53/81 *European Court Reports*

crack down on employers abusing the posted workers framework could indirectly fuel more bogus self-employment, if unscrupulous companies shift tack to cut costs in other ways.⁴² But many of these challenges are only just coming to light, so it is possible that future labour market change could create additional issues for free movement—whether new opportunities for employers to game the system or new forms of precariousness for workers.

Demographic changes

Meanwhile, a combination of demographic trends—notably, increasing longevity and decreasing birth rates⁴³—is fuelling concerns about regions that are disproportionately losing young people. Adults over age 65 are set to make up nearly 30 per cent of the overall population of Europe by 2050, up from 20 per cent in 2019. The old-age dependency ratio—the proportion of people of retirement age relative to those of working age—has already reached new highs in Italy (35 per cent), Finland (34 per cent), and Greece (34 per cent). As it continues to climb, some particularly rapidly ageing populations may see figures nearly twice this high by 2050, including Greece (with a projected 63 per cent), Italy (65 per cent), and Portugal (66 per cent).⁴⁴

Immigration, including intra-EU mobility, has often been cited as one way to mitigate some of the problems associated with an ageing population, from labour shortages to increased strain on pension systems. Yet even countries in eastern Europe, which have long had younger populations, are ageing.⁴⁵ This calls into question whether east-to-west movements will remain robust over time and, if so, whether this will further exacerbate brain drain and other challenges associated with emigration.

1982 -01035 (European Court of Justice, 23 March 1982), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A61981CJ0053>.

⁴² Author interview with Ines Wagner.

⁴³ Eurostat, 'Population Structure and Ageing', updated 6 August 2019, https://ec.europa.eu/eurostat/statistics-explained/index.php/Population_structure_and_ageing.

⁴⁴ Eurostat, 'Projected Old-Age Dependency Ratio', updated 3 July 2019, <https://ec.europa.eu/eurostat/tgm/table.do?tab=table&plugin=1&language=en&pcode=tps00200>.

⁴⁵ Eurostat, 'Projected Old-Age Dependency Ratio'.

The European Union has been in a period of relatively modest net growth for some time, but there are reasons for concern: recovery from the crisis has been slow, and several countries have seen particularly sluggish growth. Some commentators have argued that the European Union is in a period of slow decline, pointing to rising skills shortages alongside unemployment as a threat to long-term productivity and growth.⁴⁶

Early signs of an economic downturn⁴⁷ have reignited questions about the extent to which free movement can act as a stabilisation mechanism during economic strife. Yet the experience of the last recession does not offer many reasons for optimism; austerity measures and retrenchment deepened ‘welfare chauvinism’ in many corners, with immigrants and minorities painted as a burden on struggling economies and undeserving of access to public support. Against the backdrop of rising xenophobia following the 2015–16 migration crisis, the next recession could bring an even greater public backlash against both EU and non-EU migrants and rising protectionism.

These changing labour market dynamics—from new forms of work and the ageing of the workforce, to uncertain economic terrain—could mark a new phase for free movement. It provides a source of flexible labour at a time when visa requirements for third-country nationals could prove too arduous or slow-moving to provide the workers needed to support dynamic growth industries.

III. Policies to Meet Future Challenges Head On

Free movement has become a microcosm for many of the most difficult migration policy challenges: figuring out how to promote labour mobility to meet vital skills needs without losing public trust; how to mitigate the effects of brain drain and emigration for regions seeing large numbers of their (especially young and skilled) workers leave; how to help local authorities receiving large and unexpected numbers of newcomers manage bottlenecks in

⁴⁶ See, for example, Giorgio Brunello and Patricia Wruuck, ‘Skills Shortages and Skills Mismatch in Europe: A Review of the Literature’ (IZA Discussion Paper 12346, Institute for the Study of Labour, Bonn, May 2019), <http://ftp.iza.org/dp12346.pdf>.

⁴⁷ Gross domestic product (GDP) growth in the EU-28 was only 0.3 per cent in the third quarter of 2019 (and 0.2 per cent in the Eurozone), hinting at the potential of a coming recession. See Eurostat, ‘Gross Domestic Product, Volumes [teina011]’, updated 6 December 2019, <https://ec.europa.eu/eurostat/web/products-datasets/-/teina011>.

public services; and how to prevent the abuse of public benefits systems without pushing vulnerable workers into destitution.

With Member States divided over which of these challenges are most important, reform is likely to be incremental, yet will need to span an ambitious range of policy areas. Current policy debates can be divided into several categories—improving the fairness and functioning of social security coordination, oiling the wheels of labour mobility, alleviating the costs of emigration and brain drain, improving labour standards and enforcement, and promoting public trust—each of which is described below.

Improving fairness in welfare access

Concerns about mobile EU citizens' access to national welfare benefits have been at the heart of anxieties about free movement since the 2000s. Critics have worried that differences in wage levels and the generosity of social benefits between Member States could create perverse incentives for people to move solely to subsist on benefits, or to game the system by maximising their entitlements across multiple countries.⁴⁸ While Brexit has taken the wind out of some of these concerns, given the United Kingdom's prominent role as a proponent of restrictions to welfare access, fault lines still exist—especially between west and east, and between countries with different welfare traditions. These could be etched deeper by future economic woes or rising anti-immigration sentiment.

At the heart of these concerns is a sense of imbalance: that some Member States bear greater costs than others depending on the nature of their welfare system, and especially if they also receive high numbers of EU movers relative to the number of their own nationals who migrate to other parts of the bloc. While all countries are required to grant access to social benefits to mobile EU workers because of the principle of equal treatment and to non-workers subject to certain conditions,⁴⁹ countries with systems based on previous contributions have an in-built ability to withhold these from new arrivals. Countries that, by

⁴⁸ See letter from Johanna Mikl-Leitner, Hans Peter Friedrich, Fred Teeven, and Theresa May to Alan Shatter.

⁴⁹ To be eligible, EU nationals need to be lawfully resident. For those who are economically inactive, this means they must have sufficient resources so as not to impose an unreasonable burden on the social security system of the host state, and they must have comprehensive sickness insurance. This principle is not explicitly stated in the social security coordination regulations but derives from case law. See European Commission, 'Social Security Coordination: Access to Social Benefits by Economically Inactive Persons', accessed 16 December 2019, <http://ec.europa.eu/social/BlobServlet?docId=16771&langId=en>.

contrast, base eligibility for benefits largely on residence alone have tended to complain more about carrying a greater burden.

Yet recent research examining the fiscal impacts of EU mobility, conducted as part of the REMINDER project, suggests that this widespread story of countries as ‘winners’ and ‘losers’ is a myth, at least in terms of actual costs for the public purse.⁵⁰ Although the welfare systems in European countries that are destinations for mobile EU citizens are indeed very different, EU mobility results in a fiscal surplus for all of them.⁵¹ EU migrants do receive more social benefits in universal-type welfare states compared to other regimes, but their contributions into these system are also much larger.

Tensions about benefits use may thus have less to do with macroeconomic costs and more to do with perceptions. And indeed, Europeans have long expressed concerns that immigrants were ‘free riders’ and net drains on EU countries.⁵² Research has posited that these perceptions depend on the norms and values—such as merit, reciprocity, or need—that underpin different welfare systems, and thus that anxieties are likely to be most pronounced in countries where people are eligible for certain benefits regardless of what they have paid into the system. Testing this theory, REMINDER research found that attitudes were more negative among the unemployed in countries with less ‘reciprocity’ (that is, the degree to which benefits are extended on the basis of contribution rather than residence or need). Yet, the research found no such effect for the broader population.⁵³ Further study of whether personal economic circumstances or other factors shape perceptions could more fully illuminate this issue.

⁵⁰ Pär Nyman and Rafael Ahlskog, ‘The Fiscal Effects of Intra-EEA Migration’ (working paper, REMINDER project, Oxford, March 2018), www.reminder-project.eu/publications/working-papers/fiscal-effects-migration/. See also Marcus Österman, Joakim Palme, and Martin Ruhs, ‘National Institutions and the Fiscal Effects of EU Migrants’ (working paper, REMINDER project, Oxford, February 2019), www.reminder-project.eu/publications/working-papers/national-institutions-and-the-fiscal-effects-of-eu-migrants/.

⁵¹ See Nyman and Ahlskog, ‘The Fiscal Effects of Intra-EEA Migration’.

⁵² For instance, a decade ago, the 2009 Eurobarometer found that more than half of respondents believed that immigrants were not contributing as much in taxes as they were drawing in benefits. See European Commission, *Eurobarometer 71: Future of Europe (Spring 2009)* (Brussels: European Commission, 2010), https://ec.europa.eu/commfrontoffice/publicopinion/archives/eb/eb71/eb713_future_europe.pdf.

⁵³ Moa Mårtensson, Marcus Österman, Joakim Palme, and Martin Ruhs, ‘Reciprocity in Welfare Institutions and Attitudes to Free Movement in EU Receiving Countries’ (working paper, REMINDER project, Oxford, September 2019), www.reminder-project.eu/publications/working-papers/reciprocity-in-welfare-institutions-and-attitudes-to-free-movement-in-eu-receiving-countries/.

A pronounced gap between perception and reality puts policymakers—both at the EU and the national level—on the horns of a dilemma. Is it worth pursuing a policy that is not in the economic interest in order to alleviate public anxieties? An example of this is Austria’s decision in 2018 to begin indexing child benefits (in defiance of EU law), meaning it would determine the amount of the benefit payment based on the country of residence of the child.⁵⁴ The fact that mobile EU citizens from less affluent countries can claim child benefits from wealthier, western European countries for children who live in their home countries has long been criticised; indeed, it was one of then UK Prime Minister David Cameron’s negotiation priorities in the run up to the UK exit vote, but his preliminary agreement was dropped after the referendum and it has not resurfaced in recent European Commission proposals.⁵⁵ Austria has decided to go ahead with this, despite its high political costs⁵⁶ and, reportedly, the fact that administering the policy costs more than it saves.⁵⁷

A reform of social security coordination proposed by the European Commission in 2016 has sought to address some concerns related to welfare access. Among other things, the reform seeks to clarify when Member States can limit access to social security benefits for economically inactive citizens, in line with recent European Court of Justice case law; enable mobile jobseekers to export their unemployment benefits from the current minimum of three months to a minimum of six months; and shift responsibility for paying unemployment benefits to cross-border workers from the country of residence to that of work, if they have previously worked there for 12 months.⁵⁸ Despite being fairly modest, these changes have proved divisive. High-wage Member States’ complaints have included the failure to make it possible to index child benefits, and extending unemployment benefits

⁵⁴ EU Observer, ‘EU: Austrian Indexing of Child Benefits “Discriminatory”’, EU Observer, 25 January 2019, <https://euobserver.com/tickers/144010>.

⁵⁵ BBC News, ‘European Court Backs UK Curbs on Child Benefit Rights’, BBC News, 14 June 2016, www.bbc.com/news/uk-36526158.

⁵⁶ The European Commission has launched an infringement procedure against Austria because of its law on indexing family benefits and tax credits. See European Commission, ‘Indexation of Family Benefits: Commission Takes Next Step in Infringement Procedure against Austria’ (press release, 24 July 2019), https://ec.europa.eu/commission/presscorner/detail/EN/IP_19_4253.

⁵⁷ European Commission, ‘Impact Assessment: Initiative to Partially Revise Regulation (EC) No 883/2004 of the European Parliament and of the Council on the Coordination of Social Security Systems and Its Implementing Regulation (EC) No 987/2009’ (SWD [2016] 460 final, 13 December 2016), <https://ec.europa.eu/transparency/regdoc/rep/10102/2016/EN/SWD-2016-460-F1-EN-MAIN-PART-5.PDF>.

⁵⁸ European Commission, ‘Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 883/2004 on the Coordination of Social Security Systems and Regulation (EC) No 987/2009 Laying down the Procedure for Implementing Regulation (EC) No 883/2004’ (COM [2016] 815 final, 13 December 2016), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52016PC0815>.

for jobseekers, which could make it harder for countries to monitor whether jobseekers are fulfilling their side of the bargain by looking for work.⁵⁹

There are a number of alternative approaches that the European institutions could consider to address the public perception of unfairness:

- **Allowing for further restrictions.** Allowing Member States to restrict access to certain non-contributory benefits or index child benefits would serve largely symbolic purposes, and it is unclear whether the costs involved would make the boost in perceived fairness worthwhile. While allowing Member States to restrict EU workers' access to in-work or welfare benefits might help reassure anxious publics, there is a risk that the added complexity would make free movement rules even more opaque.⁶⁰ Some experts and stakeholders have suggested making the Member State in which the child resides responsible for paying family benefits⁶¹ or, more radically, excluding family benefits from social security coordination for anyone but workers.⁶² Further suggestions include imposing longer qualifying periods before newcomer EU jobseekers can become eligible for unemployment benefits, social assistance, and social housing.⁶³ But these measures risk affecting the vulnerable—including low-income workers who rely on 'top-ups' to avoid in-work poverty⁶⁴ and care workers who rely on child benefits to send money home.⁶⁵ In the process, they

⁵⁹ The reform was suspended in Spring 2019 in light of such opposition, and it was only resumed again in October 2019 with a new round of negotiations between the European Commission, Council, and Parliament. See European Parliament, 'Legislative Train Schedule: Revision of Regulation on Social Security Coordination – Labour Mobility Package', accessed 16 December 2019, www.europarl.europa.eu/legislative-train/theme-deeper-and-fairer-internal-market-with-a-strengthened-industrial-base-labour/file-jd-revision-of-regulation-on-social-security-labour-mobility-package. For the main points of contention, see David M. Herszenhorn, 'EU Countries Reject Proposal on Social Security Coordination', *Politico*, 29 March 2019, www.politico.eu/article/eu-countries-reject-proposal-on-social-security-coordination/; Bernhard Spiegel, 'A Commentary on the Results of the Revised Rules on Social Security Coordination' (presentation at the conference 60 Years of Social Security Coordination from a Workers' Perspective, Leuven, 17 May 2019), <https://hiva.kuleuven.be/nl/nieuws/docs/1705-10u-bernhard-spiegel.pdf>.

⁶⁰ Joakim Palme and Martin Ruhs, 'Free Movement of EU Workers and Access to Welfare State Benefits: Institutional Tensions, Fiscal Effects and Need for Reform' (working paper, REMINDER project, Oxford, forthcoming December 2019).

⁶¹ See Monika Kiss, 'Amending Social Security Coordination' (briefing European Parliamentary Research Service, Brussels, 2017), [www.europarl.europa.eu/RegData/etudes/BRIE/2017/599322/EPRS_BRI\(2017\)599322_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2017/599322/EPRS_BRI(2017)599322_EN.pdf).

⁶² Palme and Ruhs, 'Free Movement of EU Workers and Access to Welfare State Benefits'.

⁶³ Palme and Ruhs, 'Free Movement of EU Workers and Access to Welfare State Benefits'.

⁶⁴ Mattia Bosio, Mauro Striano, and Suzannah Young, eds., *The 'Working Poor' and EU Free Movement: The Notion of 'Worker' in the Context of Low-Wage and Low-Hour Employment* (Brussels: European Federation of National Organisations Working with the Homeless, 2019), www.feantsa.org/download/working-poor-within-the-eu1026919265820446116.pdf.

⁶⁵ Martina Sekulová and Mădălina Rogoz, 'The Perceived Impacts of Care Mobility on Sending Countries and Institutional Responses: Healthcare, Long-Term Care and Education in Romania and Slovakia' (working paper, REMINDER project, Oxford, January 2019), www.reminder-project.eu/publications/working-papers/the-perceived-impacts-of-care-mobility-on-sending-countries-and-institutional-responses-healthcare-long-term-care-and-education-in-romania-and-slovakia/.

could increase destitution or reduce beneficial forms of mobility,⁶⁶ in pursuit of added benefits that are pure speculation.

- ***Encouraging Member States to more closely align their welfare systems.*** Member States have sometimes claimed that their complaints of getting a raw deal from social security coordination have been met with the response that they should change their welfare systems.⁶⁷ Indeed, greater harmony in social policy across the European Union was a goal of the Juncker Commission, which sought to promote a minimum set of social rights that would apply across all countries and to ensure minimum standards in some areas of labour law, including as pertains to new forms of work.⁶⁸ The Commission that entered office in December 2019 promises to continue this muscular approach to social policy—with, for example, announced proposals on minimum wages and on promoting basic standards for the social rights for children. However, complete harmonisation is unrealistic given how longstanding national welfare state traditions are, and how closely they are guarded; attempting to force harmonisation may trigger backlash and resistance against perceived ‘EU interventionism’ rather than allay public anxieties about free movement.⁶⁹ It may also be undesirable, since the current variability in welfare states provides a useful laboratory in which to explore policies that in different contexts could help adapt social security systems to population ageing and labour market changes.
- ***Building EU-level benefits, independent from national welfare states.*** Experts have suggested EU-level benefits could reinforce the social dimension of EU citizenship

⁶⁶ For example, while the evidence is clear that migrants do not, by and large, move for benefits, restrictions such as the indexation of family benefits recently imposed by Austria could either make mobility more costly for domestic carers, many of whom are women, low paid, and vulnerable to exploitation, or it could deter them from moving to fill care roles in the future—both high costs to pay at a time when Europe’s population is ageing and carers to support the elderly are in high demand. See Sekulová and Rogoz, ‘The Perceived Impacts of Care Mobility on Sending Countries and Institutional Responses’.

⁶⁷ Member State official comments during the roundtable ‘EU Free Movement after the “Crises”: The Calm Before the Next Storm?’, Migration Policy Institute (MPI) Europe, Brussels, 14 October 2019.

⁶⁸ The milestone in this area is the European Pillar of Social Rights, which has led to some important EU legislation setting minimum standards, including some of relevance for free movement. See European Commission, ‘Social Priorities under the Juncker Commission’ (fact sheet, November 2019), https://ec.europa.eu/commission/sites/beta-political/files/social_priorities_juncker_commission_en.pdf.

⁶⁹ Author interview with Anne Pieter van der Mei.

and help make the benefits of Union citizenship more tangible to non-movers.⁷⁰ In a more modest form, a minimum basic income scheme for jobseekers could function as an EU-level unemployment benefit of sorts.⁷¹ In its more expansive form, the European Union could grant such benefits directly to all EU citizens, primarily as a benefit that gets activated through mobility, but that those who do not move may convert into other advantages—an approach that could help put flesh on the conceptual bones of EU citizenship.⁷² But it is unclear how such a scheme would be funded—either through allocations by Member States, as is currently the case for European funds, or financed through contributions levied directly from EU citizens. Both could create considerable pushback.

- ***Promote transparency and predictability with regard to accessing social benefits.***

Over the years, grey areas in free movement legislation have led to inconsistent judicial and administrative interpretation of rules, sometimes preventing EU movers from accessing social benefits and services to which they are entitled.⁷³ This uneven application of rules—partly due to broad terms leaving an ample margin of discretion to authorities⁷⁴—has generated insecurity among mobile citizens; some argue that Member States have exploited this leeway to restrict access to social entitlements without having to challenge the legal framework per se.⁷⁵ To create more consistency in how rules are applied, EU institutions have created a series of informational and advice services—such as SOLVIT, Your Europe Advice, the information services for mobile workers offered by the European Employment

⁷⁰ For example, see Cecilia Bruzelius and Martin Seeleib-Kaiser, 'The Case for a European Minimum Basic Income Scheme for Jobseekers', London School of Economics, 15 December 2016,

<https://blogs.lse.ac.uk/euoppblog/2016/12/15/european-minimum-income-jobseekers/>.

⁷¹ Bruzelius, Reinprecht, and Seeleib-Kaiser, 'Stratified Social Rights Limiting EU Citizenship'.

⁷² Author interview with Professor of Political Science and Expert on free movement, State University of Milan, September 2019.

⁷³ In some countries, administrative roadblocks hinder mobile citizens from accessing social services, for instance through complex residence registration requirements. See Cecilia Bruzelius, 'Freedom of Movement, Social Rights and Residence-Based Conditionality in the European Union', *Journal of European Social Policy* 29, no. 1 (2018): 73–80.

⁷⁴ For example, economically inactive EU migrants' right to reside depends on them having 'sufficient resources' not to become an 'unreasonable burden on the social assistance system'—open terms that can lead to very different interpretations. See 'Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the Right of Citizens of the Union and Their Family Members to Move and Reside Freely within the Territory of the Member States', *Official Journal of the European Union* 2004 L158, 30 April 2004, <https://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:32004L0038>.

⁷⁵ Dion Kramer, Jessica Sampson Thierry, and Franca van Hooren, 'Responding to Free Movement: Quarantining Mobile Union Citizens in European Welfare States', *Journal of European Public Policy* 25, no. 10 (2018): 1501–21, www.tandfonline.com/doi/full/10.1080/13501763.2018.1488882.

Services—and launched an e-learning tool on EU citizens’ right to free movement for local administrations in 2017.⁷⁶ But more could be done to ensure that national administrations and courts across Europe apply free movement legislation in a more homogeneous way—for example, by updating accompanying guidance on how to apply free movement legislation (last published in 2009),⁷⁷ continuing to invest in trainings for public administrations, and creating platforms for sharing and tracking national case law to promote greater consistency of rulings.⁷⁸

While the differences between Member States’ social security systems and levels of intra-EU mobility have activated deep concerns about fairness, particularly in top destination countries, there is no clear strategy for how to address such concerns without risking negative side effects. It may be that there is little policymakers can do to fortify public trust in this aspect of free movement—short of waiting for people to ‘feel more European’—given that negative reactions appear to have more to do with perceptions of loss of control than with an objective assessment of costs and benefits.

Making labour mobility more efficient and resilient to economic shocks

When labour supply is efficiently matched with demand, mobility can stimulate economic growth and, in times of crisis, ideally act as an important stabilising mechanism, particularly within a currency area that cannot rely on monetary policy to balance asymmetrical shocks. However, mobile EU citizens of working age make up only 4 per cent of the European workforce—a share that has grown continuously over the past decade, but at a slower pace in the past few years.⁷⁹ Although explicit targets have never been set, many experts have

⁷⁶ European Commission, ‘Welcoming EU Citizens: E-Learning Tool on the Right of Free Movement of Union Citizens’ (news release, 6 February 2018), https://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=51219.

⁷⁷ European Commission, ‘Communication from the Commission to the European Parliament and the Council on Guidance for Better Transposition and Application of Directive 2004/38/EC on the Right of Citizens of the Union and Their Family Members to Move and Reside Freely within the Territory of the Member States’ (COM [2009] 313 final, 2 July 2009), <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2009:0313:FIN:EN:PDF>. According to a European Commission official (DG JUST), the Commission is aware of the request by stakeholders to update the guidelines and the new Commission will assess this request. Expert feedback by European Commission official on potential policy options discussed in preparation of this report November 2019.

⁷⁸ Author interview with Expert, FRA, 7 November 2019; FRA, *Making EU Citizens’ Rights a Reality: National Courts Enforcing Freedom of Movement and Related Rights* (Luxembourg: Publications Office of the European Union, 2018) https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-making-rights-a-reality-freedom-of-movement_en.pdf.

⁷⁹ In 2017, the stock of EU movers in the main destination countries increased by 5 per cent compared to 2016, reaching a total of 17 million. See European Commission, *2018 Annual Report on Labour Mobility* (Luxembourg: Publications Office of the European Union, 2019), <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8174&furtherPubs=yes>.

expressed disappointment that labour mobility has remained at such low levels, especially within the ‘old’ EU-15.⁸⁰ And economists’ assessments that labour mobility was insufficiently responsive to the economic crisis that began in 2007⁸¹ does not bode well for future economic uncertainty.

Many Europeans take full advantage of the learning and career opportunities that come with free movement, and thanks to the very low barriers to movement, others may decide to move just out of wanderlust or for lifestyle reasons.⁸² But not everyone has the same resources and possibilities to move. Highly skilled migrants are well placed to take advantage of the benefits of free movement: they are more likely to have previous experience with mobility and may therefore be able to more easily access necessary information and leverage existing networks elsewhere in Europe. In addition, their language skills are usually more advanced, especially in English, and the sectors in which they are employed tend to be more internationalised.

For workers without higher levels of qualification, numerous barriers still exist. Language proficiency is a common job requirement; moreover, poor language skills can make it harder to access information about available opportunities or to transfer qualifications.⁸³ Such barriers can lead to ‘brain waste’, as migrants are unemployed or employed below their skill level—a suboptimal outcome for both individual workers and the economy more broadly.⁸⁴

⁸⁰ Dries Lens, Ninke Mussche, and Ive Marx, ‘Europe’s Ever Expanding Mobility Patterns – Posting, Third-Country Nationals and the Single European Labour Market’ (working paper 19.08, Centre for Social Policy, University of Antwerp, Antwerp, July 2019), www.centrumvoorsociaalbeleid.be/sites/default/files/CSBWorkingPaper1908.pdf.

⁸¹ While east-west flows remained relatively constant, south-north flows increased only minimally despite wide differences in unemployment rates. See Barslund, ‘Labour Mobility in the EU’; Cinzia Alcidi et al., *Additional Effects of a European Unemployment Benefit Scheme* (Brussels: European Commission, 2017), <http://ec.europa.eu/social/BlobServlet?docId=16889&langId=en>.

⁸² Participant comments during the roundtable ‘Free Movement after the Crises’. See also Talitha Dubow, Katrin Marchand, and Melissa Siegel, ‘Evidence of the Determinant of Migration in the EU’ (working paper, REMINDER project, Oxford, September 2019), www.reminder-project.eu/publications/working-papers/evidence-of-the-determinants-of-migration-in-the-eu/.

⁸³ A 2019 study on cross-border labour mobility found language to be the second most important obstacle, after legal and administrative barriers. See Vanessa Ludden and Angeli Jeyarajah, *Employment Barriers in Border Regions: Strategies and EU Funding* (Luxembourg: European Parliament, 2019), [www.europarl.europa.eu/RegData/etudes/STUD/2019/631029/IPOL_STU\(2019\)631029_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2019/631029/IPOL_STU(2019)631029_EN.pdf); Elena Fries-Tersch, Tugce Tugran, Ludovica Rossi, and Harriet Bradley, *2017 Annual Report on Intra-EU Labour Mobility* (Brussels: European Commission, 2018), https://ec.europa.eu/futurium/en/system/files/ged/2017_report_on_intra-eu_labour_mobility.pdf.

⁸⁴ Indeed, in a 2018 European Commission study, 30 per cent of EU citizens working in another Member State said they feel they are overqualified for their job, compared to 20 per cent among nationals. Study described and cited in Katalin Adamis-Császár et al., *Labour Mobility and Recognition in the Regulated Professions* (Luxembourg: European Parliament, 2019), 68, [www.europarl.europa.eu/RegData/etudes/STUD/2019/631056/IPOL_STU\(2019\)631056_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2019/631056/IPOL_STU(2019)631056_EN.pdf).

⁸⁴ Ludden and Jeyarajah, *Employment Barriers in Border Regions*.

Differences in social security and taxation systems can also discourage workers and jobseekers from pursuing job opportunities in other Member States.⁸⁵

Approaches to improving the functioning of labour mobility in Europe include:

Better matching of supply and demand

The European Employment Services (EURES),⁸⁶ the cooperation network of European public employment services, plays a crucial role in matching jobseekers and employers across countries and providing employment information; over the past two and a half decades, it has also helped promote trust between national authorities and other labour market stakeholders.⁸⁷ However, EURES has long had a mixed reputation at the national level, due to alleged gaps in quality and coverage.⁸⁸

A 2016 European regulation has sought to improve the volume of jobs posted in EURES by requiring Member States to feed all publicly available vacancies into its Job Mobility Portal and by allowing private placement services to participate in the EURES network and post their vacancies in the portal. Meanwhile, in 2017 the European Commission introduced a sophisticated system of skills taxonomy (European Skills, Competences, Qualifications, and Occupations, also known as ESCO) and linked it with EURES to help bridge differences in how professional profiles are defined at national level.⁸⁹ Although some gaps remain—in terms of resources and infrastructure,⁹⁰ as well as monitoring⁹¹—these reforms address a

⁸⁵ Ludden and Jeyarajah, *Employment Barriers in Border Regions*.

⁸⁶ The European Employment Services (EURES) was established in 1994 to support cooperation between national employment services in order to facilitate intra-EU labour mobility and address labour shortages and surpluses in Member States. See Elena Fries-Tersch, Tugce Tugran, Agnieszka Markowska, and Matthew Jones, *2018 Annual Report on Intra-EU Labour Mobility* (Brussels: European Commission, 2018), <https://ec.europa.eu/social/BlobServlet?docId=20685>.

⁸⁷ Ludden and Jeyarajah, *Employment Barriers in Border Regions*.

⁸⁸ Ludden and Jeyarajah, *Employment Barriers in Border Regions*; European Court of Auditors, *Free Movement of Workers: The Fundamental Freedom Ensured but Better Targeting of EU Funds Would Aid Worker Mobility* (Luxembourg: European Court of Auditors, 2018), www.eca.europa.eu/Lists/ECADocuments/SR18_06/SR_Labour_Mobility_EN.pdf.

⁸⁹ Council of the European Union, 'Reform of the European Jobs Network EURES', updated 29 January 2019, www.consilium.europa.eu/en/policies/labour-mobility/reform-eures/; author interview with Wolfgang Müller, Managing Director for European Affairs, German Federal Employment Agency, Brussels, October 2019.

⁹⁰ For instance, some EURES coordination offices are struggling to keep up with their expanded responsibilities and the larger network, due to financial and staffing bottlenecks; IT infrastructure is also lagging in some regions. See European Commission, 'Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on EURES Activity January 2016 – June 2018' (COM [2019] 164 final, 2 April 2019), <https://ec.europa.eu/transparency/regdoc/rep/1/2019/EN/COM-2019-164-F1-EN-MAIN-PART-1.PDF>.

⁹¹ EURES' monitoring system for job placements is based on voluntary reporting of outcomes by EURES advisors, who are not systematically informed of placements by either jobseekers or employers. See European Court of Auditors, *Free Movement of Workers*. A more accurate monitoring system, ideally complemented by follow-ups with employers after a

number of EURES' key challenges, giving experts, practitioners, and jobseekers reasons for optimism that the system is becoming more efficient.⁹²

Looking beyond technical improvements, EURES could raise its profile by developing a stronger advisory role (for instance, helping employers understand how the soft skills EU mobility provides can bring them advantages) and assisting European Member States, regions, and employers in tapping into intra-EU mobility as a strategic resource for attracting and building talent. The imminent transfer of the EURES coordination to the European Labour Authority⁹³ may offer opportunities to build greater synergies between job placement and other aspects of labour mobility—such as labour inspections and social security, all covered by the new agency's remit— while giving EURES greater visibility.

Encouraging language learning

While learning the host country's language is widely recognised as an important dimension of immigrant integration, and many countries offer free (or low-cost) language course to immigrants, not all Member States make such courses accessible to EU mobile workers.⁹⁴ EU-funded programmes to encourage labour market inclusion, for instance under the European Social Fund (ESF), do make some language training opportunities possible; however, the ESF does not place specific emphasis on mobile EU citizens or track whether they are beneficiaries, which creates limited incentives to use such funding for services targeted to their needs.⁹⁵

certain period of time (e.g., six months), could lead to a better understanding of the reasons intra-European placements succeed or fail.

⁹² Author interview with Wolfgang Müller.

⁹³ European Commission, 'European Labour Authority Starts Its Activities: Question and Answers' (press release, 16 October 2019), https://ec.europa.eu/commission/presscorner/detail/en/QANDA_19_6056.

⁹⁴ In Germany, for example, only third-country nationals have a legal right to participate in the publicly funded integration course, with a focus on language. If free places are available in such courses, mobile EU citizens may be allowed to participate under certain circumstances, such as if they have particularly strong integration support needs. See German Federal Office for Migration and Refugees (BAMF), 'EU Bürger', accessed 16 December 2019, www.bamf.de/DE/Themen/Integration/ZugewanderteTeilnehmende/Integrationskurse/TeilnahmeKosten/EU-Buerger/eu-buerger-node.html. A 2014 Eurofound report identified such courses in 14 Member States. See Sara Riso, *Labour Mobility in the EU: Recent Trends and Policies* (Luxembourg: Eurofound, 2014), www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef1456en_1.pdf.

⁹⁵ Aliyyah Ahad and Timo Schmidt, *Mainstreamed or Overlooked? Migrant Inclusion and Social Cohesion in the European Social Fund* (Brussels: European Programme for Integration and Migration, 2019), www.epim.info/wp-content/uploads/2019/03/Ahad-Schmidt_Mainstreamed-or-Overlooked_Mar2019.pdf.

Another option would be for the European institutions to encourage Member States with large or growing populations of mobile EU citizens to improve their provision of language courses—including a push for courses that teach occupational language.⁹⁶ A lack of opportunities to learn work-specific language can be a key obstacle to accessing employment, especially in medium-skilled sectors as these are generally less internationalised than high-skilled sectors, meaning English is less likely to be used as a *lingua franca*.

Another approach would be to encourage bilateral projects between high- and low-employment Member States. This model could have the added advantage of strengthening cross-country ties and value chains in certain industries, thus benefiting workers who have become more proficient in the other country's language but opt not to move as well as those who do.

Improving the mobility of qualifications and skills

Difficulties getting academic or professional qualifications that were earned in one EU country recognised in another continue to impede intra-EU mobility, even though there are numerous EU mechanisms whose purpose is to make such recognition run more smoothly between Member States. A 2013 revision of the Professional Qualifications Directive aimed at simplifying recognition procedures through digitalisation and introduced a European Professional Card, an electronic tool that further supports the portability and transferability of qualifications for a set number of professions.⁹⁷ To provide greater transparency, the European Commission has also created a database of the regulated professions in the Member States, with links to the competent bodies responsible for the recognition of qualifications in each profession.⁹⁸ Meanwhile, the European Qualifications Framework has promoted a better understanding of how national qualifications compare with one another, and the aforementioned ESCO system is an important step away from a strict focus on

⁹⁶ Wido Geis, 'Labour Market Potentials of the Freedom of Movement for Workers' (policy paper 18, Cologne Institute for Economic Research, Cologne, November 2017),

www.iwkoeln.de/fileadmin/publikationen/2017/367551/IW-policy-paper_2017_19_Labour_market_potentials.pdf.

⁹⁷ European Commission, 'Single Market Scoreboard', accessed 9 December 2019,

https://ec.europa.eu/internal_market/scoreboard/performance_per_policy_area/professional_qualifications/index_en.htm; Città metropolitana di Roma Capitale, 'Your First EURES Job—European Professional Card (EPC)', accessed 9 December 2019, www.yourfirsteuresjob.eu/en/european_professional_card_epc.

⁹⁸ European Court of Auditors, *Free Movement of Workers*.

national curricula to one on the skills that professionals have developed, whether at educational institutions or elsewhere.

Although the EU regime for the recognition of professional qualifications encourages labour mobility in regulated professions, it is still fraught with uneven application, a dearth of clear and transparent information,⁹⁹ high costs, and a lack of tailored opportunities for professionals to fill gaps in their qualifications in several Member States. One option—as pioneered by Germany—is to set up a central authority for the recognition of qualifications, which supports the authorities responsible for each profession in doing their work more effectively.¹⁰⁰

A deeper problem is variation in the degree to which occupations are regulated across the European Union, meaning that a license may be needed to work in a certain profession in one country but not another. While the general principle is that professions should be regulated when necessary, mainly in the interest of public safety and consumer protection, national systems vary considerably on which professions meet this threshold, at times for no immediately discernible reasons. In light of this, the revised Professional Qualifications Directive introduced a mutual evaluation exercise¹⁰¹ to encourage Member States to reassess their rationale for regulating professions, though this has failed thus far to produce real harmonisation.¹⁰² Countries are deeply committed to their labour market and educational institutions and may not wish to alter them in favour of greater European integration.¹⁰³

Ultimately, EU reforms will only be able to do so much, given the considerable differences between national education and training systems. A longer-term strategy could be to promote a common language to describe skills that go beyond formal qualifications—

⁹⁹ Adamis-Császár et al., *Labour Mobility and Recognition in the Regulated Professions*.

¹⁰⁰ Adamis-Császár et al., *Labour Mobility and Recognition in the Regulated Professions*.

¹⁰¹ European Commission, 'Transparency and Mutual Evaluation of Regulated Professions', accessed 23 December 2019, https://ec.europa.eu/growth/single-market/services/free-movement-professionals/transparency-mutual-recognition_en.

¹⁰² One probable reason for this lack of progress is that the exercise involved mainly (or exclusively) professional organisations, rather than consulting also consumers or competitors who might be keener on advancing deregulation. See Adamis-Császár et al., *Labour Mobility and Recognition in the Regulated Professions*.

¹⁰³ Indeed, such reassessment attempts thus far have had limited results. See ICF, *Study on the Movement of Skilled Labour: Final Report* (Luxembourg: European Commission, 2018), 131, <https://ec.europa.eu/social/main.jsp?catId=738&langId=en&pubId=8156&furtherPubs=yes>.

including soft skills and so-called 21st century skills¹⁰⁴ thought to be vital for future labour markets—through more precise skills taxonomies and mapping tools. Since adaptability and intercultural awareness are among these increasingly in-demand skills, such an exercise could reward free movers for the skills acquired through EU mobility itself.

Making labour mobility more accessible to workers across the skills spectrum

While removing obstacles to highly skilled workers' mobility remains an important goal, promoting the mobility of workers who currently move less, especially the medium skilled, could do more to boost labour mobility.¹⁰⁵ Apart from making European labour markets more efficient—including by responding to emerging labour gaps in certain medium-skilled professions—this could bring the so-called moveable middle closer to the free movement project.

One option to achieve this goal is to encourage the mobility of learners in vocational education and training (VET). Compared to students in tertiary education, whose mobility Erasmus has successfully promoted, mobility is much more limited among VET learners. A stronger focus on VET in the updated Erasmus+ programme,¹⁰⁶ and the current expansion and modernisation of EURES to include apprentice mobility,¹⁰⁷ are likely to improve the situation somewhat. Another approach would be to promote the internationalisation of VET—for example, by further encouraging international exchanges of VET teachers, making mobility a more integral part of VET curricula, and promoting bilateral/multilateral cooperation between training providers, with a focus on occupation-specific language training.

¹⁰⁴ 21st century skills are those thought to be in demand in a digital society because they are more resistant to automation and go beyond formal knowledge. Examples include critical thinking, collaboration, and creativity. See Katerina Ananiadou and Magdalen Claro, '21st Century Skills and Competences for Millennium Learners in OECD Countries' (OECD Education Working Papers No. 41, OECD Publishing, Paris, December 2009), www.oecd-ilibrary.org/education/21st-century-skills-and-competences-for-new-millennium-learners-in-oecd-countries_218525261154.

¹⁰⁵ In terms of their education, EU migrants are concentrated at the two opposite ends of the spectrum: there are relatively more lower- and higher-educated persons among mobile Europeans than in the overall host- and origin-country populations. See Jo Ritzen, Martin Kahanec, and Jasmina Haas, 'EU Mobility' (IZA Policy Paper No. 125, Institute of Labour Economics, Bonn, February 2018), <http://ftp.iza.org/pp125.pdf>.

¹⁰⁶ European Commission, 'Erasmus+ Vocational Education and Training Mobility Charter', accessed 16 December 2019, https://ec.europa.eu/programmes/erasmus-plus/calls/2019-erasmus-vocational-education-and-training-mobility-charter_en.

¹⁰⁷ European Commission, 'EURES – Opportunities', accessed 16 December 2019, <https://ec.europa.eu/eures/public/opportunities>.

Another option is to offer incentives to employers to participate in EU mobility schemes and exchange programmes for apprentices and medium-skilled workers. Industries whose workers typically complete VET (e.g., the trades and crafts) may be wary of engaging in mobility schemes, due to high workload pressure as well as real or perceived barriers in the areas of language and qualifications.¹⁰⁸ But optimising the mobility of VET learners and medium-skilled workers along existing value and supply chains (e.g., between a company in Germany and its supplier in Poland) can, over time, lead to considerable productivity gains, by correcting inefficiencies in the chain.¹⁰⁹

Improving strategic approaches and cooperation between countries

Intra-EU mobility is currently underused by national and regional authorities as a strategic tool to respond to skills shortages.¹¹⁰ This may partly reflect a feeling that it is harder to ‘steer’ EU mobility to meet such needs, as compared to immigration from outside the European Union.¹¹¹

Encouraging circular patterns of mobility could help shift workers with certain skills to Member States where these skills are in demand. Bilateral or multilateral ‘skills partnerships’ have been established by a number of countries both within and outside Europe to encourage skills mobility in particular sectors such as health care.¹¹² For example, both Germany and the United Kingdom have established partnerships with Poland and other Member States to fill shortages of health professionals, with training institutes at both ends of the partnership designing shared curricula and exchanging staff and students.¹¹³ Improving evaluation of these initiatives, which is currently lacking,¹¹⁴ could help other countries design and tailor programmes to their needs. And as new initiatives are launched, closely monitoring these pilots would further understanding of what elements enable

¹⁰⁸ Author interview with Wolfgang Müller.

¹⁰⁹ Author interview with Expert and Employers Representative, European Economic and Social Committee, 5 November 2019.

¹¹⁰ ICF, *Study on the Movement of Skilled Labour*.

¹¹¹ Author interview with Marcin Wiatrow, Chief Expert, Labour Migration Policy Unit, Polish Ministry of Family, Labour, and Social Affairs, 26 September 2019.

¹¹² Kate Hooper, *Exploring New Legal Migration Pathways: Lessons from Pilot Projects* (Washington, DC: MPI, 2019), www.migrationpolicy.org/research/exploring-new-legal-migration-pathways-lessons-pilot-projects.

¹¹³ ICF, *Study on the Movement of Skilled Labour*.

¹¹⁴ ICF, *Study on the Movement of Skilled Labour*.

mobility pathways to preserve and enhance human capital for professionals moving between EU Member States.

However, intra-EU skills partnerships will not solve broader demographic challenges and labour shortages, given that all European countries are ageing, if at varying speeds.¹¹⁵ Governments will also need to unlock underused pools of labour, such as retired workers, women, and previously arrived cohorts of immigrants, while also considering how and for what sectors and occupational levels to recruit immigrants from outside the European Union.

This raises a question about the interaction between EU mobility and other forms of immigration. While studies of the fiscal impact of immigration have suggested that its main negative effects are on previous cohorts of immigrants,¹¹⁶ little is known about this interaction as it relates to a situation seen recently: the sudden influx of non-European newcomers during the 2015–16 migration and refugee crisis, who have entered a context of European free movement. This unique situation demands further study to determine whether the large number of asylum seekers, who brought with them mixed skill levels, have affected wages and job opportunities for mobile EU citizens with similar skill profiles.

Offsetting the costs of emigration and brain drain

Strong east-west movements have taken a toll on some EU Member States as significant opportunity differentials have created incentives for many workers (especially the young) to move abroad. While emigration can have some advantages for sending countries—from relieving unemployment pressures to generating remittances and even boosting the country's development when emigrants return with valuable skills¹¹⁷—it also poses

¹¹⁵ Forecasts suggest that intra-EU labour mobility will be insufficient to respond to Europe's skill needs in the long run. See, for example, Wolfgang Lutz et al., *Demographic Scenarios for the EU - Migration, Population and Education* (Luxembourg: Publications Office of the European Union, 2019), <https://ec.europa.eu/jrc/en/publication/eur-scientific-and-technical-research-reports/demographic-scenarios-eu>.

¹¹⁶ For instance, see Gianmarco I. P. Ottaviano and Giovanni Peri, 'Rethinking the Effect of Immigration on Wages', *Journal of the European Economic Association* 10, no. 1 (2012): 152–97.

¹¹⁷ This was the case for well-educated emigrants who left Poland before the country's accession to the European Union and returned after enlargement, bringing professional knowledge and experience. For a discussion of a 2006 study by Fihel et al. that explored these dynamics, see Marta Anacka and Aleksandra Wójcicka, 'Impacts of Return Migration in Poland' (working paper, REMINDER project, Oxford, May 2019), www.reminder-project.eu/publications/working-papers/impacts-of-return-migration-in-poland/. For a global discussion of 'care drain' and the different ways it manifests, see essays in Barbara Ehrenreich and Arlie Russell Hochschild, *Global Woman: Nannies, Maids, and Sex Workers in the New Economy* (New York: Metropolitan/Owl Books, 2004).

challenges. The brain drain that results from losing educated workers can create major labour shortages, stifle innovation, and undercut key services such as health and education. The combination of demographic decline and emigration may also erode the tax base and weaken public budgets.¹¹⁸ At a more micro-level, emigration may have a detrimental effect on communities and families left behind and trigger patterns of long-term disadvantage.¹¹⁹ The discussion on emigration and brain drain in the European context has recently resurfaced with vigour, with Romania's finance minister calling in late 2018 for the European Union to introduce five-year work permits to put a brake on mobility.¹²⁰

Failing to correct these imbalances could have long-term repercussions on how eastern Member States perceive free movement and the European idea as a whole. Media narratives on EU mobility already tend to be framed more negatively in eastern Europe than elsewhere.¹²¹ Without the right interventions, emigration could lead to further economic and social decline, which in turn might express itself in political discontent and a deepening rift between the social and political models of countries in 'old' and 'new' Europe—a vicious circle.

These challenges can be tackled through a range of policy tools at different levels.

Regional and national level:

¹¹⁸ See László Andor, 'Fifteen Years of Convergence: East-West Imbalance and What the EU Should Do about It', *Intereconomics* 54, no. 1 (2019): 18–23, <https://archive.intereconomics.eu/year/2019/1/fifteen-years-of-convergence-east-west-imbalance-and-what-the-eu-should-do-about-it/>.

¹¹⁹ A 2019 REMINDER project study examined emigration in the domestic care sector—for example, from Romania and Slovakia to Austria—and found that it can have dramatic and long-term consequences for families and communities left behind, particularly in the area of children education and informal elderly care. These negative impacts are only partially compensated by incoming remittances, which may allow families of emigrants to access better education and health care. See Sekulová and Rogoz, 'The Perceived Impacts of Care Mobility'. See also Marek Okólski and Irena Topińska, *Social Impact of Emigration and Rural-Urban Migration in Central and Eastern Europe - Final Country Report Poland* (Brussels: European Commission, 2012), <https://ec.europa.eu/social/BlobServlet?docId=8839&langId=et>.

¹²⁰ BBC News, 'Romania Minister Suggests EU Work Permits', BBC News, 28 November 2018, www.bbc.com/news/world-europe-46371207; Monica Pronczuk and Valerie Hopkins, 'Romania Minister Calls for Curbs on EU Free Movement', *Financial Times*, 28 November 2018, www.ft.com/content/35a31080-f322-11e8-ae55-df4bf40f9d0d.

¹²¹ Jakob-Moritz Eberl et al., *European Media Migration Report: How Media Cover Migration and Intra-EU Mobility in Terms of Salience, Sentiment and Framing* (Oxford: REMINDER project, 2019), www.reminder-project.eu/publications/reports/european-media-migration-report-how-media-cover-migration-and-intra-eu-mobility-in-terms-of-salience-sentiment-and-framing/.

- **Targeted measures to encourage emigrants to return.** A few years after their EU accession, Member States such as Poland and Lithuania¹²² started implementing policies to encourage their emigrants to return. For example, in 2007, the Polish government launched a return programme that included tax reliefs, cuts to social insurance and pension contributions, and improving information services for (potential) returnees; it ramped up these policy efforts in 2008 by establishing an inter-ministerial working group on return migration.¹²³ More recently, the Romanian government launched an EU-funded Diaspora Start-Up Programme in 2017 that would allow returning Romanians to apply for a grant to start a business.¹²⁴ While such initiatives may provide small incentives to emigrants who were already considering return, their impact is likely to be rather limited given that they do not directly address the main factors driving emigration in the first place—such as wage levels, career opportunities, and living conditions. To be sustainable, policies to promote returns could also focus on *retention* after return. This is of particular importance in countries such as Poland, where research has shown that returnees are at a heightened risk of overqualification.¹²⁵ Interventions could thus explore how the skills and experience migrants gain abroad can be more efficiently transferred to origin country labour markets.
- **Countering human capital flight.** Experts have debated a wide range of policies to help countries retain highly educated recent graduates for a number of years after their graduation—from ‘carrots’ such as waivers of student fees, to ‘sticks’ such as requirements to repay fees in case of departure.¹²⁶ While such policies may nudge highly skilled nationals to gather in-country work experience, thus making return a

¹²² In Lithuania, the government has included return migration in several policy documents since 2007, and in collaboration with the International Organisation for Migration (IOM) has established a ‘one-stop shop’ where both returning and prospective migrants can find information to help with their reintegration into the labour market and other national systems. See ICF, *Study on the Movement of Skilled Labour*.

¹²³ Magdalena Lesińska, ‘The Dilemmas of Policy towards Return Migration: The Case of Poland after the EU Accession’, *Central and Eastern European Migration Review* 2, no. 1 (2013): 77–90, www.ceemr.uw.edu.pl/sites/default/files/CEEMR_Vol_2_No_1_Lesinska_The_Dilemmas_of_Policy_Towards_Return_Migration.pdf.

¹²⁴ The programme will allow Romanian returnees to apply for a grant of up to 40,000 euros to start their own business in Romania. See ICF, *Study on the Movement of Skilled Labour*.

¹²⁵ Anacka and Wójcicka, ‘Impacts of Return Migration in Poland’.

¹²⁶ Author interview with Susanne Wixforth, Head of Unit, European and International Department, German Confederation of Trade Unions, August 2019; author interview with Anne Pieter van der Mei.

more concrete option should they later emigrate, they would only lead to sustainable results if flanked with investments to increase the attractiveness of local labour markets. At worst, such schemes risk being perceived as stigmatising mobility and punishing emigrants, which could alienate diaspora communities.

- **Broader approaches to improving retention and encouraging return.** Programmes that aim to retain workers and lure those working abroad back home take a number of forms. Some target specific professional groups, for example by improving the attractiveness of working in that profession in the country of origin (e.g., an Italian initiative for nurses¹²⁷) or by offering other incentives (e.g., allowances to informal carers, who constitute the backbone of elder care in countries such as Romania and Slovakia¹²⁸). Others, such as Poland, take a more comprehensive approach and combine economic opportunities with investments in improving services and quality of life.¹²⁹ These measures have a higher probability of success if they offer more than simple financial incentives, which in the long run stand little chance of competing with much higher earnings abroad. Investments in better services and living conditions, as well as improved accountability of institutions and stronger meritocracy in career pathways, are essential factors that, when missing, may cause otherwise sound retention and return initiatives to fail.¹³⁰ Such investments, of course, may only pay off over the medium-term and thus can be difficult for countries to absorb, especially if they are already paying a high fiscal price for emigration.¹³¹

Bi- or multilateral initiatives:

- **Harnessing the potential of circular migration.** Skills circulation has attracted attention as the key to creating a ‘triple-win’ situation, where migration satisfies the skill needs of high-wage countries and offers mobile professionals interesting career

¹²⁷ Adamis-Császár et al., *Labour Mobility and Recognition in the Regulated Professions*.

¹²⁸ Sekulová and Rogoz, ‘The Perceived Impacts of Care Mobility’.

¹²⁹ Author interview Marcin Wiatrow.

¹³⁰ Evidence suggests, for instance, that a measure adopted in Romania to raise wages failed at retaining doctors, as other factors—from poor infrastructure to a lack of career opportunities and unattractive living conditions—were more central to their decision-making. See Adamis-Császár et al., *Labour Mobility and Recognition in the Regulated Professions*.

¹³¹ Alcidi and Gros, ‘EU Mobile Workers: A Challenge to Public Finances’.

opportunities, all while sharing the costs of building human capital and reinforcing training provision in the sending country. Apart from some initiatives in the health-care sector, however, this is a relatively underexplored area with weak evaluation.¹³² An ambitious approach would be testing such ‘skill partnerships’ between origin and destination countries—which could be piloted using existing EU funds such as the European Social Fund, the EU Programme for Employment and Social Innovation, and Erasmus—and could involve occupational language training, intercultural elements, and compensatory training to ensure equivalence of qualifications. But despite the rosy ‘triple-win’ rhetoric, there are challenges to this model, including setting the right incentives to encourage the participation of destination-country employers (who may prefer to rely on permanent rather than temporary employees, especially in shortage sectors) and skilled movers themselves (who may also favour stability over circularity). A simpler, more unilateral approach may be for the sending country to inform prospective emigrants about return and reintegration opportunities at a very early, pre-emigration stage—to convey the sense that there is an open door to their return.

All of these measures will have limited impact without long-term investments in cohesion that help increase wages, employment opportunities, and access to services in sending countries (focusing on improving not only economic prospects, but also the standard of life. At the same time, it will be important to address regional inequalities *within* countries of origin that, if neglected, will continue to drive outflows. The European Commission could support such an approach by acknowledging and quantifying the fiscal cost of emigration—which may be taken into account when negotiating and allocating cohesion funding¹³³—and by using available tools, such as the European Pillar of Social Rights and the European Semester, to promote social policies and investments in countries of origin.

Strengthening and enforcing labour protections

Concerns around social dumping—the practice of employers hiring migrant workers at a cheaper rate and with fewer employment protections to undercut the wages and work

¹³² ICF, *Study on the Movement of Skilled Labour*.

¹³³ Author interview with Marcin Wiatrow.

standards of a national labour market—have underpinned anxieties about free movement for decades. But they became particularly pronounced after the rounds of eastern enlargement in 2004 and 2007.¹³⁴ Many of these concerns have focused on posted workers. Under the current rules, which will expire in all Member States by July 2020, posted workers must be paid minimum rates of pay¹³⁵ in the country where they perform their work, but they pay social security contributions in the sending country where they are officially employed. Some unscrupulous employers have exploited the large wage differentials that exist in Europe to hire foreign workers at a low cost. An especially troubling practice is the creation by some employers of so-called letterbox companies—fictitious firms in low-wage countries—through which they hire cheap workers to be sent to their actual places of business in higher-wage countries.¹³⁶

Although the posting of workers is a relatively small phenomenon (in 2018, 2.7 million postings took place, involving an estimated 1.7 million workers),¹³⁷ it has triggered concerns about worker displacement, competition, and declining labour standards.¹³⁸ In the process, it has arguably replaced ‘benefits tourism’ as the most contested aspect of free movement. After long negotiations, in 2018 European leaders agreed on a new directive to reform the legal framework for the posting of workers, ramping up safeguards and protections. Specifically, the directive specifies that workers will receive equal pay instead of minimum

¹³⁴ Fears about declining working standards were common in the United Kingdom and were a factor contributing to the Brexit referendum result. But research suggests that labour migration to the country has contributed to improving the work safety and working conditions of native workers. See Osea Giuntella, Fabrizio Mazzonna, Catia Nicodemo, and Carlos Vargas Silva, ‘Immigration and the Reallocation of Work Health Risks’ (working paper, REMINDER project, Oxford, July 2018), www.reminder-project.eu/publications/journal-articles/immigration-and-the-reallocation-of-work-health-risks/.

¹³⁵ Although the notion of ‘minimum rates of pay’ has been interpreted differently in different countries, it is mostly limited to legal minimum wages and does not have to include all the additional provisions stipulated in collective agreements; therefore, it can result in posted workers being paid considerably less than local employees.

¹³⁶ Bernhard Perchinig, Veronika Horváth, Dániel Molnár, and Lenka Ťavodová, ‘A Multitude of Mobilities: Cross-Border Practices in the Austrian-Hungarian and Austrian-Slovak Border Regions’ (working paper, REMINDER project, Oxford, September 2018), www.reminder-project.eu/publications/working-papers/cross-border-mobilities-in-the-austrian-hungarian-and-austrian-slovak-border-regions/.

¹³⁷ Presentation by Francisco Pérez Flores, Legal Officer, European Commission Directorate-General for Employment, Social Affairs, and Inclusion, at the MoveS seminar ‘Freedom of Movement in the Euregion Meuse-Rhine’, Maastricht, 23 September 2019.

¹³⁸ Trade unions’ concerns grew especially after European Court of Justice rulings in *Laval* (2007) and *Viking* (2008), which they viewed as putting the free market before the protection of workers’ rights. See Piet Van Nuffel and Sofia Afanasjeva, ‘The Posting of Workers Directive Revised: Enhancing the Protection of Workers in the Cross-Border Provision of Services’, *European Papers: A Journal on Law and Integration* 3, no. 3 (2018): 1401–27, www.europeanpapers.eu/it/system/files/pdf_version/EP_ej_2018_3_19_SS2_Articles_Piet_Van_Nuffel_Sofia_Afanasjeva.pdf.

pay, have the maximum length of a posting reduced to 18 months, and be treated equally to local workers with regard to employment conditions.¹³⁹

Given the stark divisions between eastern and western EU countries, this agreement has been hailed as a success by experts.¹⁴⁰ But it remains to be seen how such legislation will play out on the ground, since abuses are often the result of weak labour standards enforcement rather than inadequate rules.¹⁴¹ One particular challenge is that the new directives on the posting of workers and on transparent and predictable working conditions only apply to formal employer-employee relationships.¹⁴² Bogus self-employment, routine in sectors such as construction to domestic care,¹⁴³ and other types of independent ‘gig work’ will therefore be immune to these new rules. Addressing labour malpractices requires effective cross-border mechanisms of detection and enforcement, which are underdeveloped and often hindered by a lack of trust and communication between national labour authorities.¹⁴⁴

One promising development is the 2019 launch of the European Labour Authority (ELA), which will facilitate and monitor the exchange of information between countries, coordinate joint inspections, and act as a mediator in labour-related disputes between countries. However, much depends on the exact nature of the role the ELA will eventually take, and the social partners are divided as to what this role should entail.¹⁴⁵ Frictions can also be found among Member States, with eastern European countries somewhat wary that the ELA might be used as a protectionist tool, steered by the EU-15. Since the ELA will only be fully operational by 2024, it is too early to tell whether it will become a game changer and how it will balance Member States’ divergent interests.

¹³⁹ Van Nuffel and Afanasjeva, ‘The Posting of Workers Directive Revised’.

¹⁴⁰ Van Nuffel and Afanasjeva, ‘The Posting of Workers Directive Revised’.

¹⁴¹ Author interview with Ines Wagner.

¹⁴² Bednarowicz, ‘Workers’ Rights in the Gig Economy’.

¹⁴³ Sekulová and Rogoz, ‘The Perceived Impacts of Care Mobility’.

¹⁴⁴ Author interview with Expert and Employers Representative, European Economic and Social Committee..

¹⁴⁵ Social partners have been divided on this question, with some trade unions hoping for the authority to develop into a strong, supranational, and interventionist body (inspired by DG Competition and its battles with tech giants), while employer organisations tend to support a bottom-up role, mindful of the principle of subsidiarity. See Susanne Wixforth, ‘The European Hydra: Wages and Social Dumping – Competition Law as a Way out’, Social Europe, 20 November 2018, www.socialeurope.eu/the-european-hydra-wages-and-social-dumping-competition-law-as-a-way-out; BusinessEurope, ‘European Labour Authority’ (position paper, BusinessEurope, Brussels, 7 May 2018), www.busineurope.eu/sites/buseur/files/media/position_papers/social/2018-05-07_european_labour_authority.pdf.

Additional policy options to strengthen labour standards could include:

- ***Increasing EU legislative action and legal harmonisation of labour laws.*** For example, some trade unions would like to see common minimum standards in areas not currently covered by EU law, such as minimum wages and minimum income.¹⁴⁶ While this might further crack down on opportunities for employers to ‘game the system’ for private profit, it may not be politically or legally feasible given that authority in this area rests with Member States—which is why some EU legal analysts view the new European Commission president’s plan to propose legislation for fair minimum wages with some reservation.¹⁴⁷ Such a strategy could also alienate employers, who may worry that excessive labour regulations would lessen the benefits of the single market. Some experts have also expressed the view that further legislative action in labour and social policy would be disproportionate, given the relatively small size of grey areas and the limited scale of abuse overall.¹⁴⁸
- ***Improving collaboration between national governments, labour administrations, and social partners.*** Trade unions across Europe, for example, do not systematically share information and exchange best practices to detect rights violations—sometimes even within the same country.¹⁴⁹ Better cross-border collaboration of social partners could help trade unions take a more proactive role in identifying such violations. One positive example is recent cooperation between six trade union organisations from Belgium, Denmark, Romania, and Sweden to open a Joint Trade Union Cooperation Office for transport workers in Bucharest. This office will enable lorry drivers from Romania to access information about their rights in their mother tongue and in their country, rather than navigate foreign trade unions in a different language and without understanding the system.¹⁵⁰ This initiative, which also aims at

¹⁴⁶ Author interview with Susanne Wixforth.

¹⁴⁷ Author interview with Anne Pieter van der Mei. The plan was announced in Ursula von der Leyen, ‘A Union that Strives for More: My Agenda for Europe’ (political guidelines for the next European Commission 2019–24, European Commission, Brussels, July 2019), https://ec.europa.eu/commission/sites/beta-political/files/political-guidelines-next-commission_en.pdf.

¹⁴⁸ Author interview with Anne Pieter van der Mei.

¹⁴⁹ Author interview with Lisa Berntsen, Researcher at De Burcht, the Scientific Research Institute for the Dutch Labour Movement, September 2019.

¹⁵⁰ European Transport Workers’ Federation, ‘Trade Union Organisations Get Together to Defend the Rights of Truck Drivers in Europe and Address Social Dumping and Modern Slavery in Road Transport’ (press release, 10 October 2017), www.faire-mobilitaet.de/++co++76656a74-4309-11e8-a5dd-52540088cada.

building the capacity of the Romanian trade union organisation SLT, highlights the potential of peer-to-peer approaches to strengthen the role trade unions in sending countries where labour mobility challenges are rife.

- ***Developing a strategic, whole-of-government approach to tackle exploitation and abusive practices.*** Although labour mobility and posting of workers have often been the focus of concerns around dumping practices and unfair wage competition across Europe, these challenges often derive not from free movement but from new and intransparent work relationships (such as subcontracting chains). Since policies that address only the situation of mobile EU citizens can antagonise the local workforce and stir up anti-immigration sentiment, using the opportunity to strengthen protections for all workers could attract more positive attention and prove more effective.¹⁵¹ Moreover, such a strategy could tap into the strong role played by trade unions in many countries by encouraging them to reach out to mobile workers, a group they often do not engage with as such workers are rarely registered union members and, at times, to avoid opposition from native workers. Framing the challenge of combatting exploitative labour practices as one that concerns all workers could allow them to more easily include mobile workers.

Restoring public confidence in free movement

Free movement is a highly sensitive and volatile area in terms of public attitudes—a minefield in which norms, values, and different understandings of fairness and legitimacy all play an important role. As of Spring 2019, support for free movement was at a high of 81 per cent,¹⁵² a figure that has generally increased in recent years.¹⁵³ Yet variations between Member States are significant,¹⁵⁴ and the volatility of support in certain countries points to an undercurrent of scepticism that could rapidly resurface.

¹⁵¹ For example, this has been the approach favoured by labour authorities and trade unions in the Netherlands. Author interview with Lisa Berntsen.

¹⁵² European Commission, 'Spring 2019 Standard Eurobarometer: Europeans Upbeat about the State of the European Union – Best Results in 5 Years' (press release, 5 August 2019), https://ec.europa.eu/commission/presscorner/detail/en/IP_19_4969.

¹⁵³ Zsolt Darvas, 'Support for Intra-EU Mobility of People Is on the Rise', Bruegel, 12 December 2017, <https://bruegel.org/2017/12/support-for-intra-eu-mobility-of-people-is-on-the-rise/>.

¹⁵⁴ The split is broadly between more negative views in wealthier destination countries and more positive ones in (some) eastern European Member States. See European Commission, 'Spring 2019 Standard Eurobarometer'. A 2018 REMINDER

Given the sizeable gap between perception and reality when it comes to the costs imposed by incoming EU migrants, it might be thought that measures to improve public trust should focus on what is animating concerns. Yet as discussed in Section III.A., reforms to address concerns about public benefits, for instance, are either technical (in which case they may do little to allay public anxieties) or largely symbolic (in which case they may be costly to administer or hold other negative consequences). Moreover, the current evidence on public opinion does not make clear whether symbolic policy changes do actually alleviate public fears, even as they carry very real risks, such as creating unrealistic expectations.

Meanwhile, efforts to communicate a different view of the situation that rely on fact-based economic arguments often backfire, as was seen in the backlash against ‘experts’ in the run-up to the UK Brexit referendum.¹⁵⁵ One of the most common traps involves the desire to explicate the evidence and bust certain myths. This often seems like a useful exercise—for instance, given the gap between public perception and reality on issues such as migrants’ benefits use and contributions—but messaging that either repeats widely held inaccurate beliefs to refute them or that is perceived as patronising or a personal attack can easily backfire and instead reinforce an individual’s existing beliefs.¹⁵⁶

The media also plays a central role in shaping perceptions of free movement. Cross-country research shows that reports on intra-EU mobility are relatively rare compared to those on migration overall (except in Poland, Romania, and the United Kingdom).¹⁵⁷ The framing of news stories about these forms of migration also tends to differ: EU mobility is often discussed more positively, with a stronger focus on economic impacts and migrant support

project survey confirms that attitudes towards free movement tend to be more positive in eastern European countries than in western European Member States that receive relatively large numbers of migrants, such as the United Kingdom, Germany, and Sweden. However, it also revealed that attitudes in some eastern EU countries are more negative when it comes to incoming migration from poorer EU neighbours. See Christine E. Meltzer et al., ‘Perceptions of the Impact of Immigration and Attitudes towards Free Movement within the EU: A Cross-National Study’ (working paper, REMINDER project, Oxford, March 2018), www.reminder-project.eu/publications/working-papers/perceptions-of-the-impact-of-immigration-and-attitudes-towards-free-movement-within-the-eu-a-cross-national-study/.

¹⁵⁵ At the peak of the Brexit referendum campaign, UK Member of Parliament and Leave campaigner Michael Gove announced that ‘the people of this country have had enough of experts’. See Michael White, ‘Should We Listen to the Experts on the EU Referendum?’ *The Guardian*, 8 June 2016, www.theguardian.com/politics/blog/2016/jun/08/experts-eu-referendum-michael-gove. See also Aliyyah Ahad and Natalia Banulescu-Bogdan, *Communicating Strategically about Immigrant Integration* (Brussels: MPI Europe, 2019), www.migrationpolicy.org/research/communicating-strategically-immigrant-integration.

¹⁵⁶ Natalia Banulescu-Bogdan, *When Facts Don’t Matter: How to Communicate More Effectively about Immigration’s Costs and Benefits* (Washington, DC: MPI, 2018), www.migrationpolicy.org/research/when-facts-dont-matter-immigration.

¹⁵⁷ Eberl et al., *European Media Migration Report*.

(that is, stories tend to use an economic or welfare frame), while immigration from outside the bloc is more likely to be discussed in relation to crime (i.e., a security frame).¹⁵⁸

However, there is also a tendency to blur the line between these forms of migration.¹⁵⁹

Especially in receiving countries, reporting often focuses less on the legal mobility regime at play, and more on the migrants' socioeconomic status and (presumed) motivations for moving; for example, reports on poverty migration are fairly common and often do not distinguish between third-country nationals and individuals from poorer EU countries, such as Romania and Bulgaria.¹⁶⁰

There are a number of ways in which the European Union can enhance trust in free movement, including:

- **Supporting high-quality reporting on free movement.** Most journalists are guided by the genuine desire to inform and educate the public and by a keen sense of professional ethics.¹⁶¹ At the same time, the news industry is fast-paced and some journalists' jobs hinge on their ability to quickly produce popular content, which can create perverse incentives not to cover important yet complex or technical issues, such as free movement. Special support programmes, which could be funded at the EU level, may enable media outlets to promote their reporters' further training and specialisation, helping them deepen their knowledge of the latest developments, which will in turn benefit news consumers. Stipends could also afford migration and mobility reporters the time and resources to engage in more in-depth research on certain issues.¹⁶² Finally, masterclasses and exchange programmes could bring together media professionals who cover migration and mobility issues with experts in these fast-moving and often technical areas to facilitate learning and discussion.

¹⁵⁸ Eberl et al., *European Media Migration Report*.

¹⁵⁹ Robert McNeil and Eric Karstens, *Comparative Report on Cross-Country Media Practices, Migration, and Mobility* (Oxford: REMINDER project, 2018), www.reminder-project.eu/publications/reports/comparative-report-on-cross-country-media-practices-migration-and-mobility/.

¹⁶⁰ Eric Karstens, Barbara Kuznik, and Robert McNeil, 'Media Practices Related to Migration and Intra-EU Mobility in the EU-15 Member States' (working paper, REMINDER project, Oxford, May 2018), www.reminder-project.eu/publications/working-papers/media-practices-related-to-migration-and-intra-eu-mobility-in-the-eu-15-member-states/.

¹⁶¹ Péter Bajomi-Lázár et al., *Reporting on Migration and Mobility: Recommendations for Practitioners* (Oxford: REMINDER project, 2019), www.reminder-project.eu/publications/reports/reporting-on-migration-and-mobility-recommendations-for-practitioners/.

¹⁶² Expert feedback by REMINDER consortium partner on policy options discussed in preparation of this report, November 2019.

Such programmes could also promote understanding of standpoints more common in other national contexts—particularly if such programmes bring together journalists from destination and sending countries.¹⁶³

- ***Developing campaigns to showcase free movement.*** While public campaigns that try to quash negative messages hold risks (as they can inadvertently reinforce the message), another approach would be to sell more proactively the positive side of intra-EU mobility, including the opportunities it offers—for instance, by allowing students or professionals to describe the advantages of study or work abroad. The rationale behind this approach is that it uses stories to tap into values and personal experiences instead of facts, which can fall flat. Research on how people consume information suggests that those designing campaigns will need to attend the messenger as well as the message; European Commission campaigns could come across as disingenuous or like propaganda. Governments should also be aware that groups respond differently to messages; as far as possible, messages should be tailored to different audiences.¹⁶⁴
- ***Restoring trust in the wider European project.*** Free movement is the main right and benefit of EU citizenship. The flipside is that, for people who do not move—the vast majority of Europeans—being an EU citizen is likely to be an abstract experience; as a result, non-movers may focus on the ‘burdens’ of free movement without seeing its links with the benefits of EU integration. One option to build confidence in free movement would therefore be to enhance the benefits of EU citizenship—for instance, by building on the possibilities offered by the European Pillar of Social Rights to improve access to education, training, and jobs.¹⁶⁵ However, this would depend on financial commitments from Member States, some of which might be wary of paying higher contributions into the EU budget in the name of greater equality across the region—especially as most are already dealing with a widening gap between rich and poor at home. Such investments also risk not being perceived

¹⁶³ Expert feedback by REMINDER consortium partner on policy options discussed in preparation of this report, November 2019.

¹⁶⁴ For an overview of the evidence on how governments can communicate more strategically on migration issues, see Ahad and Banulescu-Bogdan, *Communicating Strategically about Immigrant Integration*.

¹⁶⁵ Author interview with Professor of Political Science and Expert on free movement, State University of Milan.

by the average EU citizen as deriving from the European Union, given that they are usually managed by Member States (as in the case of structural funds). Another approach would be to highlight the entitlements that already exist, for instance through a European Social Card that could be used to access benefits.¹⁶⁶ Having something that Member State nationals could hold in their hands may help make their benefits more tangible and create a more direct symbolic link between individual Europeans and EU citizenship.

IV. Conclusions

Throughout the history of free movement in Europe, the governments and publics of the countries involved have held different views of what it means for the system to be working well. This diversity of perspectives—shaped by differences between national labour markets, welfare systems, and experiences with immigration and emigration—makes it hard to identify policy interventions and reforms that would improve the functioning of the system to the satisfaction of all.

However, recent developments provide some reasons for measured optimism. The radical contestation of free movement's core principles, which peaked with the 2016 Brexit referendum, appears to have given way to more narrowly demarcated conflicts in certain issue areas, in which consensus may be more possible, if still challenging, to attain. In the area of labour mobility, achievements such as the revision of the Directive on Posting of Workers and the establishment of the European Labour Authority—the former especially remarkable, given the traditional east-west split on the subject—point to a mobility framework that has matured. Meanwhile, the stalling of attempts to reform the Social Security Coordination Regulations¹⁶⁷ as a result of differing national positions on the

¹⁶⁶ Maurizio Ferrera, 'EU Citizenship Needs a Stronger Social Dimension and Soft Duties' in *Debating European Citizenship*, ed. Rainer Bauböck (Cham, Switzerland: Springer, 2019), https://link.springer.com/chapter/10.1007/978-3-319-89905-3_34.

¹⁶⁷ At the time of writing, the legislative process for the reform had just reopened after several months, with a new trilogue meeting in October 2019. See Council of the European Union, General Secretariat of the Council, 'Proposal for a Regulation of the European Parliament and of the Council Amending Regulation (EC) No 883/2004 on the Coordination of Social Security Systems and Regulation (EC) No 987/2009 Laying down the Procedure for Implementing Regulation (EC) No 883/2004 – Preparation for the Trilogue' (Interinstitutional File 2016/0397 [COD], 31 October 2019), <https://data.consilium.europa.eu/doc/document/ST-13582-2019-INIT/en/pdf>.

payment of social benefits are narrower and more technical disagreements, rather than battles that question the fundamental architecture of free movement.

Looking ahead, while agreement across Member States on concrete policies is likely to remain elusive, some overarching principles could attract greater consensus. These are principles of a well-functioning system that both serve the original objectives of European free movement and help meet some of today's most pressing challenges.

- **Fairness.** To help spread the benefits and burdens of free movement more evenly across countries and communities, policymakers could consider plans to compensate those who are negatively affected by intra-EU mobility, and strategies that are mindful of the risks of neglecting the interests of particular groups and geographies in pursuit of broader economic or political goals. This requires a more precise and granular understanding of where real fiscal, economic, and labour market costs lie—including at the level of local communities. At the same time, policymakers should be careful not to ignore or dismiss *perceived* costs as they may reflect deeply rooted norms and understandings of fairness that have a strong bearing on free movement's credibility as a whole.
- **Resilience.** The free movement framework should create the conditions for mobility to swiftly adapt to a landscape of changing European economies and societies—including by providing an efficient, transparent, and protective set of rules to govern growing phenomena such as highly mobile, atypical, and precarious forms of employment. Policymakers may wish to examine the risks and opportunities free movement holds in mitigating future challenges, including labour shortages and demographic change, and consider how it could help the Union weather future economic uncertainty.
- **Inclusion.** Free movement should be equally accessible to any European who wants to tap into the opportunities that mobility can provide to study, work, or live in another EU country, provided they are willing to actively look for work or support themselves. This also means gaining a better understanding of de facto obstacles and disincentives that hinder certain groups—such as disadvantaged youth—from

making the most of mobility, despite a rather generous framework of formal rights. Making free movement more sociodemographically diverse would not only benefit the individuals involved, but also economies, such as those facing shortages of medium-skilled workers. At the same time, only a minority of Europeans will opt to move, and it is important that those who do not still feel they are benefiting from a European project that has more than just free movement to offer¹⁶⁸—especially in times of economic crisis and welfare cuts.

- **Trust.** The perception that free movement is working and public trust in the systems that govern it should not be afterthoughts; but equally, governments must understand that the complexities of macro-level trends and evidence of mobility's impacts will never be common knowledge. Rather, perceptions will continue to be guided by personal values and experiences. Efforts to strengthen public trust could include greater storytelling about the experiences that free movement enables or symbolic measures such as 'social cards' that give individual Europeans, regardless of whether they move, information about the EU-derived benefits available to them.

The previous European Commission had to navigate a time of intense polarisation, deeply affected by the aftermath of the economic crisis, the migration and refugee crisis, and the Brexit vote. Under a new European Parliament and Commission, the key challenge for the next five years may be to build bridges between polarised positions: between different Member States, but crucially, also between social partners and *within* national populations, where growing inequality risks deepening divisions in years to come. To that end, the following policy recommendations could help free movement enter a new phase of maturity:

- ***Invest in tailored mobility advice so EU citizens can more effectively use mobility as a career-building tool.*** Both national and EU policymakers could make investments to ensure that Europeans can turn to mobility as a strategic opportunity to build skills, rather than a survival tool in tough economic times. For instance, national

¹⁶⁸ Author interview with Professor of Political Science and Expert on free movement, State University of Milan.

governments may wish to explore options such as embedding mobility planning into their career advice services, helping potential movers understand how to transfer their skills abroad, but also how to put them to good use when they return. To make movement a viable option for a wider range of Europeans, EU institutions could consider offering a 'mobility loan' to help people absorb the costs of travel, rental deposits, additional training, and qualification recognition, which would be paid back once they are established in their new jobs.

- ***Improve bilateral cooperation to build (not just transfer) human capital.*** Through such cooperation, Member States (or regional authorities) could test new approaches to educational and labour mobility. This could lead to a more equal sharing of costs and benefits of mobility, while also strengthening trust between national/regional authorities. Moreover, such collaboration could—at least in theory—allow regional and national authorities to approach intra-EU mobility more strategically. For example, skills partnerships between high-employment and high-unemployment countries, or those with complementary supply and demand for professionals in certain fields could go beyond facilitating recruitment to offer joint vocational training programmes, invest in the sending country's education system, and create incentives for circular migration. Yet such initiatives are largely untested, especially in the context of free movement, so policymakers may wish to begin with small pilots that are rigorously evaluated.
- ***Focus on enforcing existing rules by building trust between Member States.*** Rather than attempting to optimise free movement through legislative proposals that may further aggravate tensions between Member States on certain issues, the European Commission may find more success in efforts to facilitate better communication and cooperation between countries on the detection and sanctioning of cross-border labour abuses. In particular, this could mean investing fully in the new European Labour Authority (ELA) as a vehicle to forge common ground between national authorities facing shared labour market challenges. Yet EU institutions may wish to tread carefully to reduce the risk of alienating some EU countries; they could, for instance, use the ELA as a platform to encourage operational cooperation and trust-

building between national authorities rather than aiming for binding powers from the get-go.

- **Commission research on the impacts of free movement on other types of immigration and vice versa.** Very little is known about how the European migration and refugee crisis of 2015–16 will affect free movement in the long run, and whether the integration of asylum seekers and refugees who arrived during this time will be negatively affected by intra-EU mobility. The two phenomena clearly interact with each other in a number of areas—from media discourses that may not distinguish between them¹⁶⁹ to the heightened obstacles some intra-EU movers (especially third-country family members of EU citizens) may face as a result of reimposed border checks within the Schengen area to counter the secondary movement of asylum seekers and irregular migrants. But more research is needed to understand whether EU nationals and other migrants complement or compete with one another in European labour markets, and how these interacting forms of mobility affect wages and labour standards.
- **Improve the quality of data collection on European mobility.** Existing databases only allow for a limited understanding of circular/return dynamics and secondary movements. Data on variables such as ‘nationality’, ‘country of origin’, and ‘country of previous residence’ are collected in separate databases and therefore cannot be cross-checked. Detailed information on Europeans’ motivations for moving—which new research has shown to be a lot more complex than the commonly discussed work or study reasons¹⁷⁰—and on the socioeconomic profiles of mobile EU citizens is also extremely limited, as comprehensive surveys on EU mobility are few and far between.¹⁷¹ Longitudinal datasets do not currently exist for EU movers but could shed light on their migration trajectories and common patterns and obstacles. Similarly, systematic studies of *immobility* and the reasons behind it—a strand of

¹⁶⁹ Meltzer et al., ‘Perceptions of the Impact of Immigration and Attitudes towards Free Movement’.

¹⁷⁰ Dubow, Marchand, and Siegel, ‘Evidence of the Determinant of Migration in the EU’.

¹⁷¹ The European Internal Movers Social Survey was carried out for the first and only time in 2004. To date, it is the only large-scale systematic survey-based study of intra-EU migrants. See Veronika Fajth, Melissa Siegel, Vittorio Bruni, and Tamta Gelashvili, ‘Monitoring Migration within the EU with Existing Data’ (mapping paper, REMINDER project, Oxford, April 2018), www.reminder-project.eu/publications/literature-reviews/monitoring-migration-within-the-eu-with-existing-data/.

migration research that is rapidly expanding—are still extremely rare but could helpfully inform policymaking.

In the post-Brexit European Union, free movement will likely still be a bumpy road. Some ‘bumps’ will be smaller and primarily technical; others may well become more substantial in years to come, such as the challenges of emigration or the resurgence of nationalism in several EU countries. Still, the shared recognition among its key players—EU institutions, Member State governments, social partners, and Europeans themselves—that upholding and improving the framework is worthwhile even when it is hard is cause for celebration. Given the many perspectives at play, a good dose of pragmatism, openness for difficult negotiations, and willingness to compromise—without losing ambition—will do a great service to the future of free movement.

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