

## Films and debates about the European Union and migration: 'Freedom of Movement'

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### Background information

#### EU Migration Policy

The EU has an ambitious aim: creating an area of freedom, security and justice. The abolishment of internal frontiers as a result of the intergovernmental negotiated Schengen agreement, which originated in 1985 among Germany, France, Belgium, Netherlands and Luxemburg, brought in its wake the necessity to strengthen the external frontiers of the envisaged common area and the harmonization of asylum and immigration policies (Tampere Summit 1999). The Schengen agreement was incorporated into the *acquis communautaire* by the Treaty of Amsterdam in 1997 and has been ratified by 30 states up to today. As a consequence, a Schengen Information System (SIS) was set-up to ensure its internal working, as to for example ensure the tracing of people and goods.

To guarantee the external lockdown, Frontex, a EU agency for the cooperation at the external borders was established by the Council of the European Union in 2004. Its tasks are, among others, the refusal of refugees and the protection of the external borders. The EU has been heavily criticized for these policies as they lead to the creation of a "Fortress Europe", with an external shield and an internal trace of "illegal" immigrants. The EU was contested for the undemocratic approach in immigration policies, as decisions were taken under exclusion of civil society and national parliamentary control. In which direction will the EU move? Adapt to existing realities or continue its enclosure?

#### Migration from Eastern Europe in an enlarged European Union

In 2004 and 2007, respectively 10 and 2 states from Eastern and Central Europe joined the European Union. The new European citizens were meanwhile entitled to have freedom of movement, a core principle of the European Union which gives to any national of a Member State the possibility to freely move and work in another Member State.

Yet concerns were raised among the former Members regarding the poorer economic level of the new entrants. A massive (but legal) migration movement towards richer economy in the other Member States was anticipated. This resulted in vehement debates and in quotas restricting the number of workers coming from the new Member States. The EU faces therefore a very paradoxical internal situation between principles and realities. Legality of movements does not forcibly find an echo on the national labor markets. Moreover, restrictions to the Eastern Member States appear to contradict the idea of unity that underlies the European Union. Illustrations speak of themselves, the most culturally and politically striking being the complex situation of the Roma and Sinti populations in several Member States. It attests the dualism existing between European inclusion and national exclusions.

More economically, in France the symbolization of the 'Polish plumber' crystallizes fears to see a labor market overwhelmed by Eastern European workers. In south of Spain, an informal economy was created in the production of vegetables, illegal workers, mostly Romanians, working here under the closed eyes of the Spanish government. Some would highlight the interests of Member States to overlook such situations, for national and European economies are to a certain extent fueled by such informal and

unconditional labor. Moreover, European equalization of economic levels could indirectly result from those movements, as it has been observed workers ultimately and indirectly sustain the economic development of their country of origin. However, the context within which economic, cultural and political developments take place it presents important human issues to be considered.

### **Cultural Identity**

“There are so many nationalities here now that you don’t know who is who; you don’t know where anybody is from.”

How do you define somebody’s cultural identity? Can cultural identity even be defined?

This quote from the movie *All White in Barking* approaches the topic of cultural identity. In the movie it becomes clear that the problem of determining one’s cultural identity is closely linked to immigration issues. Since immigration brings in its wake the confrontation of different cultures, it encourages interaction among individuals coming from very different parts of the world; individuals holding different ideas, values and costumes.

The formation of cultural identities is a never ending process of identifying and attaching oneself to a particular set of ideas leaving room for change and adaptation. Thus when, in the case of immigration, different cultural identities clash, immigrants are faced with a completely new set of ideas. As a consequence they have to find a way to redefine their cultural identity trying to compromise the old as well as the new set of ideas. Nevertheless, oftentimes, the different sets of ideas are too conflicting and lead to identity crises.

### **Human Trafficking**

Human Trafficking can be considered a new version of slavery. What is the difference to people smuggling? The United Nations have made this distinction clear in the course of the Palermo Convention in 2000. In people smuggling the individual makes the conscious choice to cross a border. The intermediary fulfils a rather economic role in the chain of human smuggling, namely the link between locals and foreign employers. Thus, once the smuggled person arrives at his or her destination, he or she is free.

On the contrary, Human Trafficking lacks any moral concern and deprives the victims of their freedom and identity. Taking their passports away, the intermediaries have complete power over the fate of their victims. This immense power has led to the formation of a criminal network taking advantage of the despair among the people being smuggled. Traffickers use manipulative tactics such as intimidation, feigned love or the threat and use of physical force to trick the victims. In any case the victims are fooled into believing that they will be free once they have reached their destination.

Considering that trafficked people generally come from powerless minority groups, one can imagine that the promise of good jobs or opportunities for study are used by the traffickers to lure and then later exploit the trafficked people. That also explains why women and children – considering themselves subservient - are favored targets. According to US State Department data, an estimated 600,000 to 820,000 men, women, and children are trafficked across international borders each year, approximately 70 percent of them being women and girls and up to 50 percent are minors.

**By the Maastricht Debates student group**