

Wystąpienie Rzecznika Praw Obywatelskich

- Bruksela, 15 września 2008 r.

Two years ago, during the European Year of Workers' Mobility, we realised the unprecedented scale of economic migration today. It has become one of the major factors in globalization.

It is surely no exaggeration to say that it is no less a problem than the aging population of the West – and the two are directly linked – or climate change. It is also comparable in the number of stereotypes and myths it has engendered.

It is not quite true that it is mainly the poor who migrate from poorer countries in search of a better life in richer ones. Economic migration is now ubiquitous and multidirectional.

For example, in 2005 England alone lost almost two hundred thousand educated Britons who emigrated, mainly to Australia, New Zealand, Canada and South Africa, but also to France and Germany. In 2006 one hundred and forty-five thousand Germans emigrated, some of them to Great Britain, and this was the greatest wave of emigration from Germany since 1945

The subject of our meeting is the presentation which we have just heard from Professor Jo Carby-Hall "The Treatment of Polish and Other A8 Economic Migrants in the European Union Member States", where the problems caused by economic migration from countries which acceded to the European Union in 2004 are described.

The enlargement of the EU created new opportunities for citizens of the new Member States, since they could now freely move around the EU.

As a citizen of a former Communist country I can testify that the full value of freedom of movement and work in the country of one's choice can be appreciated only by someone who was once deprived of it, although one easily gets used to it, and comes to take it for granted.

The scale of economic migration from the new member states to the states of the old EU exceeded all expectation.

It is estimated that by the end of 2007, about two million three hundred thousand Poles were temporarily living abroad, and one million nine hundred thousand of them in EU member states.

Of course the direction and scale of Polish economic migration depend in large part on the attractiveness and degree of openness of particular labour markets, which is why Great Britain and Germany are the countries of choice.

At the end of 2007, there were six hundred and ninety thousand immigrants from Poland in the UK, and four hundred and ninety thousand in Germany, about two hundred thousand in Ireland, and ninety-eight thousand in Holland

At the same time, Poland itself is opening up to economic migration, particularly from the East.

In January 2007 the Polish labour market was fully opened for citizens of EU member states and of Switzerland, Iceland, Liechtenstein and Norway. Since August 2008 work permits have no longer been required for seasonal agricultural workers from Ukraine, Russia, Belorussia, among others. They are now allowed to work up to six months without a permit. Since this relaxation, the number of legally employed workers from the East in Poland has risen threefold. This inclines me to support the proposal to extend this period from 6 to 9 months.

In most of the target countries Poles form the largest group of workers from the new member states. According to a report by the Institute for Public Policy Research, Poles are now the third largest group of immigrants in the UK, after immigrants from Indian subcontinent and Ireland. In Ireland and Sweden they form the largest. This is of course owing to the relatively greater size of our population.

A comparison of social and economic consequences of emigration from new member states is rendered difficult by the lack of sufficiently reliable data. But many myths circulate on the subject.

According to one of them, immigrants take work away from locals. But in fact, there are relatively few highly qualified people among these migrant workers, thus their role in national economies is a complementary one; they do not compete with the local workforce. When well educated people emigrate, however, this may threaten the development of small countries, like Latvia and Lithuania

According to another myth, economic immigrants are a permanent burden on the budgets of the receiving countries. The reality is quite different. For example, according to an "Ernst and Young" survey, the new workforce contributed 8.8 billion dollars to the British GNP in 2007, and two and half billion in taxes. They also contributed to the development of a number of branches of the economy.

The third myth is that Poles and other Easterners work illegally. This is only partially true, as nowadays most of them would only agree to legal employment. It is also connected with policy towards migrants adopted in particular countries. In my view there is no better way of cutting the number of illegal employees than opening up the borders.

The Polish media used to panic about the brain drain – in particular the migration of medical personnel. These fears seem exaggerated, as economic migration is usually periodic, and what we face is circulation rather than a “brain drain”. Among the social consequences, however, a real problem exists of people taking up work for which they are overqualified. There is also the problem of finding an effective strategy for reintegrating returning emigrants.

The new European mass migration has great advantages. Among other things it makes more efficient use of the potential of the huge EU labour market, as it results in a more rational movement of the workforce. According to a recent report about employment in Europe, employment increased by 4 million people in 2006 as a result

of the enhanced efficiency of EU labour markets. In addition, mass migration is good for the economies of both the receiving and the sending countries.

But migration also has its less advantageous side, particularly striking from the human rights aspect. Economic migrants can fall prey to dishonest middlemen or even gangs which specialize in forcing them to work on farms and in factories, but also in brothels. They are frequently victims of discrimination and aggression.

Sometimes migrating parents lose touch with their children. A recent report shows that last year 1300 Polish children ended up in children's homes or in foster families because their parents lost interest in them while they were abroad.

We must therefore ensure, while keeping in mind the benefits and advantages of a large European labour market, that appropriate legislation is put in place to render it not only competitive but also civilized. There is no contradiction between these two requirements.

"One Stop Mobility Shops" are one of those initiatives, stemming from the civil society, as represented here by European Citizen Action Services (ECAS), which call for special attention and support.

In fact the Project aimed to help those migrants who happened to suffer from social exclusion and seek reliable information, of which I am eager to hear in detail, is exactly the kind of good practice I have always wanted to introduce with the help of Polish government.

Even though I have not been able to make it come true myself, I am sure that ECAS will manage, and would be privileged to offer you my support and assistance.

By the way, I may feel some kind of satisfaction owing to some successes of my office in this area, to mention only the establishment of specialised consuls in charge of migrant workers, cooperation with social care centres, and initiatives that gradually abolish double taxation.

I strongly believe that the true unity of our continent can best be brought about by a free and integrated labour market where human rights are respected.

Constant improvement of our European labour market after the 2004 accession is, briefly speaking, also the subject of the excellent report by prof. J. R. Carby-Hall which was presented today.

The report was first presented last year at an international conference in Warsaw on “Economic Migration in the EU: problems and challenges”.

It has now been updated and supplemented by new data. The report looks at some of the ways in which economic migrants are exploited and analyses several forms of modern slavery. It also assesses some of the projects embarked on over the past eleven months, in particular the proposed directive on temporary workers.

The scale and conclusions of the report have exceeded all my expectations; I have no words to express my gratitude and admiration for professor Carby-Hall, whose report – I am sure – should now become an important point of reference for anyone seriously approaching the current problems of EU economic migration