

SUMMARY OF WORKSHOP
**“EU Liberalization of the Labour Market:
From Challenges to Opportunities”**

The Hague, 11 October 2013



The number and quality of the panellists and of the people in the audience at the Workshop have clearly confirmed that the free movement of workers is a major topic in the Netherlands. They have also proven that large numbers of people connected to this issue in a significant way have a genuine desire to better understand the topic.

The Summary is circulated to stakeholders and all those interested in the field of the free movement of workers and, in particular, of the liberalization of the Dutch labour market for Romanians. This preserves and disseminates the information shared by experts and public during the workshop, thus answering, for many of those that were not present at the event, questions raised by the full application for Romanian citizens of the right to the free movement of workers as of 1 January 2014. The workshop was organized by the Embassy of Romania to the Kingdom of the Netherlands in cooperation with the European Commission Representation in The Netherlands, the International Organization for Migration - The Netherlands and the Netherlands Scientific Council for Government Policies.

**H.E. Mrs. Ireny Comaroschi, Ambassador of Romania to the Kingdom of the Netherlands -
Introductory remarks**

We are living in the Single Market, established by the European Treaties, where goods, capital, services and people can move freely. This has been a reality for a long time and has benefited all those who are a part of it.

There are more than a few concerns in the Netherlands about the liberalization of the labour market for Romanian citizens, so it is important to find the proper answers to such concerns. All the pertinent questions raised by the central and local authorities must be given a proper answer by cooperation at the bilateral level and within the EU framework.

The governments of Romania and the Netherlands have already embarked on a very thorough cooperation at local and central level, by negotiating and signing the Joint Statement on Cooperation and the Exchange of Information for a Better Functioning of the Romanian and Dutch Labour Markets, which includes an Action Plan with concrete measures.

SESSION I – “OUR EUROPEAN UNION”

Topic: Labour market in the European Union and its role in the European policies -
Background information and challenges: Mobility vs. Migration; Mobility vs. Crime;
Mobility vs. Abuse; Solutions vs. Restrictions

Moderator: Prof. Dr. Jan Rood, *Senior Research Fellow and Head of Strategic Research at the
Clingendael Netherlands Institute for International Relations and Professor of
European Integration in a Global Perspective, Leiden University*

Mr. Andy Klom, Head of European Commission Representation in the Netherlands

It is the legal obligation of the European Commission to protect the free movement of persons. In fact, people mobility is quite low in the EU, since only 3% of the population is living outside the Member State of origin. Job seeking is a prime cause of the free movement of persons in the EU, and there are two million job vacancies in the Union.

The European Union is unique in the world because it is founded not just on the free movement of goods, services and capital, but also of persons. This is fundamental to the EU, and a Member State cannot pick and choose which aspect of free movement it accepts and which it does not.

Two out of three people in the EU consider the free movement of persons as being beneficial to the economies of their country. The MS and the EU have a joint responsibility for having a framework for social security contributions and other taxes adapted to the cross-border labour mobility.

Mr. Marnix Norder, Deputy Mayor - Urban Development, Public Housing and Integration, The Hague

Freedom of movement is a right and in many areas it contributes positively to the economy of The Hague and the Netherlands. But there are also negative aspects to the freedom of movement. These negative aspects sometimes cause anxiety and negative feelings among the citizens of areas where large numbers of EU migrant workers live.

The four biggest problems caused by labour migration are:

1. False labour contracts and exploitation of migrants. Migrants do not get paid what they are supposed to get for their work.
2. Migrants are cheaper because they are underpaid. This creates causes disruption to the current labour market, as cheaper workers replace more expensive workers.
3. Accommodation is required for all new workers. It is very crowded in some areas and this becomes a nuisance, because too many people live are living together in crowded conditions.
4. People do not speak the language of the country they migrate to and, therefore, they cannot integrate and participate fully.

The Hague is very active with many projects in the city to combat these problems. The alderman ended his speech with a request to the EU to recognize the problems in the local communities caused by the open borders and to help them in finding solutions.

Mrs. Cristina Gheorghe-Tranca, Head of Migrant Assistance, International Organization for Migration - The Netherlands

The host countries overestimate the costs of migration and underestimate the benefits. This misperception needs to be solved, and the key is emphasizing the benefits of migration for the receiving country, namely the contribution of the newcomers to the society in which they are living. The four keywords for finding solutions to the issues of mobility are 1) protection (of migrants), 2) information (for all those involved), 3) perception (by the host country, in this case the Netherlands, regarding the newcomers) and 4) cooperation.

Mr. Roel Gans, Director for International Affairs, Ministry of Social Affairs and Employment of the Kingdom of the Netherlands

The free movement of workers is a fundamental principle of the EU and deserves our full support. Unfortunately there are also some negative side effects. These side effects relate to fraudulent practices of employers, underpayment and/or bad housing of EU mobile workers, leading to exploitation of mobile works in terms of employment and working conditions. These problems have to be addressed in order to prevent an erosion of popular support in our societies for the principle of free movement. This was the thinking behind the article of Mr. Lodewijk Asscher, the Minister of Social Affairs and Employment, which was published in an English and Dutch newspaper.

The solution to these problems requires international cooperation, which is why the Netherlands signed a joint statements on cooperation and the exchange of information with Romania and Bulgaria (soon agreements with Poland and Croatia will follow). It is very important to provide mobile workers with information about their rights and obligations and about the market sectors they wish to work in. But these bilateral agreements are not enough. It is also necessary to act jointly at EU-level. Some aspects can only be dealt with properly in a multilateral framework.

Prof. Dr. Dina Siegel, *Professor of Criminology, Utrecht University*

There is a problem of “mobile banditry” and the future is not promising. The people responsible for this problem are not labour migrants. One of the types of criminal groups active in this regard consists of members of the Roma ethnic group, and some members of this group are exploited by their own families. The responsibilities for solving this problem need to be shared among the countries involved. The Netherlands and the EU Member States from Eastern Europe need to build trust in order to cooperate for solving the problems of mobile crime.

Mrs. Marielle Heijmink, *Programme Manager, City of Rotterdam*

Rotterdam is a very cosmopolitan city, with 175 nationalities at present. In the past, many newcomers were Chinese, Moroccan or Turkish, and recently there are people from Central and Eastern Europe (12.000 registered, out of which 1.000 are Romanian), but there are many others who are undocumented.

The mobile workers contribute to the economy of the city, but there are negative sides, such as exploitation and bad housing. Some of the mobile workers are stable and integrated, but others fall in the “footloose” category and have no strong links with the host country. This category generates many of the problems associated with labour migration and is perceived in a negative way by the other residents in the city, particularly in the “old districts”.

One of the solutions is to provide the mobile workers with information about their rights and obligations and about how things work in the Netherlands.

Mr. Daniel Tatomir, *Superintendent, Ministry of Internal Affairs of Romania*

The economic crisis has pushed more people to crime and the differences in legislation between the EU Member States favour cross-border crime.

The EU is seen mostly as an area for free movement, but it is also an area of justice. In this regard, the priority is to increase the exchange of information and best practices between the MS, bilaterally and at EU level. This would provide solutions to the problems of mobile crime, be it for “hit and run” petty crimes of opportunity or for organized criminal groups constantly active in foreign countries. Mobile criminality is a priority for the 2014-2017 European policy cycle.

DEBATE

Mr. Paul Russell: Crime is not a question of migration, it is an issue of society, and to talk about crime as if linked with the free movement of persons is to stigmatize. The Netherlands should focus more on the problems it can solve and less on blaming others for those problems or on asking Brussels for help.

Prof. Dr. Dina Siegel: The link between crime and migration is well-studied, and ignoring the problem is not a solution. To say that many of the mobile criminals are Roma is considered a taboo, but there must be a discussion about this.

SESSION II - “ROMANIANS IN THE NETHERLANDS”

Topic: Opportunities of labour mobility and characteristics of mobile workers

Moderator: Prof. Dr. Dirk Korf, *Faculty of Law, University of Amsterdam*

Prof. Dr. Dumitru Sandu, *Department of Sociology and Social Work, University of Bucharest*

Good policies and good results require good diagnoses, and it is not scientifically sound to predict Romanian mobility based on the past migration of other groups in other contexts (such as the Polish migration). The preferred destinations of Romanian and Polish mobile workers are highly different, and predictions need to take that into account.

The view that liberalizing the labour market will greatly increase the influx of Romanians to the Netherlands is not supported by what happened in other countries that eliminated the restrictions on Romanian workers.

The networks supporting recent migration to Netherlands are from those communities or regions in Romania that are more developed and more educated and do not have large percentages of Roma.

Prof. Dr. Dorin Perie, *Faculty of Humanities, University of Amsterdam*

There is a long history of concerns about migration in the Dutch society, but people were not talking about it. This changed when some politicians used this issue, at the expense of migrants, to gain votes.

Claiming that mobile workers are taking away jobs from the Dutch is untrue, since many of them are doing low-level and low-paying jobs that the Dutch are not willing to occupy. There is a danger of accusing the migrants, instead of accusing those that benefit from abusing them.

The number of Romanians in the Netherlands is low, in itself and compared to other countries, and this is not about to change, so there is no “tsunami” of Romanians coming.

Prof. Dr. Leo Lucassen, *Faculty of Humanities, Leiden University*

Migration is not a feature of the 20th century, but goes further in the past, and the intensity of migration in the 19th century can put into perspective the modern trends.

At present, there is a dependence on importing workforce from Central and Eastern Europe. This is no longer about the free movement of persons, but about the free movement of services.

The solution is not to eliminate mobility, but to solve the issues associated with it (such as exploitation of workers and a common system of social security). It is not acceptable to blame the mobile workers for being the victims of exploitation.

Mr. Ben Jager, *Honorary Consul General of Romania and Executive President of the Dutch-Romanian Network*

Labour mobility is not a Romanian issue or a Dutch issue, it is a European issue. The research that we are seeing should be considered a wake-up call. Referring to labour mobility in terms of “code orange”, as Minister Asscher did, shows a lack of consistency in the Dutch policies on the topic. Labour mobility is actually quite low, and it needs genuine solutions. There is a tendency to blame the mobile workers for the negative effects of economic crisis when, in fact, they are among the main victims of the crisis.

Mr. Mario Schoofs, *CCO Wim Bosman Holding BV and Vice-President of the Dutch Romanian Network*

The Netherlands is the largest investor in Romania and there are more than 4,000 Dutch companies there. Romania can play a strategic role in European trade.

The fact is that, without Romania, a major logistics company such as Wim Bosman Holding BV would not have a profitable international arm. This is not just about the lower costs of labour, but also about the motivation and skills of the Romanian employees.

Mr. Gerard van der Grind, *Manager Socio-Economic Affairs, Land- en Tuinbouworganisatie (LTO Netherlands) – The Hague and Brussels Office*

The Dutch agricultural and horticultural sector is dependent on the free circulation inside the EU, as 70% of the production is for export on the European market. The experiences with Romanian workers in this field are good, as these people have shown to be skilled and motivated.

There is a need to tackle the negative sides, by having a level playing field for all workers and providing all of them with adequate housing and good work conditions, in order to avoid abuse. The EU Member States need to exchange information about the labour markets in order to have a level playing field and combat exploitation.

DEBATE

Mrs. Sonja Driessen, *Migrada*: The way the government tackles the issue of labour migrants is typically Dutch, by creating lots of organizations and seeking consensus, instead of giving the labour migrants the tools that they need to protect their interests.

Prof. Dr. Dina Siegel: It is not our intent to connect the Roma with the issue of crime. We were refused information by various organizations because they think that our research is meant to stigmatize the Roma, when in fact the research is meant to help.

Prof. Dr. Dorin Perie: Most of the Romanians the Netherlands, particularly those who came here a longer time ago, are highly educated and very well integrated in the Dutch society. The vast majority of Romanians in the Netherlands are hard-working and law-abiding, but most of the attention goes to the criminals.

CONCLUSIONS

Prof. Dr. Jan Rood - *Session I*: Labour mobility is a right and an integral part of the European Union, and the EU has solidarity at its core.

There are negative aspects associated with labour mobility, such as exploitation of workers, the impact of the high concentration of newcomers in certain parts of some cities, criminality and the situation of the Roma.

There is a great deal of misperception around the issue of labour mobility and we do not even know the exact numbers of labour migrants. That is why we need research, to have the facts right as a precondition for further discussion. A major issue in this regard is the fact that the costs of migration are overestimated, while the benefits are underestimated.

Prof. Dr. Dirk Korf - *Session II*: The number of Romanians coming to the Netherlands is small, even after the liberalization of the labour market, so there is no reason to think that the “the dykes are breaking” or that the Netherlands is facing a “tsunami” of newcomers.

However, as the Thomas theorem says, even if what people believe is untrue, because people believe it is true, it has true, namely real consequence. That means that untrue beliefs do have real consequences on the policies of the Netherlands. That is why the challenge for the future is to have good data.

H.E. Mrs. Ireny Comaroschi – *Closing remarks*: The discussion has showed the level of interest in this topic and the willingness to cooperate for finding solutions. It will be very useful to have a second edition of the workshop in 2014, to assess the progress made in the field in the space of one year.