

# BRITAIN IN THE EU RENEGOTIATION SCORECARD

## SUMMARY

- The matrix shows that two thirds of Cameron's reform proposals still lack support in Europe, and a lot of work remains to be done.
  - There is a lot of support for the single market, red tape economic liberalising agenda – amplified by support from Tusk, Timmermans and Juncker for key reforms.
  - There will need to be shifting alliances on other issues. New member states are keen on economic reforms but neuralgic about free movement and benefits. Southern member states – like Spain and Italy – are keen on the single market and less red tape but less keen on reversing integration and worried about different migration issues.
  - The UK has some all-weather friends like Ireland, Sweden, Denmark, and Netherlands who have a lot at stake in the UK's membership – but even here some of the proposals on migration are not welcomed.
  - France and Germany are key swing states, who have different priorities when it comes to proposed reforms.
- To maximise UK chances of success, Cameron should:
- reframe the debate from British exceptionalism to reforms to make all of Europe better;
  - show solidarity for the concerns of others; and
  - show that the DNA of the EU will remain intact despite the proposed reforms.

This month, David Cameron will embark on a second charm offensive around European capitals as part of his quest to renegotiate the terms of British membership.

In an exclusive survey of opinion in ten of the most critical EU member states, ECFR has found that Cameron is less than a third of the way to securing agreement to a reform package that he can put to the British people.

According to government insiders, the PM's charm offensive seeks to avoid some of the mistakes of earlier British diplomacy. Most striking is the outreach to other capitals – rather than just focusing on Angela Merkel (an approach which visibly failed in the PM's quest to block Jean-Claude Juncker's appointment as President of the European Commission). While his opening tour took in Berlin, Paris, and Warsaw, the new tour has started in other capitals such as Madrid and Lisbon.

Participants from other EU countries in some of the meetings in the PM's first tour told me how Cameron went out of his way to listen rather than lecture, pointing to wide areas where he is seeking reforms rather than outlining a specific set of proposals. They were also impressed by the way Cameron laid out his goals at the European Council meeting in late June which was described as 'a commercial break' from the acrimony of the Grexit debate.

British officials are now further refining the original approach by reframing some of the 'buckets' of issues – in particular away from the idea of migration and towards the idea of benefits.

Cameron's political outreach to national capitals complements more technical talks between British officials (led by

Tom Scholar and Ivan Rogers and teams in the Treasury and FCO) with their EU counterparts in Brussels designed to work out which reforms can be achieved through secondary legislation, which can be secured through 'inter-institutional agreements' and which will require change to the EU's treaties.

However, there is – in spite of the strong start – still a lot of confusion in the political and media classes in key member states about the nature of British demands, and the forces driving British diplomacy. The UK's slow and reluctant response to burden sharing at a European level in the face of the refugee crisis in recent weeks may also have set Cameron back a few steps in the context of negotiating EU reforms.

Cameron's renegotiation has a shadowy ethereal feel because the management of internal Tory party politics means he is afraid to publish a list of demands until he knows that they are likely to be accepted by other member states. Other member states – on the other hand – are reluctant to respond to hypothetical questions, giving the whole debate necessarily a 'chicken and egg' feel.

ECFR's research team have tried to piece together its best guesses on the likely elements of a renegotiation package through a close reading of the public utterances of David Cameron, George Osborne, Philip Hammond together with private interviews with many officials, MPs and advisers in London and in the other capitals where they are based. We then interviewed over 100 thinkers and policymakers in the ten member states that will matter most in the negotiations to get a sense of which proposals are most likely to land well and where the government still has work to do.

So what did we find?

The first finding is that there are still big areas of red. Of the 100 data points, 37 are still red and 30 are amber – so Cameron has barely got one third of the way.

A closer analysis shows that there is the most consensus for the idea of extending the single market and cutting red tape – although translating rhetorical support into concrete action has bedeviled successive generations of politicians. The good news for Cameron is that Donald Tusk has made the idea of an energy Union into one of his signature projects; Juncker has placed his full support behind 'capital markets union', and the vice-president of the European Commission Frans Timmermans has already done more to cut red tape with his better regulation agenda than all his predecessors combined (as Dutch foreign minister he published a report in 2013 that spelled out 54 different policy areas that should not be ceded to Brussels, and in his first few months he tried to block 80 out of 450 of the commission's proposals). However, some – such as the proposals to slow down freedom of movement and restrict access to benefits – will be much more difficult if Cameron tries to make changes at a European rather than national level. One of the biggest challenges will be to convince people that Britain wants to make Europe better for everyone and that it will not seek to destroy the DNA of the European Union by undermining fundamental principles such as free

movement and non-discrimination.

The second finding that jumps out is the pattern of groupings. First, there are the all-weather friends whose fate is most closely linked to the UK's. Right at the top of the table is Ireland (we are their biggest trading partner, home to 330,000 of their citizens, and have a peace process with them in Northern Ireland which could be disrupted by the UK leaving the EU). Also in the top group are the Dutch who share British positions on liberalising markets, promoting free trade and reducing red tape. They also have enormous investments in the UK (1.5 percent of the Dutch GDP). Sweden and Denmark are in a similar position and – as non-euro members – they also share the UK's concerns about preventing euro group caucusing. We understand that the Danish government plans to take as supportive a position as possible – within reason – as the renegotiation process gets underway. It is worth noting, however, that even some of these all-weather friends have doubts about some of the Cameron proposals in their current form. For example, Ireland is sceptical about the red cards for national parliaments, job offers for EU migrants and the idea of restricting access to in-work benefits.

Apart from the core group of friends, Cameron will have to mobilise shifting alliances on the different issues he is trying to push. New member states like Poland and Bulgaria will be very supportive of measures to enhance the single market, cut red tape and protect the rights of non-eurozone members and – with hundreds of thousands of their citizens in the UK – they are keen to keep Britain in. However, they are viscerally opposed to the attempts to restrict access to employment and benefits for the citizens of other EU member states. They could also be more swayed by greater British engagement in the Russia/Ukraine crisis as geopolitical concerns weigh heavily with them.

Southern European countries like Spain and Italy support the pro-free trade and liberalising elements of the Cameron agenda but they are integrationist to the core and worry about Cameron's attempts to unravel the EU. They also have a totally different approach to migration and the euro – and are stung by a lack of British solidarity on the crisis in the Mediterranean and on euro-bailouts.

The key swing states for Britain are ultimately the Franco-German couple. Although Paris and Berlin have distinct priorities and different weight within the system, the Franco-German axis has residual power and the two countries do influence each other. When British governments have tried to play Paris and Berlin off against each other it has often backfired.

The French government is firmly committed to avoiding reopening discussion of the EU treaties – though with some difference of emphasis between President Hollande and the more sceptical foreign minister Laurent Fabius – and has a certain ambivalence about British membership. On the one hand, French elites have traditionally been keen to have Britain in the EU as a partner on foreign and defence adventures – although following the House of Commons vote on Syria – Britain is seen as a less reliable partner. The

UK is an important economic partner for France, receiving 7.1 percent of French exports, 3.9 percent of its foreign direct investment, and hosting a large proportion of France's expat population – London is sometimes referred to as France's sixth biggest city as home to over 300,000 French citizens. At the same time, there are traditional cultural differences of vision on the question of free trade, liberal markets, and the role of national parliaments. Although France worries about the impact of free movement on social standards (see its concerns on the 'posted worker' directive), the French government is concerned that Cameron's emphasis on migration might benefit the opposition, including the National Front. One important principle for Cameron – as he seeks to win over other countries (particularly those with a socialist or socialist-dominated government) to his free trade and anti-red tape agenda – will be to avoid giving the impression that he wants to attack the Union's social and economic policy frameworks - something that is also important if he wants to avoid losing the support of large segments of the left in a UK referendum.

Ultimately, on this, as on so many other issues, the most important swing figure will be Angela Merkel. She is not only keen to keep Britain in the EU because of German economic exposure to the UK (the UK receives 3 percent of German exports and 2.4 percent of its foreign direct investment) and the number of Germans resident in the UK (over 300,000) but also sees Britain as an ally on free trade, the size of the EU budget and its policy towards Russia. However, there are profound worries about the British position in Berlin around the idea that the UK could question core EU principles such as free movement or non-discrimination. Angela Merkel has also made very clear that there are limits to German support – even when she agrees with Cameron on the substance. The Prime Minister encountered this in the Juncker debacle which is one of the reasons why London is trying to build a broader base of support for the renegotiation.

Lurking in the background is the question of treaty change. Most countries are unwilling to commit to treaty change for the proposed reforms, but for most of the reforms mentioned in this paper, there are ways to achieve the same goals without treaty change. For example, some of those we interviewed for this project argued that the contested issue of regaining national control over access to welfare benefits might be achieved by amendments to various directives and regulations. And greater powers for national parliaments can be arranged between member states and the EU Institutions. However, reforms that are easily negotiable are also easily reversed, and treaty change would bring greater legal certainty. The Irish famously negotiated a post-dated protocol to the Lisbon treaty after a referendum on the treaty. A similar arrangement could help Cameron convince his voters that his reforms have a strong legal foundation.

The biggest challenge for the Prime Minister is whether he can reframe the debate so that it is not perceived as a means of having less Europe for Britain but rather a better Europe for everyone. This matters both for the debate in

the UK as well as for negotiations across the EU but is a tricky balance to strike as the danger of starting a wider reform debate is that it could start an endless period of revisionism where every member state tries to renegotiate policies that it dislikes. It will also be important for Cameron to convince his fellow leaders that he genuinely wants to stay in and will fight to win over British sceptics. One of the reasons some other capitals have been reluctant to make concessions is their perception that he will pocket whatever they offer you whilst rolling over each time he is pushed by his Europhobic backbenchers.

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# THE REFORMS

## 1) Enhancing the single market, especially in services, digital, and energy

*In recent speeches relating to EU reform, David Cameron and other government ministers have emphasised the benefits of completing various aspects of the single market, in particular, service liberalisation, improving infrastructure and networks for an energy union, and facilitating cross border flow of online digital services.*

## 2) Competitiveness: cut red tape for small businesses

*David Cameron argued in his Bloomberg speech that he wanted 'to be pushing to exempt Europe's smallest entrepreneurial companies from more EU directives'. The objective is a regulatory framework that supports businesses to create growth and jobs.*

## 3) Be at the forefront of trade agreements especially with the US, India and Japan

*In recent speeches, David Cameron and Philip Hammond have called for an 'ambitious' timetable for the completion of trade deals, in particular with US, India and Japan. However, they have also talked about prioritizing 'openness' to trade with other developed and fast growing economies in Asia and Latin America. )*

## 4) An opt out on 'ever closer union' and a clear deal between Euro-ins and Euro-outs

*The UK government is pushing for an opt-out on the commitment to 'ever closer union' and a deal between Euro-ins and Euro-outs. Rather than having to develop parallel institutions, the EU 28 would allow the Eurozone to use EU institutions to service the euro and allow deeper integration. In exchange, the Eurozone would allow non-Eurozone members to stay informed (through access to meetings, real time access to documents and preparations) and ensure that the integrity of the single market is protected. This would include a say on, (but not necessarily a veto) decisions affecting them.*

## 5) Greater say for national parliaments, by allowing groups of them to be able to block regulations in future.

*The UK government argues that wherever possible, decisions should be taken as close as possible to the citizen, and suggests that a greater role for national parliaments could achieve this. In addition to the 'yellow card system', which allows a coalition of a third or more national parliaments to temporarily block draft laws proposed by the European commission, possible initiative include a 'red card' and a 'green card' system. In the 'red card system', groups of national parliaments/assemblies could block new EU legislative proposals if they deemed that it contravened national interest, and a 'green card' system whereby a group of national parliaments could propose changes or revisions to EU law. There has also been a suggestion that member states could propose a review of relevant EU legislation if a European Court of Justice ruling threatens a vital national interest.*

## 6) Transitional controls for immigration from new member states

*In Cameron's November 2014 immigration speech he set out that "We will insist that when new countries are admitted to the EU in the future, free movement will not apply to those new members until their economies have converged much more closely with existing Member States."*

## 7) Deportation of criminal EU migrants and re-entry ban

*In Cameron's November 2014 immigration speech he said: "We want to create the toughest system in the EU for dealing with abuse of free movement. This includes stronger powers to deport criminals and stop them coming back. And tougher and longer re-entry bans for all those who abuse free movement including beggars, rough sleepers, fraudsters and people who collude in sham marriages."*

## 8) EU migrants need to have a job offer before they come to the UK, or have a maximum of 6 months right of residence as a job seeker if they are already in the UK















































































































*In his November 2014 immigration speech, David Cameron argued that the UK government intends to require EU citizens to have a job offer before they are allowed to be resident in the UK. If they are in the UK and a period of employment ends, they would have six months to find a job. If unsuccessful, they would be required to leave at the end of that period. There would not be access to the benefit system during this jobseeking period.*

## 9) Benefits, including social housing only for those who have lived and worked in the UK for four years

*In his November 2014 immigration speech, David Cameron set out : "I will insist that in the future those who want to claim tax credits and child benefit must live here and contribute to our country for a minimum of four years."*

## 10) No benefits for dependents that do not live in the UK

*In his November 2014 immigration speech, David Cameron argued that: "If their (EU migrant) child is living abroad, then there should be no child benefit or child tax credit at all no matter how long they have worked in the UK and no matter how much tax they have paid."*

										
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<b>2. Competitiveness: cut red tape for small businesses</b>										
<b>3. Be at the forefront of trade agreements especially with the US, India and Japan</b>										
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<b>10. No benefits for dependents that do not live in the UK</b>										

## 01 Enhancing the single market, especially in services, digital, and energy

### Already convinced 10/10

Bulgaria    Ireland    Poland  
Denmark    Italy    Spain  
France    Netherlands    Sweden  
Germany

### Convincible 0/10

### Unconvinced 0/10



### BULGARIA

The only political elements which are likely to strongly resist the enhancing of the energy union are marginal and explicitly Russophile parties. On the topic of enhancing the single market, no explicit statements have been made, but it is likely that the proposal will be supported. On the digital market, there is also strong support from part of the government.



### DENMARK

The Danish population and the political parties are generally supportive of EU cooperation when it has instrumental advantages for Denmark. It is highly likely that there will be a broad consensus supporting initiatives that aims at strengthening the single market, even including the populist EU-sceptic party Danish Peoples Party.



### FRANCE

This is a topic on which France and the UK could cooperate. Based on the French government's current political discourse, France would support initiatives towards closer integration. French Minister of Economy, Emmanuel Macron wrote in an official opinion column published in Le Monde in July "We should reach new levels towards a better integrated single market" and specifically mentioned "key sectors" like energy and digital services. Although France will retain concerns on specific issues around copyright and tax treatment for digital platforms, recent proposals from the Commission on digital are more acceptable to the French government.



### GERMANY

Germany would support proposals to enhance the single market, but its support is not limited to deregulation. Specific output interests for the country differ from other member states. Internally, there has been criticism on plans for the digital single market by parts of the opposition and government parties.



### IRELAND

Considering Ireland's role as a growing hub for multinationals and a point-of-entry into the EU market for US companies, as well as its desire to foster and promote home-grown start-ups, Ireland strongly supports improvements in each of the three areas listed - particularly in digital. Ireland also recognises the UK as a close ally on these issues.



### ITALY

Italy is strongly in favour of enhancing the digital single market through policies that promote integration and break down barriers to entry. The government sees progress towards developing e-commerce, guaranteeing faster internet for all of the EU by 2020 while also creating regulations to protect against a host of issues, including piracy. Italy would also like to move forward with the common strategy for an energy union.



## NETHERLANDS

The Netherlands are very supportive of measures enhancing the single market, and would support proposals for improvements in these areas.



## POLAND

The EU single market has always been the realm in which Polish and British interests converged. Poland perceives itself as a champion of deepening of the single market in all indicated areas. The EU energy union, including a stronger role of the Commission in the negotiation of energy contracts with external providers, pan-European energy infrastructure and the common market is of particular concern to Poland.



## SPAIN

Spain is wholly behind enhancing the single market in all ambits. Energy union is of particular interest to Spain as a country that produces far more power from its renewable energy than is needed in the domestic market. At present this power cannot be exported due to a protectionist barrier imposed by France and a lack of infrastructure at the European level to allow it to be fully exploited.



## SWEDEN

Sweden is very supportive of all measures enhancing the single market. It has been a long time champion of business opportunities of the single market, and is especially pushing the agenda on the digital single market.

## 02 Cut red tape for small businesses

### Already convinced 8/10

Bulgaria      Nether-  
France        lands  
Ireland       Poland  
Italy           Spain

### Convincible 2/10

Denmark  
Germany

### Unconvinced 0/10



### BULGARIA

A large percentage of the business in Bulgaria is composed by medium, small and micro enterprises. However, the perception is that the heavy regulatory burdens come from the Bulgarian state administration and not from EU directives. In this sense, Bulgarian politicians often attempt to implement measures that reduce this burden at the state level.



### DENMARK

This proposal has not been explicitly debated in the context of reforms to Europe, but the new liberal government is generally a strong supporter of freeing small companies from regulatory burdens, so the proposal could possibly gain momentum.



### FRANCE

The UK and France could have a convergent interest on this topic based on Prime Minister Manuel Valls' focus on small and medium-sized enterprises. In an official document published in June, he advocated 18 measures to ease hiring in those structures, stating that small businesses are the backbone of the French economy and that hiring is the ultimate priority at the moment.



### GERMANY

In Germany, the market for small businesses is not currently perceived as overregulated. Some parties, especially in the government, want to reduce the bureaucratic burden and therefore oppose a tightening of the anti-discrimination directive, but perceive of changes as a national rather than a European reform. The German "one in, one out" – rule, which stipulates that ministries have to dismantle a regulation for every new regulation they invent, might provide an example for a EU-wide policy.



### IRELAND

There is broad sympathy for this position in Ireland, where small and medium sized enterprises have struggled since the crisis. This seems to be the area most likely to yield a substantive (rather than symbolic) result for David Cameron. Ireland feels that if the UK's engagement on this issue is collaborative, constructive, and above all pragmatic it could improve the UK's relations with the other 27 states and perhaps form a platform for cooperation on other issues.



### ITALY

Small and medium business are an essential part of the Italian economy as they make up around 99 percent of all enterprises and are drivers of exports, with 250 000 enterprises generating over €75 billion. As a result, eliminating red tape in this area could certainly help Italy's growth. Italy is also in favour of the implementation of a Capital Markets Union in order to diversify the financing sources, especially for small and medium enterprises.





## NETHERLANDS

These measures can also be supported by the Dutch government. The Dutch are always looking for a way to cut regulations, and were drivers of the 'Better Regulation Agenda' which was adopted by the European Commissions in May this year. Perceived overregulation from Brussels is a large part of the reason for the growing euroscepticism in the country.



## POLAND

Poland is concerned not only about too many EU regulations but also about particular national legislation with implications for the single market. Currently Poland is facing a conflict with Germany over minimum wage in the transportation sector, where the German demand is considered to be a violation of the internal market rules and free market economy. This makes it even more important for Poland to cooperate with other free market oriented partners.



## SPAIN

Any moves towards increased competitiveness are very unlikely to encounter opposition in Spain. The drive towards a regulatory framework that supports businesses by exempting them from overbearing EU directives is already well underway at the Commission.



## SWEDEN

This is another set of measures of which Sweden can be supportive. A growth-and investments friendly Europe is part of the governments' priorities for the EU in 2015, including losing overly cumbersome regulations and taking into account the needs of small and medium-sized enterprises.

### 03 Be at the forefront of trade agreements especially with the US, India and Japan

#### Already convinced 8/10

Denmark    Nether-    Sweden  
Germany    lands  
Ireland    Poland  
Italy        Spain

#### Convincible 2/10

Bulgaria  
France

#### Unconvinced 0/10



#### BULGARIA

In Bulgaria there is support for a trade agreement with the US from part of the current government, but some opposition parties oppose the agreement in principle. However, it is important to note that an expert discussion on the transatlantic trade and investment partnership (TTIP) is still lacking in the country and parties have not issued expert positions. Trade agreements with India and Japan are rarely discussed in the Bulgaria but could find support.



#### DENMARK

Denmark is generally very eager to promote trade within the EU perspective, and strongly supports the TTIP as well as strengthened trade relations with other important and emerging markets via the EU framework. A broad consensus in the Danish parliament wants to proceed with the TTIP process with an ambitious timetable. Many Danish corporations and firms are eagerly following the process.



#### FRANCE

France is in favour of trade agreements as it hopes to benefit from them, and it is particularly interested in sealing the deal with India for economic reasons. At the same time, France often has set conditions during negotiations around priority sectors such as culture, and these positions will remain firm.



#### GERMANY

In general, this initiative will find support in Germany, but politicians are careful not to put openness of the markets above all other concerns. Regarding TTIP, the population is comparably critical. Data protection and consumer protection also remain critical, and there is a focus on the internal energy market.



#### IRELAND

Ireland supports the continued focus on trade agreements, but a measured approach in line with the agreed EU negotiation procedures is preferable. The language of the UK Conservative manifesto, which makes reference to 'turbo charging' the agreements, and setting 'ambitious timetables', is unhelpful. Regarding the UK 'being at the forefront' of the negotiations, it is unclear what relation that role would bear to the EU's existing negotiating procedures



#### ITALY

Italy has strongly supported the beginning of the TTIP negotiations with the US. Rome has also keenly followed the negotiations for a free trade agreement with Japan, and highlighted the need for a simultaneous opening of European market as Japan dismantles its non-tariff barriers. The negotiations with India have reached a stalemate and it is unlikely that Italy will be playing a major role given the diplomatic controversy over the case of a number of Italian marines imprisoned in India.



## NETHERLANDS

As a small country very much oriented towards external markets, the Netherlands supports Cameron's proposals for policy on trade agreements. The United States and Japan are already important trading partners, especially when it comes to import. The government is also still supportive of TTIP, despite some reservations from part of the population.



## POLAND

Poland is one of the countries with the strongest popular support for TTIP (around 80 percent), as well as political backing. TTIP's geopolitical importance is stressed by political leaders. Thus, although Poland might not belong to the largest beneficiaries of TTIP and some sectors, like agriculture, may even get hit by trade liberalisation with the US, Poland clearly perceives it as a priority and is concerned about the campaign against TTIP and negative opinions in many European countries.



## SPAIN

Spain is a strong supporter of TTIP negotiations, eager to forge new economic opportunities that will reduce unemployment and foster growth following years of recession. Spain and the US already enjoy a good trade relationship and over the last decade the value of total trade between the two has grown massively. While there may be a hostile domestic attitude towards TTIP in the more left-wing press and NGOs, it has the full support of political parties across the spectrum.



## SWEDEN

On trade agreements, Sweden also fully supports the UK. In the country, there is almost unanimous support for TTIP. Trade unions and employers in the industry have agreed to the policy on account of its possibilities to strengthen Sweden's competitiveness.

## 04 An opt out on 'ever closer union' and a clear deal between Euro-ins and Euro-outs

### Already convinced 2/10

Bulgaria  
Denmark

### Convincible 4/10

Ireland      Spain  
Nether-  
lands  
Poland

### Unconvinced 4/10

France      Sweden  
Germany  
Italy



### BULGARIA

As Bulgaria is currently not part of the eurozone, it is likely that the country welcomes a proposal which gives non-Eurozone countries a bigger say and more information on issues related to the Eurozone. Despite its legal obligation to do so, Bulgaria is currently reluctant to join the Eurozone due to the Greek crisis and fear of spill-over effects.



### DENMARK

With the new, liberal government appointed in June 2015, it has been hinted that Denmark will adopt a more euro-sceptic policy, not least because their main support party is the right-wing, populist, anti-EU party, Danish Peoples Party. The government (consisting only of the liberal party) has made a deal with the Danish People's Party that the official Danish line is to firmly support Britain's EU renegotiation plans.



### FRANCE

It would be difficult for France to accept this reform, as its implementation would require a shift away from the current logic of integration and even perhaps modification of the treaties. When the British referendum was first announced, French officials' statements were mixed and cautious, but reopening the treaties on any matter has been a clear red line for Hollande's administration since 2012.



### GERMANY

For Germany, an opt-out to the commitment to 'ever closer union' is not negotiable. On a different policy for Eurozone- and non-Eurozone countries: Germany believes it makes sense for Eurozone issues to be debated in the Eurozone only, but Germany is absolutely willing to have further cooperation between Eurozone members and the EU-28. The agreement on a banking union is already a step to safeguard the interests of non-Eurozone member states, and shows that there's no interest to split further.



### IRELAND

On an "ever closer union" there is room for manoeuvre: a minor concession for Europe would be a significant symbolic victory for David Cameron, which could have a positive influence on the referendum. On the issue of the euro 'ins' and 'outs', there is a degree of sympathy in Ireland for the UK's concerns regarding a Eurozone caucus. A 'double majority' voting system as seen in the European Banking Authority would not necessarily be opposed by Ireland, provided it could be done within the scope of the current treaties.



### ITALY

Generally, the current government is in favour of a more unified Europe and opposed to reopening the treaties. Although Euro-sceptic parties would like less involvement in the EU, and surveys claim that 30 percent of Italians would like to leave the EU, from the Italian point of view both a British and an Italian exit are unthinkable. On the matter of a deal between Euro-ins and Euro-outs Italy has not expressed itself as there is no debate over such measures.



## NETHERLANDS

The Dutch have previously stated that it is not the time for an 'ever closer union', and the foreign ministry has been pushing for more debate on subsidiarity. However, the Dutch are against treaty change on this topic. To them, it is clear that the phrase can already be interpreted in quite a flexible way. On the topic of euro-ins and euro-outs, the Dutch government could be open to some improvements to the system, but hasn't seen concrete proposals from Cameron.



## POLAND

There is little understanding in Poland for the demand to scrap the 'ever closer union' clause, but the national-conservative opposition party which may come to power in autumn is sympathetic to this demand. On Euro-in and -outs Poland still considers itself to be an pre-in (and not an out like the UK). British concerns about potential negative effects of the Eurozone integration are seen as strongly exaggerated. The Eurozone is not a uniform block (thus a danger of the 'outs' being out-voted by the Eurogroup is not serious). And the principle of openness of Eurozone institutions has been preserved. Any far-reaching deal between Eurozone and the rest of the EU would require a treaty change which Poland opposes.



## SPAIN

The Spanish perception is that the UK already has four opt-outs (Economic and Monetary Union (EMU), Schengen, Justice and Home Affairs regulations and the Charter of Fundamental Human Rights) so it cannot claim that other EU members have not been flexible in accommodating its needs. Spain understands the UK's preoccupation with the banking union and other EU regulations having a negative impact on the City, but would prefer these problems to be solved by negotiations and dialogue than by giving the right to the UK to block EMU legislation.



## SWEDEN

In Sweden, there is no support for a treaty change, so any declaration against the 'ever closer union' could only work through a different mechanism such as a protocol. As for a different treatment for Euro-ins and Euro-outs, as a Euro-out, Sweden understands the UK's need for being treated fairly and being involved in decision-making. However, the Swedes are not interested in building a specific structure to support this.

## 05 Greater say for national parliaments, allowing groups of them to block regulations

### Already convinced 2/10

Denmark  
Netherlands

### Convincible 7/10

Bulgaria  
France  
Germany  
Ireland  
Italy  
Poland  
Sweden

### Unconvinced 1/10

Spain



### BULGARIA

The topic of the increased role of the national parliaments in the decision-making processes in the EU as a 'cure' for Europe's democratic deficit is completely lacking from the Bulgarian political agenda. At least some of the parliamentary groups are likely to be in favour of the proposal as it gives greater say to member states, but it is hard to predict whether the mainstream parties will accept it and under what conditions.



### DENMARK

A majority of the Danish political parties continuously stress that decisions must be taken as close to the citizens as possible. The general EU skepticism has gained momentum in the past years. As part of this increased skepticism, an argument adopted by both the 'pro-EU'-parties and the more sceptic parties, is that the national parliaments should gain a larger role in EU cooperation if possible.



### FRANCE

France might not be opposed to a greater say for national parliaments based on its position when previous treaties were negotiated. French politicians also have to deal with a certain level of distrust regarding the European institutions among its citizens and this proposition could be seen as a way to mitigate these fears. However, the administration will have concerns about the impact on the inter-institutional balance on European issues in the Presidential system.



### GERMANY

Generally Germany does not agree that the current arrangement needs any improvement. Some voices ask for a stronger influence of the national parliaments: some of the government parties favour a stronger role of the national parliaments in EU-legislation and a deeper cooperation between national parliaments.



### IRELAND

The Lisbon Treaty already provides for enhanced scrutiny of EU legislation by national parliaments through a 'yellow card' delaying tactic, which could be strengthened without treaty change. However, the 'red-card' procedure would leave the Union vulnerable to short-term swings in the composition of Member States' parliaments, reverse the process of integration over the past six decades, reintroduce full scale inter-governmentalism, and undermine the EU legal order.



### ITALY

Italy's position is that effective parliamentary oversight should be implemented in order to overcome the perception that the EU is not fully democratic. To achieve this, European and National Parliament involvement should be enhanced, especially on issues such as macroeconomic adjustment programmes. The need to reach unanimity and veto powers are an obstacle to effective EU decision-making for the common interest and should be revised.



## NETHERLANDS

The Dutch are very much in favour of a greater say for national parliaments, and have made proposals regarding this in the past. They find that the Commission should take parliaments very seriously, and supported previous work on reforms in this direction.



## POLAND

Poland thinks that the subsidiarity principle and the current mechanisms to ensure national parliamentary scrutiny of the EU legislation process are sufficient tools which should be better used. A red card would possibly paralyse the EU legislation and would be thus not welcomed. A national-conservative government, if elected in the autumn, might be, however, more sympathetic to this demand.



## SPAIN

Spain views a 'red card' system is unnecessary as the Luxembourg Compromise already offers de facto veto power to every member state on topics deemed to be of crucial national interest. The British could want to reinforce or revitalise the Luxembourg Compromise but the process of doing so would have far-reaching juridical repercussions. In any case, Spain opposes giving national parliaments giving veto rights over EU legislations, viewing this as role of the European Parliament.



## SWEDEN

The Swedes are in general in favour of a greater say for national parliaments, and are very pro-active in scrutinising EU legislation. The country has used the "yellow card" system in the past, but finds that the proposed 'red card' system goes too far.

## 06 Transitional controls for immigration from new member states

### Already convinced 1/10

Denmark

### Convincible 3/10

Bulgaria  
Netherlands  
Poland

### Unconvinced 6/10

France      Spain  
Germany    Sweden  
Ireland  
Italy



### BULGARIA

As part of the accession process Bulgaria agreed to a transition period during which certain restrictions applied to the free movement of Bulgarian citizens and this appeared to be acceptable in the defined timeframe. However, the proposed measures appear to go way further and might significantly hinder the integration process of new members. Bulgaria might agree to support a milder version of the proposal with a clear timeframe but will probably oppose the condition of close economic convergence with existing member states as obligatory for new member states to fully participate in the common market.



### DENMARK

The Danish government is prepared to back several of Cameron's proposed reforms on immigration and a generally stricter EU migration policy. This is a somewhat new development, since the liberal party has previously been a pro-EU party, reflecting a change in policy since the right-wing Danish Peoples Party gained a major increase in electoral support in the latest national and European Parliament elections.



### FRANCE

As with the great majority of the propositions regarding immigration, this one will be opposed on the ground that it completely negates one of the basic rules of the EU: every European citizen has to be treated in the same way and discriminating laws would create a de facto gap between new and old member states.



### GERMANY

Germany believes that the current setting is fine. Transitional periods should apply for new member states, but there should not be any new general arrangements. The internal debate is more focused on the question of whether migrants' access to the welfare system should be restricted.



### IRELAND

Ireland has benefited greatly from the free movement of people, has a long history of emigration and has a deep understanding and empathy for the plight of migrants. Ireland would not be in favour of enshrined restriction to the free movement of peoples, nor in taking discriminatory measures against jobseekers from new Member States that are incompatible with the Single Market.



### ITALY

Italy is concerned about the UK's calling into question of European freedom of movement, which Italy sees as a non-negotiable principle. Minister of Foreign Affairs Paolo Gentiloni expressed the position that the EU should intervene to help member states over issues of resettlement and relocation. Italy sees cooperation rather than outright restrictions as the solution.





## **NETHERLANDS**

The Netherlands can support regulations on this issue. They have always been among the stricter countries in their regulations on a transition period for new member states such as Poland and Bulgaria. However, this should be a limited period with no residual regulations that could be discriminatory.



## **POLAND**

As a symbolic issue an EU enlargement is not on the agenda. However, it would be part of the broader discussion about the migration and labour market which is a particularly sensitive issue for Poland. Warsaw could perhaps accept this change if it is part of a trade-off and Poland's interests are secured in other areas.



## **SPAIN**

Transitional controls have already been applied in most of the EU's enlargements, as seen in the last two enlargement processes of 2004 and 2007. These measures, temporarily restricting the right of workers from new member state to move freely to another Member State to work were not fully used by Spain and in fact criticised by the Spanish government



## **SWEDEN**

In Sweden, the EU principle of freedom of movement is seen as very important, and any regulation that counters this will not be supported. There is also the fear that excluding new member states from these important features of EU cooperation will cause the integration process to lose momentum.

## 07 Deportation of criminal EU migrants and re-entry ban

### Already convinced 1/10

Denmark

### Convincible 4/10

Germany

Poland

Ireland

Netherlands

### Unconvinced 5/10

Bulgaria

Italy

France

Spain

Sweden



### BULGARIA

Each proposal that goes against the principle of free movement within the EU is in principle unacceptable for Bulgaria. In this sense measures such as deportation and re-entry bans are likely to be disputed by the Bulgarian government. In addition, if Britain implements such measures this could create a precedent for other Western European countries to also start deporting Bulgarian citizens and introducing re-entry bans.



### DENMARK

The Danish government is prepared to back several of Cameron's proposed reforms on immigration, including those on transitional controls, benefit entitlements and a stricter EU migration policy. Stricter rules on deportation and re-entry bans have only been publicly discussed by the eurosceptic Danish People's Party.



### FRANCE

As for the previous reforms, this measure would be opposed on the basis that it infringes equality among European citizens.



### GERMANY

Treaty change would not be needed for this this measure. Germany generally supports punishment of misuse of free movement. Some of the government parties are in favor of mechanisms to ban migrants from exploiting the social system, while others more or less oppose this idea.



### IRELAND

Ireland supports the current rules on the free movement of people. While the proposal for deportation and refusal of re-entry of criminal migrants does not currently comply with EU law, if Britain were to reach an accommodation, for example through amending the 2004 Directive on the Free Movement of Citizens, Ireland would be unlikely to stand in its way.



### ITALY

According to EU law, the UK already has the right to expel EU criminals from its territory. However, the restrictions of the Citizens Directive mandate that a case by case review is required, and that this measure can't be "invoked to serve economic ends". Because regulations already exist, this issue has not been at the center of Italian political debate, but Italy will most likely support the current status quo.



## NETHERLANDS

The Dutch ministry of foreign affairs is not supportive of any changes that would go against EU Law or the free movement of people. However, other ministries might be open to stricter regulations, since there has been a lot of discussion on migration issues within the Netherlands, especially after the rise of right-wing politicians.



## POLAND

Generally Poland is against opt-outs for single countries, so this could possibly work as an EU-wide regulation and not restricted only to UK. This would have to be seen as a part of a big deal on migration and not of a comprehensive overhaul of the whole policy on migration and labour market which Poland would strongly oppose. However, a possible new regulation should be proportionate and must not be overstretched. Criminalization of migrants has to be prevented.



## SPAIN

Member states already can expel EU citizens on the basis of public policy or security and can ban expelled EU citizens from being able to re-enter the country via the 'Citizen's Directive'. However, the Spanish position does not accept blanket discrimination that involves the expulsion of "beggars, rough sleepers, fraudsters and people who collude in sham marriages". Not only for ethical reasons but also because it is not permissible under EU law and would require legislative change, even if not quite a revision of the treaties.



## SWEDEN

The liberal Swedish immigration policy has been under heated debate in recent years and was one of the main topics under discussion in the last elections. However, criminalising migrants and forcefully deporting them is still a step too far for the country.

**08** EU migrants need to have a job offer before they come to the UK, or have a maximum of 6 months right of residence as a job seeker if they are already in the UK

**Already convinced 0/10**

**Convincible 4/10**

**Unconvinced 6/10**

Denmark  
Ireland  
Italy  
Netherlands

Bulgaria  
France  
Germany  
Poland  
Spain  
Sweden



**BULGARIA**

Due to the large number of Bulgarian immigrants which currently reside in the UK it is highly unlikely that Bulgaria will support this proposal. The proposal, if implemented, will contradict the principle of free movement of people which is fundamental for the single market.



**DENMARK**

The Danish government are prepared to back several of Camerons proposed reforms on immigration, including those on transitional controls, benefit entitlements and a stricter EU migration policy, but this issue has not been debated in particular.



**FRANCE**

As in many EU countries, France would be concerned about any change contravening the principle of equality.



**GERMANY**

This measure is too much of a restriction regarding free movement of labour, which is a core issue for Germany. Under current law new migrants have at least six months to find a job and even German hardliners on migration issues are not opposing this. But there is a certain level of common ground regarding misuse of welfare systems.



**IRELAND**

Ireland is opposed to restrictions to the free movement of people, including the freedom to move to seek employment. Ireland's priority is to ensure that any exception made for the UK would not set a dangerous precedent for the Union as a whole, and for the integrity of the Single Market.



**ITALY**

Although the Italian government has voted on tax reliefs to counter the brain drain of highly educated workers, Italy sees freedom of movement within the EU as a non-negotiable point. Growing levels of unemployment in Italy over the last couple of years have resulted in the emigration of many Italians and, about 600,000 Italians currently live in the UK. Therefore, Italy wants to maintain the status quo.



## NETHERLANDS

The Netherlands would not support a new regulation that goes against the free movement of people and discriminates against non-UK residents, but are interested in whether restrictions could be brought in under current rules. The Dutch try to fight against unfair competition by strengthening other regulations to ensure equal work for equal pay. The Dutch minister of Social Affairs and Employment made a number of proposals to this effect to the new Commission last year.



## POLAND

The Polish government officially stated that this is a red line which must not be crossed as it would not be in line with EU legislation and treaty change is needed. Migration issues are considered in Poland as central demands in the British renegotiation agenda and are at the same time those where Poland has a particularly strong negative position. Thus they are likely to overshadow the commonalities in other, less relevant areas.



## SPAIN

Considering the huge quantity of British people living in Spain (over a million in 2014), there needs to be an element of reciprocity that this proposal entirely overlooks. A bid to limit abuses of the system is understandable but this proposal fundamentally challenges freedom of movement in the EU.



## SWEDEN

This issue has not really been discussed in Sweden, since it is seen as a national issue. In Sweden, similar rules are already in place, and changing the rules at an EU level is not seen as necessary.

**09** Benefits, including social housing, only for those who have lived and worked in the UK for four years.

**Already convinced 0/10**

**Convincible 2/10**

**Unconvinced 8/10**

Denmark  
Ireland

Bulgaria	Nether-lands	Sweden
France	Poland	
Germany	Spain	
Italy		



### **BULGARIA**

This proposal is unacceptable from a Bulgarian perspective due to the large number of Bulgarian immigrants in the UK. Philip Hammond attempted to raise this question during his visit to Bulgaria in the beginning of 2015 but encountered expected resistance of part of the Bulgarian government regarding the proposal.



### **DENMARK**

This particular issue has not been debated, but there are also voices in the government party that are critical towards the very strict proposals coming from Cameron, stating that Denmark should not follow this path.



### **FRANCE**

This proposal would also put in jeopardy the European requirement about equality among European citizens and will be opposed as such.



### **GERMANY**

This is absolutely not doable in Germany. The largest political parties oppose the idea of limiting social benefits for migrants because this is against the principle of free movement. Only the misuse of this freedom, for example receiving benefits in Germany and the home country, ought to be stopped.



### **IRELAND**

Though benefit tourism has become the *bête noir* of the British Conservative party, the Irish view is that the problem lies primarily with the structure of welfare provision in the UK. The UK's demand to curb benefit tourism is widely perceived as a proxy for preventing Roma families availing of such benefits. Were such restrictions to be extended into the EU, it would violate the principles of free movement enshrined in the Single Market and would be unacceptable to Ireland.



### **ITALY**

This particular issue is not at the top of the agenda of the Italian government and the Italian public debate. Italy generally supports the current EU regulations that forbids discrimination against workers. Italian trade unions are opposed to any measures that undermine benefits of workers abroad.



## **NETHERLANDS**

These regulations could only be discussed with the Dutch government if they are non-discriminatory and would count equally for Brits abroad (or any other EU citizens). Treaty change on this subject would not be acceptable.



## **POLAND**

Poland strongly opposes these suggestions as they would undermine the EU single market regulation and introduce different treatment of EU and British workers.



## **SPAIN**

Spain sympathises with the understandable need to limit abuses of the system. However, this should not involve flouting the principle of non-discrimination. There has been talk in the UK about imposing limits on in-work benefits for migrant, however, restricting their access to tax credits is dangerously close to discrimination.



## **SWEDEN**

The issue is seen as a national issue, and many Swedes wonder why the UK does not change their own rules. The current Swedish system is stricter than the British system, and is directly linked to having had a job in the country. Because of the danger of discrimination, these reforms are again not supported.

## 10 No benefits for dependents that do not live in the UK

### Already convinced 1/10

Denmark

### Convincible 2/10

Ireland  
Spain

### Unconvinced 7/10

Bulgaria    Italy    Sweden  
France    Nether-  
Germa-    lands  
ny    Poland



### BULGARIA

Once again, this proposal is unlikely to be supported by the Bulgarian government because it is not in the interest of the large number of Bulgarian citizens currently living in the UK.



### DENMARK

The issue of benefit entitlements, which has led to huge public debate in Denmark, and the government and biggest opposition parties agree have stated that these proposals might get their support.



### FRANCE

A change of rules at a European level would not be supported, but this is likely to be viewed in France as a national issue.



### GERMANY

The main parties generally oppose Cameron's proposal because it would discriminate migrant workers in terms of taxes and this would pose an impairment to the freedom of movement. However, some politicians demand an adjustment of the level of benefits to the living costs in the home country of the migrant if the child is still living there.



### IRELAND

It is recognised both in Ireland and at EU level that there are problems with the implementation of certain aspects of the Free Movement Directive, and there is empathy for the UK's desire for reform. However, blanket denial of social or tax benefits to non-resident dependents will not be acceptable from the Irish perspective.



### ITALY

This is not a topic currently being discussed in Italy because it is not of particular concern for its citizens abroad. However, the country's general position on these kinds of requests is that of upholding the status quo and current practices of the EU.





## **NETHERLANDS**

This is another instance where a regulation just for EU migrants in the UK would be unacceptable as a treaty change. Non-discriminatory EU-wide regulations would be a different story.



## **POLAND**

This another issue where the Polish 'red line' would be crossed if the British demand was accepted. It would undermine the principle of equal treatment of all workers in the UK (including almost 700.000 Poles) and for any Polish government it would be extremely difficult to agree on that as the foreign incomes are important source of income of many households. Poland's opposition to substantial changes in the regulations concerning the access to the labour markets of EU member states reflects also its negative attitude to the idea of a treaty change which such a reform would require.



## **SPAIN**

Spain suffers from 'healthcare tourism' in which migrants are able to access the healthcare system via a family member who is registered here. As such, Spain would also benefit from these changes. However, caution must be exercised as the EU regulation that stipulates EU parents can give benefits to their children regardless of location is there for a reason, and to stop certain EU citizens accessing these benefits ventures into the terrain of discrimination.



## **SWEDEN**

This proposal is also not seen as relevant for the Swedish situation, where benefits for children are linked to their local schools and hospitals. A change of rules at the European level is not supported.

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