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Alok Sharma MP and Stephan Meyer MdB: Britain and Germany can work together to deliver free movement reform



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Following the return of David Cameron as Prime Minister, now with a majority in the House of Commons, it is certain that the UK will hold a referendum on its future membership of the European Union by the end of 2017. Debate has therefore returned to whether the Prime Minister can really deliver on his proposals to reform the EU to make it more flexible, more competitive – and remove the financial incentives that attract EU migrants to the UK.

The reality is that many of the same people who doubt the Prime Minister's ability to reach a deal with Europe are the same people who doubted he would be returned as Prime Minister in the first place. The people who have talked down his ability to bring about changes on the freedom of movement may be surprised by just how much common ground and goodwill there is across Europe to stop its abuse.

Cameron's ambitious EU reform proposals include removing in-work benefits and social housing for migrants for four years; removing child benefits and tax credits for children not living in the UK; limiting the right of jobseekers



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to claim out of work benefits, and restricting the eligibility of jobseekers to stay in the country without finding work for six months.

It is widely acknowledged that the stance and role of Germany in any renegotiation will be key, so it is worthwhile examining overlaps between the UK and German positions on EU migration. The lessons from Germany indicate that in the case of the Prime Minister's migration proposals, EU treaty change may not be necessary to get what he wants. In recent days, Philip Hammond has acknowledged that treaty change in itself is not the UK's political goal.

Berlin has always been clear that the freedom of movement within the EU is subject to certain conditions, and that individuals are expected to actively seek and take up work. Both the UK and Germany agree that any abuse of the system, especially when it comes to welfare benefits, needs to be eradicated.

The Bundestag, urged on by Angela Merkel's Christian Democratic Union (CDU) party and its coalition partner, the Christian Social Union (CSU), has recently passed a law regulating freedom of movement within the EU. Some of the measures that have been taken include re-entry bans of up to five years, as well as fines and potential imprisonment for those who illegally obtain residence permits, and a six month limit on residence permits for those seeking work – with extensions only granted to those individuals with a realistic prospect of finding a job.

The CSU is also calling for a new law to restrict the levels of Child Benefit paid in Germany to migrants, so that parents are only eligible to be paid the amount they would receive in their country of origin.

There have been some recent positive signs from the European Court of Justice (ECJ) that EU states are within their rights already to curb blatant benefit abuse by migrants. In the case of *Dano v Germany* (<http://curia.europa.eu/jcms/upload/docs/application/pdf/2014-11/cp140146en.pdf>) in November, the ECJ ruled that governments can deny benefits to citizens from another EU state if they have moved countries "solely" to claim them. This was widely welcomed both in Germany and the UK.

However, thus far a definitive decision by the ECJ on what constitutes social benefit migration and how member states can set boundaries within freedom of movement has not been handed down. Pending cases in front of the ECJ will hopefully bring this clarification but, if those rulings prove adverse, it is understood that the German government remains open to adjusting EU Regulations and Directives in order to prevent benefit migration.

Germans have been reassured by Cameron's previous comments that "immigration benefits Britain, but it needs to be controlled"; "our openness is part of who we are", and "we are Great Britain because of immigration, not in spite of it" and there is evidently much more common ground between our two countries than the Prime Minister's critics have given him credit for.

Those who have Cameron's ability to deliver on EU reform should now wake up to the fact that reform to eliminate the abuse of free movement is within reach, and that he has every chance of success.

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 **Ruth Gledhill** @RuthieGledhill 14s
Having such a great time @CRE_churchshow - met so many inspirational people - story soon @ChristianToday.
pic.twitter.com/POs39pJL8I
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