



# HOUSE OF LORDS

Unrevised transcript of evidence taken before

## **The Select Committee on the European Union**

Home Affairs, Health and Education

Inquiry on

## **GLOBAL APPROACH TO MIGRATION AND MOBILITY**

*Evidence Session No. 1.*

*Heard in Public.*

*Questions 1 -34*

WEDNESDAY 20 JUNE 2012

11.25 am

Witnesses: Mr Peter Sutherland

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Members present

Lord Hannay of Chiswick (Chairman)  
Lord Avebury  
Viscount Bridgeman  
Lord Judd  
Lord Mackenzie of Framwellgate  
Baroness Prashar  
Lord Richard  
Lord Sharkey  
Lord Tomlinson

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**Examination of Witnesses**

**Mr Peter Sutherland**, Chairman, Goldman Sachs International.

**Q1 The Chairman:** Good morning, Mr Sutherland. It is very kind of you to come and give evidence. You are the first in a long series of witnesses with whom we will be discussing the EU's global approach to migration and mobility. It is a great help to hear you in your capacity as adviser on this subject to the special representative to the UN Secretary General, and also given your background both in trade policy and also at the Commission where you and I—I suppose that I should declare an interest—had many dealings in the long-distant past. As you know, the session is open to the public. A webcast goes out live as an audio transmission and is subsequently accessible via the parliamentary website. A verbatim transcript will be taken of your evidence. This will be put on the parliamentary website. A few days after the evidence session, you will be sent a copy of the transcript to check it for accuracy, and we would be grateful if you would advise us of any corrections as quickly as possible. If, after the session, you wish to clarify or amplify any points made during your evidence, or have any additional points to make, you are welcome to submit supplementary evidence. I know that you would like to make a brief opening statement, which would be very welcome to the Committee, so I invite you to do that now, and then we will move on to questions.

**Peter Sutherland:** Thank you, Lord Hannay. First, let me say that I am honoured to be invited to give evidence to you today. I was anxious to make a preliminary statement because I wanted to make it clear that the experience I have had in this area is linked, although not directly, to the development of the European Union position. I have some views on the latter, but perhaps I should first explain briefly how I am engaged in this. In 2005, Kofi Annan contacted me and said, in effect, that one of the two or three great global issues of our time was migration and migration policy. He said that there were no proper multilateral structures for the discussion of migration policy and the creation of connections between countries of origin, transit and destination. There were only bilateral agreements and bilateral discussions. The IOM,<sup>1</sup> while by its name purporting to be an international organisation covering all aspects of migration, is not within the UN family, and not everybody agrees with everything that it stands for, or its constitution—although I must say it has been extremely helpful to me. He asked me, in the context of the 2006 high-level dialogue taking place in the General Assembly, to look at the issue, having had the experience of being there at the foundation, so to speak, of the WTO,<sup>2</sup> to see what might happen in the area of international discussions on migration policy.

I took on that particular task and discovered that there were a couple of fault lines that made it very difficult to make progress. On the one hand, there was a group of countries—for which I must say I had full understanding—that had significant reluctance about the creation of an organisation within the United Nations that would deal with migration. Therefore, that role was not one that could possibly have been acceptable to a significant number of member states of the United Nations. The second issue was what should be done if it was not possible to proceed by way of setting up a structure within the United Nations.

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<sup>1</sup> International Organization for Migration

<sup>2</sup> World Trade Organization

The conclusion that we came to was that it might be possible to set up what was to become the Global Forum on Migration and Development.

As you will see from its website, the Global Forum on Migration and Development was set up following the high-level dialogue by the General Assembly and was no more than a structure for annual communication at a four or five-day conference that would be held alternately in countries of destination or origin. This discussion would take place at the invitation of a member state. Each year since 2006, the Global Forum has taken place, and has moved from north to south throughout that period. In the south, we had meetings in Mexico and the Philippines, to take two examples of countries of origin. One hundred and sixty countries normally attend.

During the interval between the Global Forum meetings, a structure that we set up in Geneva has at its head a troika of the current host country, the preceding host and the subsequent host. The troika provides a sort of governing structure. Under the structure there is what is called a steering committee. The steering committee has been formed by member states that have shown a commitment to the process. The United Kingdom is one of those countries. We meet in Geneva once a month or so with the steering committee to prepare and develop papers and proposals for the annual meetings that take place, for example this year in Mauritius in November. The European Commission has been particularly helpful in this process. I think perhaps it sees it as something that naturally fits in with a global approach to migration and mobility. The nexus between development and migration was a key element in getting this proposal across the line in the first instance in 2006.

The reason I say that is that there were a number of member states, including at the time particularly the United States, that were absolutely opposed to any initiative relating to migration taking place within or under the umbrella of the United Nations, on grounds of

concern about sovereignty. With a change of Administration in the United States, that position changed and the United States is now part of the steering group. Therefore, we have virtually the whole global community working in the process. We have another high-level dialogue coming up next year in the United Nations, which will map out whatever route there may be into the future. That will not include, in my view, the creation of a UN organisation for migration, because the will for that has not been demonstrated and a large number of countries would oppose it.

The structure of the Global Forum, which I will not bore you with, has become concrete. We have a small secretariat and we have been supported by some NGOs and foundations, for example the MacArthur Foundation. We have been helped financially by various countries, including the United Kingdom—but purely voluntarily and not on the basis of any quota. That support mechanism has become something that takes place annually and those who have provided support have not backed away after their initial engagement. They have continued their financial support for the operation of the Global Forum.

Finally, at Global Forum meetings, countries from the north and south—countries of origin, transit and destination—meet and often create bilateral connections and policies to develop where they are going and what they are doing. I should say in parentheses that it is not clear to me, although this is at a very early stage, that the European Commission, which in my opinion has done an enormous amount of very valuable work on this, is welcomed even as an observer by all member states in the Global Forum. The key element of the Global Forum is that it is state led and state directed, and will not produce binding resolutions or requirements in the form of conventions or otherwise. It is a forum for dialogue. There is currently some debate about what role the Commission can play and how it can engage. I think that the Commission should play a role, if only as an ideas factory.

The final point that I would make—I am probably going on far too long—is that we have tried to do two things to create greater coherence in regard to the process. First, we have tried to bring together under the Global Migration Group all the UN agencies with an interest in this that normally operate in different lines of activity, for example the UNHCR.<sup>3</sup> IOM is part of this, even though it is not in the UN, and so is the ILO.<sup>4</sup> The original idea was that they would combine sufficiently to create a secretariat that would run the whole operation. Because of internecine warfare, they have not functioned effectively. In fact, in my opinion the lack of engagement has been appalling. There has been some engagement and some of them have been extremely helpful—the IOM, the World Bank and the UNHCR in particular—but they have not come together effectively.

The other point that I would make, finally, is that we have instituted a number of things related to domestic policy that are of some value. One of the key issues, it seemed to us from the beginning, was the lack of coherence in national policy. One reason for that was that there was no mechanism in many member states to bring together different departments, all of which had an interest in the area of migration. In fact, the field was often occupied solely by those in charge of border controls—departments of justice or home affairs. Other relevant areas, including foreign affairs, social welfare, development and so on, were not there. Therefore, we asked each country to produce a focal point. This would be an individual in a relatively senior position in each member state who would try to draw together in some coherent way at national level—because we certainly could not do it—a response to the various initiatives that we were trying to take. That has worked to some effect. We have recently had a professionally conducted assessment of the whole operation to date, conducted with all the member states. All of them replied when we asked them to assess the value of the process. It got an overwhelming thumbs-up—not that that necessarily

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<sup>3</sup> United Nations High Commissioner for Refugees

<sup>4</sup> International Labour Organization

proves anything, but it gives an indication of some degree of support. Virtually no country in the world—and they are all now engaged in it—thinks that this is a waste of time. They all think that it is worth while and valuable. That is my background.

My personal capacity in this, in so far as I have any, has been related far more to process and getting a rather complicated show on the road, and working out the way to do it, than the substance of arguments—which of course I believe are of great importance to the world—about whether migration is or is not a good thing, and how it should best be conducted. I am sorry if I went on a little long, but I think that it is important to delineate the context in which I am able to help you, although I am quite happy—like most of my race, I talk at great length at the drop of a hat—to try to answer, however inexpertly, any questions that you might ask me.

**Q2 The Chairman:** Thank you very much indeed. I thought that that was exceptionally valuable because you set the scene in a way that none of the written submissions we have had did. Personally I have gone quite a way up the learning curve as a result of your explanation, which was admirably clear. Could I just ask one or two process questions before we get to the substance? You mentioned the meeting in Mauritius in November. It would be very valuable for us to have the public outcome of that. Perhaps the clerks could be in touch with your office so that you could let us have it. It will be a bit tight as we are trying to finish our report by Christmas, but it should be manageable and it would be very valuable for us to have that. Secondly, could you tell us who the British focal point is of your system?

**Peter Sutherland:** I was afraid that, given your rapier-like mind, that would be the first question you asked, and I have forgotten the name.

**Q3 The Chairman:** Perhaps you could let me know, because we will probably want to ask him or her to come and give evidence. Thirdly, did you say that the Commission was not very welcome?

**Peter Sutherland:** To some member states.

**Q4 The Chairman:** Are they there or are they not there?

**Peter Sutherland:** They are not there. At the last meeting, particularly having regard to an interest that the Commission was displaying in providing support, probably from the development budget, for a process that is directly linked to development—as I am sure your discussions have already shown—I asked them to attend, but as a UN special representative of a state-led system I had no power to insist on this, and a number of member states disagreed. I am talking about opposition from within the European Union. What that is based on—whether it is an ideological position—and where the UK stands on it, I do not know, as it arose only at the last meeting.

I should finally say that at the Mauritius meeting, which the UK is playing a role in developing—the UK has been very constructively engaged with this process from the beginning, and very supportive of me personally—the way that we will run the five days is that there will be two days of NGO dialogue to bring NGOs together in an organised way, with the host country providing an NGO leader who will bring together the NGO community. They will come from all over the world and speak for two days on an agenda that is meant to feed into the state-led process that will follow. On the third day there is a common space where NGOs communicate with governments. On the last two days there are purely intergovernmental discussions on specific themes relating to this. Incidentally, there is often a debate on whether, as they are meant to be discussing primarily development and migration, issues such as human rights are directly related to this or not.

That has now largely been overcome and it is generally accepted that the issue of human rights is relevant and should be included rather than excluded from the discussion.

**The Chairman:** We will follow up, if we may, the Mauritius point and the name of the British focal point, and of course we will follow up directly with the Government on their attitude towards the Commission's attendance at these meetings.

**Q5 Lord Richard:** I just want to know what the agenda is.

**Peter Sutherland:** Well, the agenda of the Global Forum covers a whole range of different subjects: for example, the whole issue of brain drain. One of the first issues that we dealt with, and on which we have made significant progress, is remittances. We are looking now at the issue of diaspora involvement in the development of national economies and how we can engage them. We look at the issue of human rights. At each meeting of the Global Forum there are at least 20 different tables and discussion groups, with professional papers produced for them that cover the whole spectrum of issues relating to migration—every issue that you can think of is discussed, and at the end there is a report on it. At the same time, bilateral connections are created between countries to try to create partnerships, which again is relevant to the idea of the Commission's global approach to migration. I am sorry that I cannot be more precise, because the Global Forum is general and covers everything.

**Q6 The Chairman:** If we may, we will go into the questions of which we gave you some advance warning. The first one that I will seek your views on is: what is your view of the EU's global approach? I refer to the document that we are looking at: the latest iteration of the input from the Commission on a global approach to migration and mobility. How do you see that fitting in—if at all—with the UN's approach to the problem, and the dialogue that you are conducting?

**Peter Sutherland:** First, I think that the global approach is in many ways, as far as I am aware, the most outward-looking and co-operation-oriented approach to migration that exists in the world today. Of course, it does not address every challenge and opportunity posed by migration, but its basic premise is fundamentally correct. That is that almost every aspect of migration demands cross-border co-operation between states and key stakeholders. In other words, no state is or can be an island. The UN's approach to migration is very similar. As I tried to describe to you, however imperfectly, what we have done respects state sovereignty and the right of countries to determine who crosses their borders and how—within the bounds of international law and obligations, of course. It also seeks to foster co-operation, as does the Commission's global approach to migration. So I am generally very positive about it. In fact, I knew less about it—not that I am any expert—before I prepared for this Committee than I know now. I have two collaborators, who are more expert than I and who are also volunteers—one in New York—and they, too, think that it is admirable.

**Q7 Lord Tomlinson:** Mr Sutherland, you said in your introductory statement—I think I heard it correctly—that there were ideological objections to the European Commission participating in your Global Forum. In view of what you said about the Commission's proposals for a global approach, and the praise heaped upon it, it would be very interesting to know what the ideological objections were.

**Peter Sutherland:** I do not know precisely what the objections are, but I think that they broadly fall under the heading that one of the key elements of the Global Forum is that it is a state-led process, and that the European Union and the Commission—the European Union in the first instance—is not, in this context and in the views of some members, an appropriate party to be afforded significant rights.

**Q8 Lord Tomlinson:** But they are going to accede to the Council of Europe and to the Court of Human Rights. The Council of Europe is a body of member states, but they have overcome their difficulties.

**Peter Sutherland:** I absolutely agree with that. I completely agree with you. I had better not refer to the state that I know is leading the opposition to this, which is not the United Kingdom. However, last weekend I spoke to the Foreign Minister and to another Minister in regard to it. I made the points that you have just made.

**The Chairman:** And they of course have status.

**Peter Sutherland:** There is one other argument that probably they would make, although I do not think that it stands up, either. It is that if you open the door to the European Union, other bodies that are not as constitutionally structured might also stake a claim, and how would you draw a boundary with, for example, the African Union?

**The Chairman:** Known as “the objection of the dangerous precedent”, which, along with “the unripe time”, can be called upon by Civil Service objectors to anything, as you know.

**Q9 Lord Mackenzie of Framwellgate:** Mr Sutherland, in your recent talk at the LSE,<sup>5</sup> you noted that migration must be a more robust part of Europe’s foreign and development policy. How might this be achieved?

**Peter Sutherland:** First, what I was getting at there was the fact that migration, as I said earlier, tends to be in the domain of the Home Office or interior ministry, and occasionally of migration or labour ministries, if there are such designated ministries. At one level this is entirely sensible, given the importance of maintaining border security and so on, and of addressing labour market needs. But migration is not often actively considered as part of foreign and development policies in many member states. What does this mean? It is not an argument for greater or lesser migration. It simply accepts that migration has happened and

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<sup>5</sup> London School of Economics and Political Science

will continue to happen and, in so far as it does happen, we must consider its implications for development and foreign relations. Therefore, it is an issue that goes far beyond the boundaries of state security.

A great many European countries already have immigrant populations that are proportionately similar to that of the United States, for example. Many, such as the UK and my own country of Ireland, have an immigrant population that is over 10%. We had virtually no migrants and very many emigrants, as everybody knows, but we now have 766,000 migrants, who make up more than 17% of the population, and far more than that in the major cities. That has all happened in 10 years. I am not making a point about Ireland, but it is a graphic illustration of what can happen even in times of great economic stress—and incidentally, over the past three years that population has increased, not decreased. It is not a case of immigrants leaving and going back to their countries of origin. So the phenomenon is everywhere, even in countries that are in difficulties.

Therefore, we need to consider the relationship that immigrants have with their countries of origin to see what policies if any could serve to amplify the development impact of their engagement. More than \$350 billion in remittances is sent back every year from migrants. The cost reduction on that has gone from an average of 15% to 8% as a result of efficiencies, and could go far lower than that. The result is that an extra \$25 billion is reaching the rightful recipients of those funds. Therefore, migrant policy—I am rambling a bit—is something that should involve consideration of issues like that, as well as simply how many get in and how many do not get in.

**Q10 Lord Judd:** To some extent, my question relates back to what you said at the LSE and I had the privilege of being there to hear you say it. It also relates back to your extremely interesting introductory statement. If I may say so, I was particularly cheered to hear your observations about the need within member countries to bring the variety of

departments that have a stake in migration together, to see the implications for each department of migration policy, rather than just the Home Office or whichever it is.

To some extent, you have covered my question but within the European Union there are two objectives. One, which seems to be pretty deeply rooted in European institutions, is a commitment to development in the poorest parts of the world. Another is the policy that is emerging—certainly in member states, including our own—that immigration should be more targeted towards the people who are needed to help the economy of those member states be efficient. There is potentially a contradiction in this because the people who are targeted for immigration may in fact be the people who are most needed at home to help in the building of a better future for the people of those countries. How do you think that the Commission can help to reconcile these two objectives and to make sure that one is not contradicting the other?

**Peter Sutherland:** First, on the argument of targeted migration, let me in parentheses introduce this. As you, Lord Judd, will be more than aware as a governor of LSE, the whole issue of migration into third-level education is not irrelevant in this. The visa programme is something that I would be deeply worried about, in regard to both academic staff and students coming into the United Kingdom, along with the effects that will have. That is not unrelated to what you are saying because the reality is that many migrants of the targeted type who have particular skill sets are migrants who have come in as students—the evidence is clear on this, for example from the United States. They have become capable of making very significant contributions to the societies of destination because of education and because they come in.

Coming to your fundamental point, I do not think that there is a great deal of evidence to suggest, although it is a popular theory, that giving particular priority to skills which are absent is a desirable approach to migration while excluding those without those skills. In fact,

in any of the European societies—and from reading their papers, although they would speak for themselves, this is probably the Commission's view—the evidence is that the gaps in employment right across the European Union are often those at the lowest skill level rather than the top skill level. There are other examples: in Germany, there are over 50,000 jobs in the engineering sector that need to be filled. I am sure that can be replicated, to a lesser extent, in many other member states but I do not see that there is an argument in favour of limiting migrants' contributions to high-skill areas of the economy. Apart from everything else, people move from one level of society to another in a properly organised democratic society and even without the benefit of going to third-level education lots of people who may come in unskilled may well, as I have said, move up the scale. However, I think that I have missed your point. Could I ask you for it again, Lord Judd?

**Q11 Lord Judd:** Is there anything specific that you would suggest that the Commission should be doing about this?

**Peter Sutherland:** I have no immediate answer to that. As to what the Commission should be doing, it should be articulating ideas but I do not see that it has any direct role in regards to the member states and their policies on this issue, other than through discussion and exhortation.

**Q12 Lord Judd:** But you would agree that it is an issue that the Commission ought to watch very carefully.

**Peter Sutherland:** Absolutely. I think that the Commission's thinking in this whole area is really quite advanced. It has the massive advantage of not being swayed by populism, which in many more directly political environments inevitably becomes a relevant factor in the enunciation of migration policy.

**Q13 The Chairman:** If I have properly understood, you are really saying that you do not think that the EU as such, or its member states, should be adopting policies to prevent a

brain drain from poorer countries to more developed ones, nor should they be developing policies to promote a brain gain. You are taking a very free-market approach to it. Have I understood that rightly?

**Peter Sutherland:** Yes, that is correct. Incidentally, I think that the brain drain concept is hotly contested. At the most basic level, individuals should have a freedom of choice and therefore you cannot say, “We are excluding this category because it will have a negative effect on the society from which they come”. None the less, it is true that certain developing countries suffer a dangerous outflow—the example of skilled doctors from Mali is one that is often cited—and we have to be vigilant about not doing anything that actively reduces these stocks. But the operative words are “actively reduces” these stocks and there is a distinction between actively engaging and soliciting individuals and giving them the freedom to make the most of the opportunities that are available to them.

It must also be said that the brain gain does not necessarily involve poaching workers. It could be the product of a smarter approach to certifying the skills of migrants who are already in Europe and taking jobs that are beneath their training—doctors driving taxis in London, for example. There are a number of things that could be looked at in this regard.

**Q14 Lord Judd:** Presumably, you would argue that when Ministers deliberate on these issues, they should have the points that you made on their agenda. Similarly, does that not suggest that the Commission should facilitate thought in this direction by promoting a paper or research into the implications of existing member countries’ policies for the overall strategy of the EU?

**Peter Sutherland:** Absolutely. I absolutely believe that. And I believe that co-operation between member states, rather than each developing a policy in isolation on a whole range of migration issues, is fundamentally important. The Commission has to be the catalyst for that, and provide the thinking behind it. At the end of the day the legal authority of the

Commission to interfere with the policy of selective migration to a country, however much some might wish it otherwise, does not exist. Therefore, there is only so much that can be done. I am not arguing against the Commission's engagement. I think that it is vital, and we need a lot more co-operation between member states than we have.

**Q15 Lord Tomlinson:** I think that you have partly answered the question that I was going to ask. How can the EU ensure that immigration control objectives such as border controls and readmission agreements can co-exist with development objectives? Is the current balance about right? You mentioned the area of education. What thoughts do you have about the UK target of reducing net migration—which is how they are measuring the target—to tens of thousands from hundreds of thousands, and the impact that that is having, particularly on higher education, where incoming students are counted as economic migrants and are therefore quite often deterred from coming here because of the difficulty of getting visas and the perception that they are not welcome?

**Peter Sutherland:** Taking your last point, I know that the LSE takes this issue terribly seriously. Among the educational establishments in this country there is hardly one university that compares to the LSE in terms of the total number of students from outside the European Union. It is also true that it is considered to be equally important that the academic staff should not be exclusively from within the European Union, and that it is very important that we should not send a signal from this country either to potential student applicants of the highest quality or to academic staff that this is in some way an unsympathetic environment in which to seek visas or whatever other permissions or requirements are necessary. I am fearful that that signal might be given of our society. As an observer and as somebody who resides in the UK but comes from outside it, I have always viewed—and still view—this society as a most tolerant and open one that has been welcoming to migrants. It is very important that an unsympathetic signal should not be given.

Even at a mundane and practical level, it would be massively damaging to the third-level education sector in terms of the resourcing, both intellectual and financial, that results from huge numbers coming to this country—many of whom stay, as we have found from looking at the graduates who come through the LSE. Many stay and contribute substantially to the United Kingdom.

**Q16 The Chairman:** You are probably aware that one reason that the Government give for treating students as economic migrants is that they pray in aid a guideline issued by the United Nations so long ago that I cannot remember when it was, which says that anybody who stays for a year is an economic migrant. They seem to ignore the fact that most of the UK's competitors in the higher education sector, such as the United States, Canada and Australia, do not apply this guideline. Secondly, the guideline has no mandatory or legal application. I imagine that you are familiar with that argument.

**Peter Sutherland:** Yes, but I think that it has no substance whatever.

**Q17 The Chairman:** I absolutely agree. As an old UN hand, I looked into this and frankly it does not hold water. This is not a piece of international law.

**Peter Sutherland:** No, absolutely not. It provides no justification at all for the position that we are talking about. I agree.

**Q18 Lord Avebury:** That leads into my question, which is about the domestic politicisation of immigration issues across Europe. What are the prospects for multilateral initiatives on migration? Is it possible for the EU to “speak with one voice” on migration, as the Commission's communication on the GAMM proposes? How could that be achieved?

**Peter Sutherland:** First, there is no doubt that there are differing attitudes to migration, and different elements in the member states of the union at present in terms of attitudes to it. We have seen in some of the most liberal societies in Europe, to everyone's surprise, the development of political parties that have a significant role in governance and which have

policies that can only be described as racist. I accept that bringing about a full agreement between member states of the European Union on issues such as migration that are apparently so politically toxic is difficult to achieve. Having said that, the degree of co-operation that can be developed between member states can have an enormously beneficial effect on the level of domestic debate on important issues relating to attitudes to the development of migration policy. I think that the EU, through its expertise and the experience that it has throughout the European Union, can be of great help in developing common positions. However, I accept that at the end of the day—as I said earlier—it is difficult at present to see the EU as the instrument that determines the law at national level in a significant respect with regard to third-country migrants.

**Q19 Lord Avebury:** I wonder if the Global Forum could have some influence on European policy in some of these respects. For example, I am thinking of family unification, where the rules are different in various European countries and may be affected, as you say, by the development of racist parties in some member states. Is it possible for the Global Forum to consider—or has it considered—the question of family reunification, and the need for countries that receive primary migrants to allow spouses and dependants to come in on the same basis? Surely in the European Union it would be extremely incongruous to have widely differing policies between one state and another on whether to allow in spouses and dependants, and under what conditions they should be allowed in. For instance, is it possible that the Global Forum, among the papers that are produced for discussion, would consider the question of family reunification? If it did, that might have a profound influence on European thinking.

**Peter Sutherland:** Yes, the subject has been and will be discussed. I think that a far higher percentage of immigrants to Europe come along the family reunification path, so to speak. That is, they are not selected for their labour market qualifications and thus sometimes, it

must be said, struggle to find work. Having said that, the humanitarian requirement of an open approach to family reunification is discussed and is a very important element of the Global Forum's debate.

**Q20 Lord Avebury:** Did you say that it had been discussed in the Global Forum?

**Peter Sutherland:** It has been.

**Q21 Lord Avebury:** What is the status of the papers on this produced by the Global Forum?

**Peter Sutherland:** The papers produced by the Global Forum are not conclusions or decisions because it is a non-decision-making body. That has been the crucial element in the debate about what it is and where it is going. The normative end is considered to be completely off limits by a significant number of northern countries of destination. They will not allow it. So all that the Global Forum does—I do not want to make claims that it cannot live up to—is provide a forum for discussion rather than decision. For example, the domestic workers convention, which I strongly believe should be adopted, has not been adopted or ratified by many member states, including the United Kingdom. However, whether the domestic workers convention—or any of the other conventions relating to migration—is a good idea or a bad idea is not a subject that the Global Forum is allowed to discuss.

**Q22 The Chairman:** Are the documents that are discussed at the Global Forum on a website?

**Peter Sutherland:** Yes.

**The Chairman:** We will ask our clerk to visit the website and see whether there is anything relevant on these matters.

**Q23 Baroness Prashar:** To some extent, you have touched on the question that I want to ask but it would still be helpful to hear a little of the detail from you. How do you think

the EU should co-operate with other international organisations, including the United Nations?

**Peter Sutherland:** The EU should have a role in that co-operation, as I indicated earlier, but there is a significant barrier to it, which is that a number of member states oppose the idea of the European Union playing a role—including a role simply as an observer in the Global Forum. It was an observer status that was objected to. I find that hard to understand, to be honest with you, but it would suggest to me that it is a hard-line ideological position that it is related to. I should say that one member state that is a very great supporter of the whole process is one of the member states that object to this, so it is not related to any desire to hamstring the Commission or the Global Forum itself in discussing issues. It is simply a position that the European Commission should not play a role in this type of discussion. I have addressed the Council on one occasion on the issue of the Global Forum—it must have been about five or six years ago—and I am hoping that that opportunity will arise again in the near future.

**The Chairman:** I imagine that it is not totally absent from the concern that if the European Union speaks with a single voice at the forum then, given the various rulings of the European Court of Justice, the legal implications of that within the European Union can lead to a kind of reverse leverage. I imagine that is probably one of the reasons but, like you, I cannot quite see why that applies to the Commission being an observer at the meeting, which does not seem to create any competence at all. Anyway, it is something which we will certainly need to look into, among many other aspects.

**Q24 Baroness Prashar:** You did say in your introduction that the EU has been quite helpful.

**Peter Sutherland:** Yes, tremendously helpful in the background.

**Baroness Prashar:** In what ways have they been helpful?

**Peter Sutherland:** They have been helpful on papers and ideas and in discussions with this small group that is trying to keep the show on the road, so to speak. They have in the past provided some financial support and may provide a lot more. The argument over the development part of the nexus between development and migration is that it can really be argued, and I think that the Commission have taken this on board, that the development funds available to them can be spent in smaller amounts with greater effect through developing policies around the world, and in Europe in particular, which link the diaspora. Circular migration is an issue. Diaspora bonds, for example, are being discussed. The World Bank has come through the Global Forum to talk about the idea of diaspora bonds, which have of course been massively successful in the case of Israel—that is *sui generis* but it has worked in other cases. There is also the whole idea of governments and countries having a role in helping the diaspora to link into industry in their home country. Circular migration falls into the same issue, so the Commission has played a big role in the intellectual formation of some of the ideas.

**Q25 Baroness Prashar:** If I understand you right, there is a dialogue at an official level but there is objection to them having a status at the forum itself.

**Peter Sutherland:** They have no status in the forum itself and their influence is via the conduit of member states rather than directly into the Global Forum because that forum has no existence, other than myself and two collaborators really. The organisation of the structure is, as I explained, around the troika, the steering group and the general membership of the UN.

**Baroness Prashar:** That is something that we need to explore.

**Q26 Lord Sharkey:** You mentioned that migration into Ireland had increased, perhaps counterintuitively, over the past few years of economic stress. What is your view of the general impact of the global economic and financial crisis on trends in migration? I would also

be interested in your views on the impact that demographic trends in Europe are having or are likely to have on migration patterns over time.

**Peter Sutherland:** If one looks at the key arguments and issues relating to the need for migration, the demographic is the most fundamental. The demographic challenges in a number of European member states, however difficult it may be to explain this to the citizens of those states, is absolutely unquestionable in terms of a crucial dynamic for economic growth. A declining and ageing population is destructive of prosperity—forgetting entirely about the moral aspect of migration. That is particularly relevant to a number of countries in central Europe—Germany has a major issue—and some southern member states. So demographics are a key element of the debate, and a key argument for the development of—I hesitate to use the word because people have attacked it—multicultural states. It is impossible to consider that the degree of homogeneity which is implied by the alternative argument can survive, because states have to become more open in terms of the people who inhabit them, as the United Kingdom has demonstrated.

On the evidence for increased or decreased migration because of the economic crisis, there is obviously political evidence that the economic crisis and the development of higher unemployment rates lead to some of the toxicity in national debates about migrants that we referred to earlier. High unemployment rates often have that effect—but it is not always the case. Spain, for example, which notoriously has Europe's highest level of unemployment, remains an extremely tolerant society, notwithstanding the fact that it has had—as children in Spain are constantly taught—800 years of North African occupation or whatever. However, it is an extremely tolerant society. So it is not everywhere that one finds toxicity, but the strains of economic difficulty and the implications for migration are pretty clear.

As to the numbers, I do not think that there is any evidence—as demonstrated by the Irish example—that there is a huge fall-off in migratory flows into the countries that are in

difficulties. I do not think that the figures are greatly different today from what they were seven years ago, when some of the peripheral countries had apparently buoyant economies, in contrast to today.

**The Chairman:** As far as intra-EU migration is concerned, there has been considerable evidence in this country of a drop in the Polish and Baltic population here. They have gone back partly because the Polish economy has been doing better than the British economy. However, I think that you are responding more on the issue of migration from outside the European Union.

**Q27 Lord Richard:** I looked at your speaking notes from the LSE, which I found fascinating. On the relationship between demographic trends, immigration and economic development, you made two or three points to the LSE that were slightly different from the ones you made today. Perhaps you could clear this up. At the LSE you stated quite strongly that the patterns of migration were interesting because there were new poles of attraction. In other words, it is not just the traditional places like Europe and the United States: it is now Brazil, South Africa, Indonesia, Mexico and the rest of it. I am not sure what you meant when you said: “To put it another way, we are seeing a shift from states selecting migrants to migrants selecting states”. I understand that as a concept. “As a result, our ability to compete on a global level is at risk”. What did you mean by that?

**Peter Sutherland:** I suppose that I was saying that, if you have limitations on migrants coming into a society that previously had no limitations, you end up depriving yourself economically—if that is the only issue with which you are concerned—of the benefit of the migrants because they have other alternatives. The migrant flow between so-called developing countries is itself developing very rapidly, particularly in the ASEAN<sup>6</sup> and other

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<sup>6</sup> Association of Southeast Asian Nations

areas. Many of these are people whom this society should want from an economic point of view.

**Q28 Lord Richard:** So there is no doubt in your mind that migration is an economic plus?

**Peter Sutherland:** Absolutely. I think that it is a moral plus and also an economic plus, not something to be rejected.

**Q29 Lord Tomlinson:** There is one small thing that I would like to clear up. You talked favourably of multiculturalism. Do you not think that for a long time we have had a false dichotomy of integration and multiculturalism? They are not choices; they are both imperatives.

**Peter Sutherland:** Absolutely. I am merely arguing that we do not all have to have exactly the same outlooks on everything. However, I accept that we need a fundamental acceptance of values and basic norms.

**Q30 Lord Tomlinson:** And language.

**Peter Sutherland:** And language. And above all the principle, which is fundamental to Europe, of the equality and dignity of man, and all that both of those imply. Migrants have to be prepared to accept that. Having said that, once that is accepted, it seems to me that the world towards which we are increasingly moving is multicultural.

**Q31 Viscount Bridgeman:** Is there not a case for a natural levelling off between integration and multiculturalism in this country?

**Peter Sutherland:** I think that there is a tendency to that, and that it is probably a very good thing. Absolutely—there is that tendency.

**Q32 Viscount Bridgeman:** You referred to the different levels of governmental ability to integrate migration in various countries of the EU. You also mentioned sending round a checklist or questionnaire. Was that to EU members or to the Global Forum?

**Peter Sutherland:** It was to the Global Forum. Incidentally, the whole point of the Global Forum is that bilateral approaches, which are fundamental, for example, to the global approach of the EU, are not the only thing that you have to look at when considering migration. Migration flows are a global phenomenon. We are not dealing simply with North Africa or even sub-Saharan Africa—the issue is global. That was the rationale behind the Global Forum in the first place. The US and Mexico are blinded in their discussions. That is an exaggeration, but there seems to be a great focus on the Latin American connection and the dialogue between north and south. The US also needs a forum—as does Europe—that encompasses more than the neighbourhood policies that are necessary for harmony within a region or between regions.

**Q33 Viscount Bridgeman:** My real question is on the EU. Obviously there are different levels of enthusiasm for migration among EU members. What should the EU's role be to improve the economic and social integration of immigrants in Europe, particularly of the second and third generations?

**Peter Sutherland:** I think that its role has to be to develop within member states responses that take account of the best experiences of the best European states, some of which are making enormous efforts in this area. One could look at Sweden, for example, which has a very advanced policy. Spain also has a policy of looking at the societies—and going into the societies—from which migrants come, to try to adjust them before they come to the reality of the society into which they will migrate. The EU's role is to bring together the best thinking and to bring together the member states in the best common approach to this issue.

**Q34 Lord Judd:** Would you, with your considerable experience, agree with and endorse the data coming from the OECD<sup>7</sup> suggesting that the employment rate of migrants across

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<sup>7</sup> Organisation for Economic Co-operation and Development

Europe is lower than within the United States and Oceania? If you agree with that data, what do you think that the European Union should be doing about it and why is it happening?

**Peter Sutherland:** First, I have no doubt that the data that you recite are accurate. I have not actually read that and I do not know the answer to what you are saying. My immediate reaction to it would, I imagine, be no difference to anyone else's. But if the European example is much poorer in terms of the integration of workers into their society, in terms of their getting jobs, that is related to the fact that the United States or Australia and New Zealand are migrant societies and therefore accommodate more readily those from other backgrounds than we do ourselves, who still nurse a sense of our homogeneity and difference from others, which is precisely what the European Union, in my view, should be doing its best to undermine.

**The Chairman:** On that note, you have given us a very rich start today. It has been a privilege to hear your views on this and you have helped us a great deal in this first evidence session of what will be quite a long process, so thank you very much indeed.