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On January 1st Bulgaria and Romania joined the EU, giving 30 million inhabitants the right to enter the UK. Already around 1,500 people arrive each day to live and work here and 1,000 leave. The scale is unprecedented. The Government has now announced that workers from Bulgaria and Romania must register under a new quota scheme. But, as David Heathcoat-Amory MP explains in Politeia's *Winter Address*, Britain is powerless. Whatever the Prime Minister or any other politician may say, there is nothing the UK can do to limit who, or how many, cross the borders.

Why is this? The UK, says Mr Heathcoat Amory, has given up the right to control her own borders. She has signed a series of laws and regulations which give others, especially the EU, such control. The 1998 Amsterdam Treaty changed the structure of the European Community. Immigration, visas and asylum policy ceased to be an intergovernmental matter. They were transferred to the main body of the EC Treaty and subject to majority voting and the scrutiny of the European Court of Justice. Having won the right to 'opt into' such measures, the UK has, to date, voluntarily opted into 48 immigration and asylum measures. For instance under regulations implemented last April, all citizens of the EU as well as the EEA group have the right to come and live in the UK with their families. In practice this will apply also to many illegal immigrants who take advantage of the EU's 'leaky' borders and then win the right through an amnesty to stay. (One estimate suggests 3.7 million won the rights in this way over the past decade.)

Other treaties also play a part in diminishing British control of her own affairs including the 1951 UN Convention on Refugees and the 1950 European Convention on Human Rights. However the fundamental difficulties arise from the spread of EU law.

The solution, says Heathcoat-Amory, is to restore the role of the nation state so electorates can hold their governments accountable. The opportunity is still there to dismantle the politicians' Europe and create a Europe where the people are in charge. As the address concludes, what is needed is:

an association of self governing states, co-operating together but not surrendering their power...In tackling an issue like immigration ... the supposed benefits of European action could be achieved by cooperation between member states...Whoever takes that lead will have on their side the people of this country, and of Europe.

*The Rt Hon David Heathcoat-Amory is MP for Wells. He was the Conservative Party UK Parliamentary Representative to the Convention on the Future of Europe from 2002 to 2003 and he is a Member of the European Scrutiny Committee.

Who Controls Britain's Borders? will be published by Politeia, 22 Charing Cross Rd, WC2H 0QP in January 2007 (date tbc). Enquiries to David Heathcoat Amory **DG e mail/ telephone** or to Politeia from 5th January on 0207 240 5070/ 0795 220 5036, e-mail, info@politeia.co.uk.