

## Joint FRA, COE, OSCE International Conference on Roma Migration and Freedom of Movement

09-10.11.2009, Vienna

### Opening remarks by Morten Kjaerum

Director of the European Union Agency for Fundamental Rights, Vienna

Ladies and Gentlemen,

Let me warmly welcome you here in Vienna to the Joint Conference / on Roma freedom of movement and migration. Today we celebrate twenty years since the fall of the Berlin Wall. The wall was the most visible symbol of the barrier to free movement.

Its fall remains an important milestone for human rights, and is a stark reminder of the importance of the right to free movement for the “European integration project” as a whole.

According to the EUROBAROMETER published two months ago, 42% of Europeans consider that the European Union means first of all **‘freedom to travel, study and work anywhere in the EU’**. At the same time, Eurostat estimates that 8 million EU citizens, some of them Roma, already exercise their right to freedom of movement and residency.

Last year, following on the violent attacks on Roma living in Ponticelli and elsewhere in Italy, the Fundamental Rights Agency, the Council of Europe’s Commissioner for Human Rights, the Council of Europe’s Roma and Travellers Division and the OSCE’s High Commissioner on National Minorities, and the Office for Democratic Institutions and Human Rights decided to join forces. Together we examine the situation of Roma seeking residence in another country; both within the EU or in a wider migration context. This is why we are meeting here today, at the joint initiative of these 4 organisations.

Here we bring together relevant stakeholders and partners – international organizations, Member States, civil society organizations, Equality Bodies, National Human Rights Institutions and Local authorities.

I see therefore this conference as a first step in discussing the relevant recommendations and examples of good practice that can be followed up. As a source of inspiration for this work the FRA presents today a comparative report on the situation of Roma EU citizens moving to and settling in other EU Member States, as well as a collection of positive initiatives.

Based on interviews with Roma and local officials, we examined how Roma EU citizens exercise their fundamental right of free movement in five selected Member States. Further, we ask about their experiences in 'receiving countries'.

Why do Roma EU citizens move to other Member States in the first place?

On the one hand there are significant **push factors** causing Roma to leave their country of origin. These include unemployment, **poverty and increasing levels of racism in countries of origin**; these factors are compounded by the effects of the economic crisis and violent attacks against Roma.

On the other hand, there are also important **pull factors**, mainly the aspiration for improved **living standards**, as well as the prospect of finding **work and better educational opportunities** for their children.

Let me quote the simple, but telling answer of one of the Roma we interviewed: "In Romania I expect to eat one meal a day; in Finland I expect to eat three meals a day."

Yet, **reactions to the arrival of Roma EU citizens** are often based on **prejudice and racism**. What is worrying is the fact that reactions by local authorities are not always in line with the Member States' **commitments to social inclusion, equality and non-discrimination**.

Ladies and Gentlemen,

In 2004, the European Union fulfilling its commitment to be "an area of freedom, security and justice" adopted a **Directive to facilitate free movement within the EU**. This law enables European Union citizens to exercise their right to free movement by cutting administrative formalities back to the bare essentials, and by limiting the scope for refusing entry or

terminating the right of residence of EU citizens. Regrettably though, in 2008, the European Commission noted in its report on the transposition of the Directive: **‘[...] Not one Member State has transposed the Directive effectively and correctly in its entirety. Not one Article of the Directive has been transposed effectively and correctly by all Member States.’**

Our research also found that the Free Movement Directive is not always applied correctly **‘on the ground’**, particularly regarding residence registration procedures. This, in turn, can affect Roma access to, for example, national health systems, public housing, and social assistance or labour market integration measures.

In general the research documented a variety of experiences. There are those Roma EU citizens for whom exercising the right to move and settle in another EU country has worked well. They have found new opportunities and integrated successfully into society to the benefit of both themselves and their destination countries. However, there are also many with negative experiences and few prospects for transforming this in a positive way.

The case of Roma EU citizens settling in other EU Member States raises questions in terms of wider debates on anti-discrimination and integration. Further, it challenges the meaning of EU citizenship and associated rights as a broad concept. How can these rights be made fully accessible for one of the most vulnerable groups in the European Union?

The Agency would like to continue these discussions with stakeholders next year, **in particular with the local authorities, whom we consider an important actor in realizing the right to freedom of movement and residence in the EU, as well with the local Roma groups.** I hope that this joint conference will steer a debate around the report’s findings and recommendations as well as point out wider human rights concerns in a broader migration context.

Let me close by thanking the European Roma Rights Center for their good cooperation in conducting the fieldwork research and developing this report.

Thank you for your attention.