

The situation of Roma EU citizens moving to and settling in other EU Member States

Context

EU citizens have the right to move and live anywhere in the European Union ([Article 21 TFEU](#)), provided that they meet certain conditions. In the process of European integration, the freedom of movement constitutes an important right, which is also included in the [European Union Charter of Fundamental Rights](#) (Article 45). The details of this right are laid out in the [Directive 2004/38/EC](#) on the right of citizens of the European Union and their family members to move and reside freely within the territory of the EU.

According to Eurostat, 2.3% of EU citizens (11.3 million persons) reside in a Member State other than the state of which they hold citizenship, and many more exercise this right at some point in their life. No official data are available on the ethnic origin of the citizens who exercise these rights.

Therefore, no official data exist on how many Roma exercise the right to freedom of movement in the EU. Research has found that mostly young adult men and women tend to move; children accompany parents in some instances or are 'left behind' in others.

Push and pull factors for Roma migration

Poverty caused by unemployment and discrimination based on ethnicity are the main factors 'pushing' Roma to leave their countries of origin.

Factors 'pulling' Roma to certain destination countries include aspirations for improved living standards, particularly the prospect of finding a job.

'If I don't earn money in Italy, I will move to Holland, Greece or Spain. I will go in countries where I can work and where I can build a better future for my children.'

Interview with a Romanian Roma man, Italy, 18 February 2009

Roma surveyed by the Fundamental Rights Agency were aware of their general right under EU law to move to another EU Member State, but less aware of the specific, and often complex, array of rights and obligations concerning the establishment of *residence* for EU citizens in another Member State.

Overall, Roma recounted very different experiences regarding accessing housing, healthcare, education and social welfare. Across all countries studied, many respondents identified two main problems: the difficulty in finding a job in the formal labour market of their destination country, and difficulties with registration of residence.

'I would like to work, but I heard that it is hard to get any job here because we don't have a permanent address.'

Interview with a Roma man, Finland, 6 May 2009

Problems in registering residence

Many Roma EU citizens are unable to register their residence in the destination country, where required, due to the complexity of the procedures, as well as the incorrect application of the requirements of the [Free Movement Directive](#) by national authorities.

No registration of residence equals no economic and social rights

Without official registration documents, Roma may face difficulties in exercising some key civil and political, economic and social rights - for example, access to national health systems, public housing, social assistance and labour market integration measures, such as support in seeking employment and vocational or language training, as well as the right to vote in local and European elections. The resulting exclusion from social assistance impacts disproportionately on women, children, old persons and persons with disabilities.

'In the case of Romanian Roma, if they do not have a document [the registration certificate], they can not pay for the water, they can not make a contract for the supply of electricity and can not be entered into employment pathways [...]. In this way these people do not exist.'

Interview with an official of the Province of Naples, Italy, 5 March 2009

Varying experiences when crossing external Schengen borders

Roma described their experiences with border/visa officials in destination countries broadly in positive terms. However, Roma respondents were more likely than members of the majority population to experience problems, including demands for bribes by corrupt officials, when leaving and returning to their countries of origin.

Based on the findings of its research, the Fundamental Rights Agency is of the following opinion:

→ The FRA encourages Member States to ensure that any measures taken which impact directly or indirectly on EU citizens of Roma origin are in compliance with the principles laid out in the EU Charter of Fundamental Rights.

→ The [Free Movement Directive 2004/38/EC](#) has to be transposed correctly and fully. Local authorities are encouraged to work in close cooperation with national governments to examine and repeal any measures and policies that are not in line with this directive.

→ Measures taken shall be in conformity with the [Racial Equality Directive 2000/43/EC](#) which explicitly prohibits direct and indirect discrimination.

→ Member States are encouraged to remove practical barriers to registration of residence and ensure consistency in registration processes and requirements.

→ The legal obligation to disseminate information concerning the rights and obligations of Union citizens and their family members on issues of free movement and residence, should be implemented in practice. Member States and local authorities are encouraged to develop, publicly display and promote information on requirements for registering residence in language(s) of other EU Member States, including minority languages, such as Romani.

→ Member States are encouraged to ensure that all children within their territory have full and equal access to compulsory education, regardless of their administrative status. Any residence requirements should be removed from school registration processes.

→ Local authorities are encouraged to develop and implement interventions supporting the integration of Roma EU citizens into the local labour market.

The European Union Agency for Fundamental Rights published five reports in 2009 relating to Roma:

- [The situation of Roma EU citizens moving to and settling in other EU Member States](#) (November 2009)
- [Selected positive initiatives - The situation of Roma EU citizens moving to and settling in other EU Member States](#) (November 2009)
- [Housing conditions of Roma and Travellers in the European Union](#) (October 2009)
- [Data in focus: The Roma](#) (April 2009)
- [EU MIDIS – main results report](#) (December 2009)

The reports, as well as information contextualising the situation of the Roma in the EU, are available at http://www.fra.europa.eu/fraWebsite/roma/roma_en.htm