



# EU-CITZEN: ACADEMIC NETWORK ON EUROPEAN CITIZENSHIP RIGHTS

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## Type B report – Member State measures on inclusion of EU mobile citizens

### Information and access to rights

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Partner(s) involved	CEPS
Version	v.1
Delivery date	April 2020
Total number of pages	54



This publication has been produced with the financial support of the European Union. The contents of this publication are the sole responsibility of the author(s) and the EU-CITZEN Network and can in no way be taken to reflect the views of the European Commission.



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## 1. Introduction and approach of the study

The Maastricht Treaty in 1993 brought into existence a new status within the EU, i.e. citizenship of the Union. This EU citizenship provides for a rights-based and egalitarian approach among EU citizens and national of the Member States.<sup>1</sup> The cornerstones of EU citizens' rights are laid out in the Article 9 of Treaty of the EU (TEU) and Article 20 and following provisions of the Treaty on the Functioning of the EU (TFEU) as well as in Chapter V of the EU Charter of Fundamental Rights (2000/C 364/01).

One of the crucial components of EU citizenship is the right of EU citizens to move and reside freely anywhere in the EU, a right anchored in Article 21 TFEU and governed by the EU Free Movement Directive (2004/38/EC). EU primary and secondary law, in particular the Free Movement Directive, not only provides for the conditions under which EU citizens (and their family members) may move to and reside in another EU Member State, but also provides for protection against discrimination as well as a wider regime of protection against expulsion.

This residence of EU citizens in other Member States – in particular the security of residence<sup>2</sup> – is seen as a crucial element of social inclusion of mobile EU citizens in the receiving societies. This is clearly reflected, for example, in recital 18 of the preamble to the Free Movement Directive, which sets out that permanent residence rights are to be seen as “a genuine vehicle for integration into the society of the host Member State”. The essentiality of (security of) residence for mobile EU citizens in ensuring social inclusion is further reflected by the regime of protection against expulsion in the Free Movement Directive, with the degree of protection offered to mobile EU citizens (and their family) increasing with their “degree of integration [...] in the host Member State” (recital 23).

In the Directive, inclusion is not framed as a condition for permanent residence rights, but rather as an outcome of enjoying such rights. The EU Free Movement Directive stresses on the principle of non-discrimination, including on the basis of nationality among EU citizens. EU free movement rights and the (security of) residence of mobile EU citizens constitute a key vehicle for their inclusion in receiving Member States. These rights are subject to potential challenges in practice. The socio-economic condition of the citizen involved may play a role in the exercise of EU free movement rights. As noted by Van Waarden and Seubert:

“Furthermore, there is a difference between law and practice, between having formal rights and having the opportunity to exercise them in practice. [...] the capacity to access such rights is likely to depend on the social and/or the economic position of individuals in society. Thus, classic socio-economic distinctions based on ascribed statuses such as gender, race, age or health, or achieved statuses based on education level, mastery of the dominant language, position on the labour market or prosperity are likely to affect the importance of, and access to, specific citizenship rights. **These social and economic characteristics can, on the one hand, create specific barriers to the exercise of these rights**” (emphasis added).<sup>3</sup>

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<sup>1</sup> Balzacq, T. and S. Carrera (2005) “Migration Borders and Asylum: Trends and Vulnerabilities in EU Policy”, Brussels: CEPS, p. 9

<sup>2</sup> Security of reference is to be understood in the sense of being able to rely on residence rights.

<sup>3</sup> Van Waarden, F. and S. Seubert (2017), “Introduction: being a citizen in Europe”, in: S. Seubert et al. (eds.), *Moving Beyond Barriers: Prospects for EU Citizenship*, Cheltenham: Edward Elgar Publishing 2017, p. 11; see also bEUcitizen (2017), “Project Final Report”, p.6, <https://cordis.europa.eu/project/id/320294/reporting>.



A cross-cutting issue is the need for mobile EU citizens to have access to services providing accurate and adequate information on their rights as EU citizens and the conditions to exercise them. A lack of clarity for EU citizens of their rights and the conditions they need to meet often leads to uncertainty in respects of their access to rights and security of residence. A study conducted by ECAS, based on an analysis of citizen enquiries through Your Europe Advice (YEA), identified challenges faced by EU citizens in obtaining the right information on the exercise of their free movement rights (including the right to be accompanied or joined by their family members).<sup>4</sup>

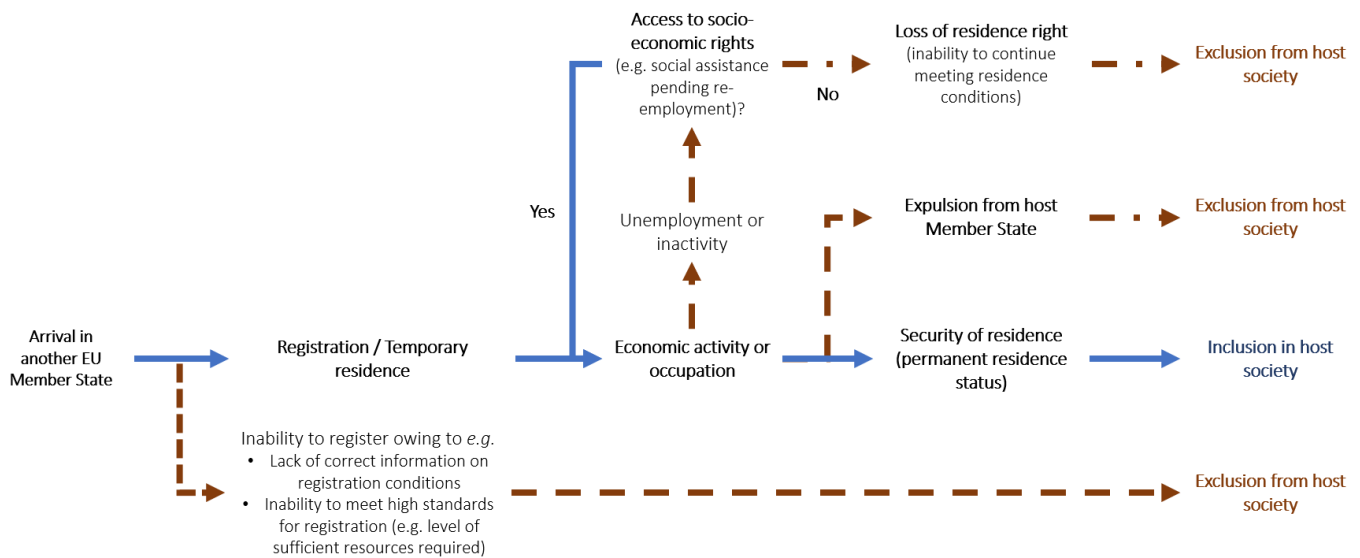
The inclusion of mobile EU citizens in the receiving societies is facilitated by (the security of) their residence in the host Member State. Differently from EU and national migration laws applicable to non-EU nationals or third country nationals (TCNs), Member States must not impose or demand the fulfilment of integration 'conditions' to mobile EU citizens as a condition for their access to the rights envisaged in the EU Free Movement Directive and the Treaties. Member States must not design or implement national integration measures conditioning or restricting access to their rights as EU citizens.

In EU free movement law, therefore, integration has been understood and framed in secondary legislation as 'a process of inclusion', and cannot be used as a new tool of 'migration management' by EU governments and Ministries of the Interior. The use by national authorities of policies aimed at reassessing the degree of integration of mobile EU citizens poses direct challenges to the prohibition of discrimination on the basis of nationality enshrined in EU law and the EU Charter of Fundamental Rights. This is ever more important to clarify in light of the general trend in several EU Member States to use 'integration policies' as migration control tool to restrict long-term residence and family reunification rights (Carrera and Vankova, 2019). Paradoxically, in these cases, integration becomes a mechanism of exclusion from rights. Member States' policies applicable to EU citizens must therefore aim at, and have as effects, *the facilitation* of EU citizenship and free movement rights, and not constitute a 'condition' or new restriction to the latter.

Seen from this perspective, we can imagine the inclusion of mobile EU citizens in the host Member State as a process, starting from the moment mobile EU citizens first arrive in the host Member State with the destination being the ideal of inclusion in their receiving community. The rights granted to mobile EU citizens vis-à-vis the host Member State can be seen as the vehicles and enablers for this process. From this perspective, deviations from the path towards inclusion, for example where mobile EU citizens are unable *de jure* or *de facto* to exercise their citizenship rights, could result in their exclusion. This process can be visualised in the following manner:

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<sup>4</sup> See A. Nicolau (2018), "Freedom of Movement in the EU: A Look Behind the Curtain", Brussels, ECAS, pp. 20-25.



While the laws and policies that determine the framework within which mobile EU citizens are able to exercise their free movement rights in another EU Member States are primarily determined at the EU and national levels, the role of local level authorities' policies and practices in fostering or encumbering mobile EU citizens' trajectory towards societal inclusion cannot be underestimated. Based on the hypothesis that *the lack of a service provision-oriented approach focused on enabling accessibility and inclusion* can prevent EU citizens from feeling part of their receiving state, this study examines the key role played by cities and local authorities in the realisation and practical delivery of EU free movement rights. Specifically, the study focuses on the identification of key 'promising practices', projects and local policies in a selection of cities playing a role in better ensuring accessibility and inclusion by European citizens to EU free movement rights. The five cities covered are: Barcelona, Brussels, Budapest, Copenhagen and Sofia. These cities were selected attempting to ensure the geographical balance and availability of various promising practices. The Study also identifies practices and specific projects that stimulate or facilitate mobile EU citizens in learning the language of their receiving society (*language learning*).

As Bauböck (2003) has put it, "cities provide a space not only for transnational cultural diversity but also for cosmopolitanism within the nation-state [...] an urban citizenship that is emancipated from imperatives of national sovereignty and homogeneity may become a home base for cosmopolitan democracy".<sup>5</sup> The importance of focusing at the local level is highlighted by Carrera (2009) – in the context of the role of local and regional authorities in the integration of third-country nationals:

"The way in which any individual becomes socially integrated, and the dilemmas that follow from the framing of these social processes into policy and law is largely a local and regional phenomenon. It is at the local level of governance where the multifaceted consequences arising from public responses embracing societal interactions and participation become most visible".<sup>6</sup>

<sup>5</sup> R. Bauböck (2003), 'Reinventing Urban Citizenship', *Citizenship Studies*, Vol. 7, No. 2, pp. 139-160.

<sup>6</sup> S. Carrera (2009), "The role and potential of local and regional authorities in the EU framework for the integration of immigrants", Study for the Committee of the Regions, Brussels, April, p. 1.



Cities play a fundamental role in service provision, such as housing, healthcare, education and learning programmes for skills and languages. This becomes particularly crucial in instances where cities adopt an intercultural approach or orientation in the city administration. Whatever new institutional structures are set up at the local/regional levels, the prevailing focus should not be an immigration control policy approach but rather a social affairs and equal opportunities/intercultural logic, steering the provision of services (health, housing, education, employment, etc.) towards individuals regardless of their administrative residence status, and the voluntary nature of (language) training, as well as the provision of advice, assistance and reception for new arrivals.

The EU can have value added in supporting local initiatives and transnational cities networks through the development and promotion of better standards and improving quality in service provision and institutional structures aimed at improving assistance, advice and voluntary trainings on ‘free movement rights accessibility’. Furthermore, local policy strategies have the potential of allowing for a large degree of flexibility and adaptability to evolving social vulnerabilities and individuals’ needs. As Carrera (2009) has argued elsewhere:

The local and regional dimensions of integration offers the potential for developing innovative policy strategies and ambitious institutional settings allowing for the emergence of new forms of participation and citizenship (urban citizenship), going beyond the formal legalistic status granted by the nation-state to ‘the acting individual’. It often facilitates more creative ways for individuals to become citizens as claimants of justice, rights and responsibilities (Carrera, 2009).

The approach/method of this study is based on a combination of desk research of primary and secondary sources, consultations of experts, as well as city case notes developed by EU-CITZEN national experts – including 3 semi-structured interview with local stakeholders – for each of the five cities selected as the geographical focus of this study: Barcelona (Spain), Brussels (Belgium), Budapest (Hungary), Copenhagen (Denmark) and Sofia (Bulgaria).

The Annex to this Study provides a detailed overview of each of the cities studied, covering questions on demographics of mobile EU citizens in the cities, the rights of mobile EU citizens, measures of local level authorities to inform and to facilitate access to information, challenges and promising initiatives in informing mobile EU citizens, national strategies and local projects, policies and initiatives aimed at the inclusion of mobile EU citizens in particular, language learning facilities, and security of residence of mobile EU citizens (particularly expulsion).

This study synthesises and compares the findings of all city case studies (see section 3 of the study). The focus of the synthesis and comparison is on examples in four key areas where local level authorities can facilitate the exercise of EU citizenship rights in the process towards their social and societal inclusion in the receiving community. These four areas are a) national and regional integration/inclusion programmes, b) governmental and non-governmental organisation providing services to mobile EU citizens, c) projects and initiatives promoting or facilitating the exercise of EU citizenship rights and fostering their inclusion, and d) policies and measures targeting mobile EU citizens belonging to disadvantaged groups. The city case studies provide examples of projects, policies, initiatives and practices at the local level highlighting the role that cities and other local level authorities have in facilitating mobile EU citizens’ access to rights and security of residence as an important step towards their inclusion in the receiving societies. This also shows how cities can play a proactive role in creating an enabling environment for social inclusion of mobile EU citizens.



## 2. How ‘inclusion of EU mobile citizens’ differs from ‘integration of Third Country Nationals’

Before setting out the policies and practices at the local level fostering inclusion of mobile EU citizens, it is first central to clarify the relevance in distinguishing the use of ‘inclusion’ and not ‘integration’ when it comes to EU citizens enjoying free movement rights. Previous research has covered how EU citizens do often and in practice still face several barriers to free movement rights and access to socio-economic inclusion in EU Member States. On this basis, some researchers have concluded that EU citizens also face ‘integration challenges’ similar to third country nationals.<sup>7</sup> This research misses the crucial point. EU Member States must not discriminate on the basis of nationality of EU citizens in access to free movement rights and socio-economic inclusion, by imposing integration obligations on mobile EU citizens as a condition to enjoy their EU free movement rights and security of residence, including easy access to temporary and permanent residence, and protection from expulsions.

Conceptual misconception of ‘EU citizens’ as ‘non-nationals that need to be integrated’ is also popular among stakeholders at the local and national level. For example, the “Welcome Europe” project by several European cities frames ‘social inclusion’ of mobile EU citizens from the migration perspective:

“Therefore migrant integration and inclusion programmes are common at European, national and municipal level. However, migrants with an intra-EU mobile citizen status do often not benefit from such programmes because of the principle that all EU citizens have to be treated equally, which means no special treatments.”<sup>8</sup>

Such framing translates into migration-related vocabulary and blurs the *egalitarian and non-discriminatory paradigm* substantiating EU Free Movement and Union Citizenship. Interviews conducted for this study indicate that at the local level, practitioners often refer not to temporary or permanent residence/registration ‘certificates’ but to ‘residence cards’ (see, Brussels-Capital Region case study) or even ‘residence documents’, implying that there is authorisation process (see Copenhagen case study).

In the EU Free Movement Directive, however, integration has been understood and framed in secondary legislation as ‘a process of inclusion’ and following an egalitarian approach. As Groenendijk (2004) has argued, all the express references to ‘integration’ in the Free Movement Directive are a clear expression of a long tradition in EC law to consider that “a secure residence status and equal treatment enhance the immigrants' integration in society. The right of the EC worker to integrate was supported by the rules on free movement and the non-discrimination clauses in the EC Treaty.”

This approach contrasts with the restrictive turn in some EU Member States’ migration laws’ and the EU’s legal migration Directives’ usage of ‘integration’ as a new instrument for restrictive and selective migration policies, conditioning membership and taking the form of integration (language and ‘values’)

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<sup>7</sup> See for example: Collet, E. (2013), “The integration needs of mobile EU citizens: impediments and opportunities”, Migration Policy Institute for Europe, Brussels; Similar assumptions or conceptualization of mobile EU citizens as ‘EU migrants’ raised by Lang, A. (2018) Social Integration: The Different Paradigms for EU Citizens and Third Country Nationals, European Papers, 3 (2): 663-692; Laffleur, J. M., & Mescoli, E. (2018). Creating undocumented EU migrants through welfare: a conceptualization of undeserving and precarious citizenship. *Sociology*, 52(3), 480-496.

<sup>8</sup> Welcome Europe Project (2016a), “Welcome Europe toolkit: Local Welcoming Policies for EU Mobile Citizens”, December, MiraMedia: Amsterdam, p. 36.



test towards third-country nationals (Kostakopoulou, Carrera and Jesse, 2009; Groenendijk, 2004).<sup>9</sup> An example of such instrumentalization of ‘integration’ as a migration-control measure is the express linkage of introduction programmes and tests (e.g. ‘civic integration tests’) to admission procedures ‘abroad’ (Kostakopoulou, Carrera and Jesse, 2009; Besselink 2009).

Integration policies as a tool for restrictive migration control cannot, in light of EU law, be lawfully used by EU Member States’ authorities as a new tool for exclusion of EU free movement rights. This would directly violate the prohibition of discrimination on the basis of nationality and the EU Charter of Fundamental Rights’ provisions that provide higher level of protection for mobile EU citizens.

Another key question is: ‘integration into what’? The EU Treaties proclaim that EU is about ‘unity in diversity’. This finds express recognition in several provisions across the EU Treaties, such as Article 3 of the Treaty on the European Union (TEU), which emphasizes that the Union “shall respect its rich cultural diversity”. Therefore, as long as so-called ‘integration’ policies applicable to EU citizens aim at, and have as effects, the facilitation of EU citizenship and free movement rights and not a ‘condition’ or requirement to the latter, they could potentially pass the legality test. If framed, devised and understood as ‘conditions’ or new restrictions to free movement, however, they would fail to pass the effectiveness and legitimacy principles of EU law, undermining the very objectives of the Free Movement Directive, and all related CJEU case law. This is the line which divides ‘integration’ from ‘inclusion’ for the purpose of this Study. And although the Free Movement Directive contains references to ‘integration’, it should be understood within the legal framework of EU citizenship and free movement, and not from a migration-management perspective conditioning permanent residence in a second Member State.

The ‘social inclusion of mobile EU citizens’ is “one of the fundamental objectives of the European social policy, enshrined in Primary law”. Article 3(3) of the TEU makes it a goal for EU policies “to combat social exclusion and discrimination” on the one hand, and, on the other hand, “to promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child [...] social and territorial cohesion, and solidarity among Member States”. Article 9 TFEU also requires the Union to take into account the impacts on social exclusion in EU policy making.

Directive 2004/38/EC refers to ‘integration’ in the Preamble as well as in specific provision, including Article 28 – in the context of protections from expulsions – and Article 24 – in the context of permanent residence. There is a dual relationship between expulsions and inclusion – the absence of restrictions on the right to permanent residence is seen as ‘a genuine vehicle for integration into the society of the host Member State’ for long term integration (recital 18); in addition, the “degree of EU citizens’ integration” is used as an argument for increasing “the degree of protection against expulsions” (recitals 22, 23). Directive 2004/38 also hints, in the preamble, to potential indicators to be considered

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<sup>9</sup> See also: Balzacq, T. and S. Carrera (2005) “Migration Borders and Asylum: Trends and Vulnerabilities in EU Policy”, Brussels: CEPS; Carrera, S. & Atger, A. F. (2009) “Implementation of Directive 2004/38 in the context of EU Enlargement: A proliferation of different forms of citizenship?”, CEPS Special Report/April; Carrera, S. and Merlino, M. (2009), State of the Art on the European Court of Justice and Enacting Citizenship, CEPS Special Report/April; Carrera, S. (2013), “Shifting Responsibilities for EU Roma Citizens The 2010 French affair on Roma evictions and expulsions continued”, CEPS, Brussels, *CEPS Liberty and Security in Europe*, No. 55, June 2013; Carrera, S., & de Groot, G. R. (2014). European Citizenship at the Crossroads: Enhancing European Cooperation on Acquisition and Loss of Nationality. CEPS Liberty and Security in Europe No. 73/December 2014; Carrera, S., Rostas, I. and Vosyliūtė, L. (2017), “Combating Institutional Anti-Gypsyism Responses and promising practices in the EU and selected Member States”, CEPS Liberty and Security in Europe, No 2017/08, May.





aside from the “degree of integration” that seem overlapping, in particular, with “the length of their residence in the host Member State” and their “family and economic situation and the links with their country of origin” (recital 22).

The jurisprudence of the Court of Justice of the EU in this area has been ambivalent and shows a ‘restrictive turn’ (Ryan, 2019). The CJEU has confirmed that EU Member States retain the right to expel non-nationals, including EU citizens, in the circumstances listed in Article 28, and has developed a conditional understanding of integration, not at all reflected in the Free Movement Directive, to the enjoyment of permanent residence by mobile EU citizens (Ryan, 2019).

The Court has recognised that restrictions of EU free movement rights to certain categories of EU citizens can have various unintended consequences that may hinder the effective implementation of the Directive. For example, ‘integration’ in Article 24 is framed as a measure to protect mobile EU citizens. However, it has been used as a ground for expulsion or for denying access to permanent residence, such as in the Opinion of the Advocate General of the CJEU in the case *P.I. v Oberbürgermeisterin der Stadt Remscheid* (C-348/09).<sup>10</sup> As “the Court regularly refers to the ‘degree of integration’ of the Union citizen or the ‘real links’ with the host Member State concerned”, some authors have controversially concluded that, in light of the jurisprudence of the CJEU, “the more the citizen is integrated into a Member State, the more he is entitled to be socially integrated and protected from expulsion” (Azoulai, 2017). Azoulai has also argued that

The introduction of these elements results in reassessing the degree of integration in light of the normative attachment of the Union citizen to the host society. In this context, the meaning of the degree of integration is changed: factual integration is no longer sufficient but rather what matters is compliance with the structure and values of the host society.

Such a conclusion, however, disregards the inherently discriminatory logic characterising the very notion of “structure and values of the host society” or “cultural integration”. Attaching Union citizenship to such a vague conception of civic integration would constitute a direct violation of the above-mentioned obligation by all EU Member States not to discriminate by using ‘integration’ as a tool of exclusion and migration management of mobile EU citizens.

In some EU Member States ‘migration management-driven’ approaches has led to the negative or unwelcoming narrative towards mobile EU citizens, for example, by focusing on the non-evidence based narrative of ‘abuses of social welfare’, ignoring the contributions of mobile EU citizens, coupled with the lack of actual data corroborating these ‘abuses’.<sup>11</sup> Inclusion is not only about bridging the gaps, but also about changing societies and local administrations. For example, Balzacq and Carrera have argued back in 2005 for the importance and timely addressing of ‘multidimensional challenges’ stemming from the mobility of EU citizens as well as immigration from third countries:

“Failure to provide long-term planning and a comprehensive legislative framework that facilitates inclusion, equality, fair treatment and social cohesion (liberty) and that directly fights against social exclusion, discrimination, racism and xenophobia, may lead to unstable and serious situation”.<sup>12</sup>

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<sup>10</sup> CJEU Case C-348/09, “*P.I. v Oberbürgermeisterin der Stadt Remscheid*”, 19 Colum. J. Eur. L. 369.

<sup>11</sup> Lafleur, J. M., & Mescoli, E. (2018). Creating undocumented EU migrants through welfare: a conceptualization of undeserving and precarious citizenship. *Sociology*, 52(3), 480-496.

<sup>12</sup> Balzacq, T. and S. Carrera (2005) “Migration Borders and Asylum: Trends and Vulnerabilities in EU Policy”, Brussels: CEPS, p. 8.



### 3. Local level inclusion of mobile EU citizens: policies, projects and practices

As set out in section 1, cities and local level governments have a crucial role to play in ensuring that mobile EU citizens, through the exercise of their EU citizenship rights and access to socio-economic rights, are truly ‘included’ in the receiving society. It is important, therefore, to highlight those areas where local level governments have adopted policies and practices that engender and foster such inclusion, while respecting the particular framework in which mobile EU citizens’ inclusion is situated, namely on access to rights and non-discrimination on the basis of nationality.

This section examines the policies and ‘promising practices’ in the five cities of Barcelona, Brussels, Budapest, Copenhagen and Sofia in respect of mobile EU citizens and their exercise of EU citizenship and free movement rights. Moreover, the section highlights some city practices showing some interesting or promising features or components in the realisation of EU free movement rights and social inclusion.

#### 3.1. Statistical overview

In order to understand the potential impact of local level inclusion policies for mobile EU citizens in the five cities in focus, it is useful to examine, on the basis of statistics, the number of mobile EU citizens potentially affected by such policies. Table 1 below presents the number of mobile EU citizens in Belgium, Bulgaria, Denmark, Hungary and Spain in proportion to the total population, as well as the number of mobile EU citizens in the cities of Barcelona, Brussels, Budapest, Copenhagen and Sofia.

**Table 1. Number of mobile EU citizens as a proportion of total population (2018)**

Member State / City	Population	# of mobile EU citizens	% of mobile EU citizens
<b>Belgium</b>	11 398 589	902 706	7.92%
<i>Brussels</i>	1 198 726	276 098	23.03%
<b>Bulgaria</b>	7 050 034	13 105	0.19%
<i>Sofia</i>	1 238 438	3 305	0.27%
<b>Denmark</b>	5 781 190	213 465	3.69%
<i>Copenhagen</i>	613 288	45 717	7.45%
<b>Hungary</b>	9 788 371	77 998	0.80%
<i>Budapest</i>	1 749 734	27 912	1.60%
<b>Spain</b>	46 658 447	1 930 905	4.14%
<i>Barcelona</i>	1 620 343	89 002	5.49%

Source: Eurostat (migr\_pop1ctz, urb\_cpopcb), BISA (“Population, by current nationality and nationality at birth”), Statistics Denmark (FOLK1B – 2018Q1), INE (“Estadística del Padrón Continuo a 1 de enero de 2019. Datos por municipios. 08. Barcelona”), City case studies (see Annex. City case studies).

The data clearly shows that in all five cities, the proportion of mobile EU citizens in relation to the total population is higher than the national average, with the proportion of mobile EU citizens residing in Brussels being nearly three times as high as the average in Belgium.

It is also important to take note of the top nationalities of mobile EU citizens represented in these cities. Effective policies and practices to foster inclusion of mobile EU citizens should take the degree to which certain EU nationalities are present in their local communities into account when designing and



implementing inclusion strategies. Table 2 below sets out the top five nationalities represented in four of the five cities examined in this study.

**Table 2. Top five nationalities of mobile EU citizens (relative to total mobile EU citizens)\***

City	Nationality				
<b>Barcelona (2018)</b>	Italian (34.57%)	French (16.66%)	British (8.31%)	German (7.72%)	Romanian (7.68%)
<b>Brussels (2019)</b>	French (23.02%)	Romanian (15.01%)	Italian (12.09%)	Spanish (10.21%)	Polish (8.31%)
<b>Budapest (2019)</b>	Romanian (26.01%)	German (12.30%)	Slovak (9.88%)	Italian (8.26%)	British (6.99%)
<b>Copenhagen (2019)</b>	British (12.10%)	Swedish (11.28%)	German (11.15%)	Italian (9.37%)	Polish (8.90%)

Source: INE (“Estadística del Padrón Continuo a 1 de enero de 2019. Datos por municipios. 08. Barcelona”), BISA (“Population, by current nationality and nationality at birth”), Hungarian Central Statistics Office – KSH (Time series of annual data “International migration. Foreign citizens residing in Hungary”), City case studies (Annex. City case studies)

\* No official data was found on the population of Sofia or Bulgaria by nationality. A request to the Ministry of the Interior by author of the Sofia city case study did not result in data by country of origin.

### 3.2. Mobile EU citizens and their EU rights at the local levels

The research conducted for this study and the findings from the five city case studies, within the context of mobile EU citizens and the exercise of their rights at the local level, may be broadly grouped into the following four topics:

- a) National and regional integration/inclusion programmes (applicable to EU citizens on a voluntary basis);
- b) Governmental and non-governmental organisations providing services to mobile EU citizens;
- c) Projects and initiatives promoting or facilitating the exercise of EU citizenship rights and fostering their inclusion;
- d) Policies and measures targeting mobile EU citizens belonging to disadvantaged groups;

A common observation among the findings is that (mobile) EU citizens are often not specifically identified as target groups; this is due to either the policies targeting all foreigners or only third-country nationals (primarily in the case of policies and services targeting foreigners), or being applicable to all residents (regardless of nationality).

#### 3.2.1 National and regional integration/inclusion programmes (applicable to EU citizens on a voluntary basis)

In all five cities studied, policies and plans have been identified relating (in part) to the integration and inclusion of non-nationals or third country nationals. Depending on the Member State concerned, plans and strategies relating to the integration of non-nationals is adopted on the national level (such as in Hungary and Bulgaria), the regional level (in Belgium by the Flemish Community and the French Community), or the local level (as in Copenhagen). Competence on integration strategy may also, as in



the case of Barcelona, be shared among multiple levels of governance (Spain, Catalonia and Barcelona respectively).<sup>13</sup>

In line with the abovementioned, none of these integration plans or strategies have mobile EU citizens as their explicit target groups. While these integration plans or strategies generally target all non-nationals, slight differences may be noted in respect of the manner by which these policies exclude mobile EU citizens from their scope. First, integration strategies may completely exclude mobile EU citizens from their personal scope. The case study of Copenhagen notes, for example, that the two integration strategies of Copenhagen (“Let’s invest in Integration” and “Integration Action Plan”) define their target group of ‘copenhageners with a minority background’ as non-nationals from ‘non-Western’ countries. Similarly, the Sofia city case study notes that the Bulgarian national integration strategy does not include EU citizens among its target groups.

Second, integration plans may recognise the need for mobile EU citizens to be socially included in their receiving communities but does not impose ‘a duty’ to do so, as it would be illegal in light of EU free movement and non-discrimination law (See Section 2 of this Study). In the Budapest city case study, it is observed that the Hungarian Migration Strategy identifies that “integration support is required [...] as well” in respect of EU citizens, but otherwise does not provide specific measures targeting mobile EU citizens.<sup>14</sup> For Brussels, the Flemish integration programme (*inburgeringstraject*) and the integration programme of the French community (*parcours d’intégration*) are accessible to mobile EU citizens on a voluntary basis but exempts them from any obligation to follow the integration programmes.<sup>15</sup> Third, as exemplified by the city study of Barcelona, integration and inclusion strategies may partly be based on a principle of non-discrimination on the basis of nationality or origin, applying to all residents equally.

### 3.2.2 Governmental and non-governmental organisations providing services to mobile EU citizens

The city case studies have identified a number of organisations – be it (semi-)governmental or non-governmental – providing various types of services that mobile EU citizens may benefit from. This shows the importance of ensuring a *partnership approach* in initiatives and projects aimed at the inclusion of newly arrived persons. The study on Copenhagen identified the International Copenhagen House

<sup>13</sup> For the national/Spanish level, see the information on the (to be adopted) *Plan Estratégico de Ciudadanía e Integración*, [http://extranjeros.mitramiss.gob.es/es/programas\\_integracion/index.html](http://extranjeros.mitramiss.gob.es/es/programas_integracion/index.html); for the region of Catalonia, see the *Plan de ciudadanía y de las migraciones 2017-2020*, [https://treballiaferssocials.gencat.cat/web/.content/01departament/08publicacions/ambits\\_tematicos/immigracio/Plans\\_i\\_programes/06plainmigracio\\_cast\\_2017\\_2020/Plan\\_ciudadania\\_y\\_migraciones\\_2017-2020.pdf](https://treballiaferssocials.gencat.cat/web/.content/01departament/08publicacions/ambits_tematicos/immigracio/Plans_i_programes/06plainmigracio_cast_2017_2020/Plan_ciudadania_y_migraciones_2017-2020.pdf); for the municipality of Barcelona, see the *Pla de Ciutadania i Immigració de la Ciutat de Barcelona 2018-2021*, [https://ajuntament.barcelona.cat/novaciudadania/sites/default/files/documents/1\\_pla\\_immigracio\\_i\\_ciudadania.pdf](https://ajuntament.barcelona.cat/novaciudadania/sites/default/files/documents/1_pla_immigracio_i_ciudadania.pdf).

<sup>14</sup> See the abridged version of the Hungarian Migration Strategy, p. 25, <http://belugyalapok.hu/alapok/sites/default/files/Migration%20Strategy%20Hungary.pdf>. The Budapest city case study notes, however, that a national or local integration strategy is absent.

<sup>15</sup> See Articles 26 and 27 of the *Decreet betreffende het Vlaamse integratie- en inburgeringsbeleid* and Articles 150, 152 and 152/7 of the *Code wallon de l’action sociale et de la santé*. A further peculiarity for Brussels is that, as of the writing of this study, non-Belgian nationals in the Brussels Capital Region are not yet subject to an obligation to follow either the *inburgeringstraject* or the *parcours d’intégration*, see “Inburgeringstraject in Brussel nog niet verplicht op 1 januari”, *Bruzz*, 18 October 2019, <https://www.bruzz.be/samenleving/inburgeringstraject-brussel-nog-niet-verplicht-op-1-januari-2019-10-18>; “Le parcours d’intégration obligatoire pour les primo-arrivants à Bruxelles reporté”, *La Dernière Heure*, 17 October 2019, <https://www.dhnet.be/regions/bruxelles/le-parcours-d-integration-obligatoire-pour-les-primos-arrivants-a-bruxelles-reporte-5da8b3509978e218e3495781>.



(ICH)<sup>16</sup> as a key initiative in the context of services provided to mobile EU citizens. The International Copenhagen House is a public-private partnership that consists of organisations, departments and companies offering services and assistance to ‘newcomers’ in Copenhagen. Through its “International Citizen Service”, ‘newcomers’ in Copenhagen are offered assistance with administrative procedures and paperwork, while “First Job Copenhagen” offers a free 6-day course on different aspects of the Danish labour market.<sup>17</sup>

The Barcelona city case study highlighted two initiatives offering services to non-nationals, through its SAIER (*Servicio de Atención a Inmigrantes, Emigrantes y Refugiados*)<sup>18</sup> and in collaboration with workers unions. AMIC (*Associació d’Ajuda Mútua d’Immigrants a Catalunya*),<sup>19</sup> for instance, offers support and legal advice on immigration matters, support in finding employment, and assistance in the recognition of foreign qualifications, among others. Similarly, CITE (*Centre d’Informació per a Treballadors Estrangers*)<sup>20</sup> offers services to non-Spanish workers such as advice on immigration law, assistance in the processing of residence and work permits, etc.

The city case study for Sofia illustrates how many initiatives offering services to foreigners (beyond information provision) are provided by NGOs and church-based organisations. The services offered, while not specifically targeted at mobile EU citizens, can range from assistance in matters of housing, social work, facilitating labour market integration and job-seeking and facilitating access to social assistance. The case study cites, in particular, Menedék – Hungarian Association for Migrants, as an example of a non-governmental organisation offering services to foreigners in Hungary. According to an interviewee, foreigners would be directed to such NGOs by officials at the Migrant Information Desks, and cooperation between local government authorities and NGOs are of an informal nature.

In Brussels, the Office of the Brussels Commissioner for European and International Organisations (CEIO) has an Expat Welcome Desk (EWD).<sup>21</sup> The EWD offers personalised administrative assistance service “to all those who come to work in Brussels in or around the European and international institutions”. This includes “advice for any practical legal problems” expatriates may face during their arrival to and during their stay in Brussels, as well as guidance “through all types of administrative formalities”.<sup>22</sup> While the target audience of the CEIO and the EWD are primarily staff of European Institutions and staff of international organisations in Brussels, multiple interviewees have identified the CEIO as a key organisation providing assistance to mobile EU citizens.

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<sup>16</sup> <https://ihcph.kk.dk/>.

<sup>17</sup> See <https://ihcph.kk.dk/artikel/contact-international-house-copenhagen>.

<sup>18</sup> See <https://ajuntament.barcelona.cat/novaciutadania/es/servicio-de-atencion-inmigrantes-emigrantes-y-refugiados-saier>.

<sup>19</sup> <http://web.associacioamic.cat/>.

<sup>20</sup> <https://www.ccoo.cat/aspnet/immigracio.aspx>.

<sup>21</sup> <http://www.commissioner.brussels/i-am-an-expat/>.

<sup>22</sup> See CEIO (2019), “2018 Annual Report of the Brussels Commissioner for Europe and International Organisations”, Brussels, CEIO, April, p. 40, <http://www.commissioner.brussels/component/fleximedia/391-annual-report-2018-ceio>.



### 3.2.3 Projects and initiatives promoting or facilitating the exercise of EU citizenship rights and fostering their inclusion

The city case studies have also underlined a number of ‘promising’ initiatives or projects specifically aimed at mobile EU citizens and their exercise of EU citizenship rights. Many of these projects, which are outlined in section 2.3 below, concern general information and awareness-raising.

Two specific initiatives have been observed, in Brussels and Barcelona, both aimed at raising awareness and fostering the exercise of mobile EU citizens’ right to vote in local elections and European elections. In Barcelona, the project “La meva Ciutat, el meu vot”,<sup>23</sup> co-funded by the Rights, Equality and Citizenship Programme of the European Union (REC), had as the primary goal to mobilise 15 000 new mobile EU citizens to register and vote at the 2019 European Parliament elections.<sup>24</sup> VoteBrussels,<sup>25</sup> a campaign co-funded by the Brussels Capital Region and the REC, worked in partnership with a number of Brussels municipalities, the CEIO and the Brussels Capital Region, to inform mobile EU citizens of their voting rights at the 2018 local elections and assisted them in the voter registration formalities.<sup>26</sup>

In Brussels, an interviewee highlighted the Advisory Board for European Affairs (*Conseil Consultatif des Affaires européennes*, CCAE) of the Brussels municipality of Etterbeek.<sup>27</sup> The CCAE is composed of mobile EU citizens residing or working in Etterbeek, and functions as the link between mobile EU citizens in Etterbeek and the municipality. A similar initiative was taken by Budapest in the context of an EU funded project led to the establishment of a ‘Migration Round Table’, aiming to facilitate the integration of migrant communities in Budapest.

Some other interesting projects and initiatives have been identified in the city case studies that, while not specifically targeting mobile EU citizens, have the potential to facilitate their inclusion. The Sofia case study observed, for example, that employed residents in Bulgaria – including EU citizens – can, under certain conditions, benefit from the Bulgarian Employment Agency’s “Employee Vouchers Project”, providing access to vocational training and training in key competences, at a subsidised cost (50% of the cost of the vouchers). The Sofia city case study notes, however, that in the period 2014-2019, no EU citizen has benefited from such programs to learn Bulgarian as a foreign language.

One of the interviewees for the Brussels city case study referred to the CRISCO project, funded by the EU’s Network of Towns, Europe for Citizens Programme 2014-2020.<sup>28</sup> The project aimed at fostering social cohesion and mutual understanding through setting up Local Panels of Stakeholders in order to share local experiences and exchange good practices for social inclusion. The target groups of the CRISCO project included various demographic profiles, including native residents, expats, immigrant and precarious and vulnerable categories of persons.

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<sup>23</sup> <https://ajuntament.barcelona.cat/censat/>.

<sup>24</sup> See [http://exteriors.gencat.cat/ca/ambits-dactuacio/afers\\_exteriors/ue/fons\\_europeus/detalls/noticia/20190107\\_la-meva-ciutat-el-meu-vot](http://exteriors.gencat.cat/ca/ambits-dactuacio/afers_exteriors/ue/fons_europeus/detalls/noticia/20190107_la-meva-ciutat-el-meu-vot).

<sup>25</sup> <https://www.vote.brussels/>.

<sup>26</sup> See T. Huddleston (2019), “The Citizens of the Capital of Europe. Evaluation of Voter Registration in Brussels and the VoteBrussels campaign”, Brussels, MPG/ECAS, June, <https://faireu.ecas.org/wp-content/uploads/2019/06/VoteBrussels-Evaluation.pdf>.

<sup>27</sup> See <https://www.etterbeek.be/nos-services/europe/la-commission-consultative-des-affaires-europeennes> (in French).

<sup>28</sup> <http://www.criscoeuropa.eu/crisco/>.



### 3.2.4 Policies and measures targeting mobile EU citizens belonging to disadvantaged groups

The city case studies have identified a few initiatives, in Barcelona and Brussels respectively, targeting the needs of vulnerable groups. The Barcelona city case study referred to the “Settlement plan” (*Plá d’assentaments*) initiative, which aims at addressing the needs of vulnerable populations living in informal housing conditions. While not explicitly the target group, (mobile) EU citizens of Roma origin are largely represented among the vulnerable groups targeted by this “Settlement plan”.

Two initiatives were identified in Brussels concerning vulnerable groups. One interviewee for the Brussels case study referred to a project (*Begeleiding Roma*) funded by the European Social Fund (ESF) with the goal of providing assistance to mobile EU citizens of Roma origin in finding employment in Brussels.<sup>29</sup> A second project, PRODEC, funded by the European Programme on Integration and Migration (EPIM), focused on the issue of homelessness and destitution among mobile EU citizens. One of the results of the PRODEC project (First phase) is an app/website that provides homeless persons with useful information. The app/website, “Surviving in Brussels.be”, is currently available in English, French, Dutch and Romanian.<sup>30</sup>

### 3.3. Information and awareness-raising for mobile EU citizens at the local level

Local level authorities providing mobile EU citizens with useful and accurate information is a crucial competent for improving service provision and fostering the social participation and inclusion of mobile EU citizens. Information provision by the local authorities through the website of the authorities has been observed as an information channel. *Multilingual and inter-cultural service provision* proves to play a crucial rule in this respect.

Thus, mobile EU citizens in Barcelona can find information on the website “Guia d’acollida” of the *Generalitat de Catalunya* on issues such as immigration legislation, economic activity and employment, education, health, housing, and social services.<sup>31</sup> The information is available in Catalan, Spanish, English, French and Romanian, among others. Similarly, basic information is provided on *inter alia* registration and administrative formalities, social services, healthcare, housing, and employment, on the websites “Nova Ciutadania” (in Catalan, Spanish, English and French)<sup>32</sup> and “Barcelona International Welcome” (in Catalan, Spanish and English) of the Barcelona city council.<sup>33</sup>

In Brussels, information on residence formalities and other basic information can be found on the websites of the Brussels municipalities.<sup>34</sup> With the exception of the website of the City of Brussels, however, information is only offered in the official languages of Brussels (i.e. French and Dutch).<sup>35</sup> The website of the Brussels Commissioner for Europe and International Organisations, more specifically the Expat Welcome Desk, also provides useful information for mobile EU citizens arriving in Brussels (in English), such as on residence formalities, employment, housing, education, transport, social security, insurance, taxes and ‘practical daily life’.<sup>36</sup>

<sup>29</sup> See also [http://www.foyer.be/?page=sommaire&reload=article&id\\_article=12907&lang=nl](http://www.foyer.be/?page=sommaire&reload=article&id_article=12907&lang=nl).

<sup>30</sup> See <https://survivinginbrussels.be/app/fr/>.

<sup>31</sup> [http://dps.gencat.cat/WebAcollida/AppJava/ca/Seleccio\\_idioma.jsp.html](http://dps.gencat.cat/WebAcollida/AppJava/ca/Seleccio_idioma.jsp.html).

<sup>32</sup> <https://ajuntament.barcelona.cat/novaciutadania/>.

<sup>33</sup> <https://www.barcelona.cat/internationalwelcome/>.

<sup>34</sup> See e.g. <https://www.etterbeek.be/>.

<sup>35</sup> The website of the City of Brussels also offers information in English, see <https://www.brussels.be/>.

<sup>36</sup> <http://www.commissioner.brussels/i-am-an-expat/>.



For mobile EU citizens in Copenhagen, similar information can be found on the websites “newindenmark.dk” and “lifeindenmark.dk”. Noticeably, a central website with general information for mobile EU citizens is absent in the cases of Sofia (Bulgaria) and Budapest (Hungary). In the case of Sofia, the city case study identified ‘thematic’/sectoral portals or websites that offer information on specific areas (such as healthcare or public transport) in English.

In some cases, ‘offline’ information provided by local authorities or other organisations complements or supplements online information. The city case study of Sofia noted non-standardised information offered in English by some of the regional administrations. Many of the ‘service’ organisations, referred to in section 3.2.2 above, also provide information to foreigners, including EU citizens: e.g. International House Copenhagen, the AMIC and CITE (in Barcelona), and the Expat Welcome Desk (Brussels).

The city case studies have also identified interesting initiatives at the local level in respect of informing mobile EU citizens. For example, the Budapest city case study refers to a project by the International Organisation of Migration (IOM) and the Budapest municipality which led to the development of “Migrant Information Desks”, where foreigners are able to obtain information on their rights, obligations, administrative formalities and information concerning daily life in English, French and German. In Brussels, the municipality of Etterbeek is part of a pilot project, APProach, which offers information on residence formalities, voting rights, school enrolment and civic engagement specifically to mobile EU citizens in six participating cities.<sup>37</sup> The APProach website is currently only available in English. An interviewee for the Brussels city case study noted that the goal of APProach is to make use of ‘collaborative’ or ‘crowdsourcing’ methods to have the information translated into all official EU languages.

A commonality among the methods of information provision by (local) authorities identified above is that, with a few exceptions, information is provided only in English (in addition to the official language(s) in the cities). The choice of English as *the* non-official language to use to provide information on rights and services may raise questions as regards its suitability and proportionality, and may negatively affect many EU citizens not speaking or understanding this language. A key risk is framing initiatives and projects with the idea of the ‘privileged’ and wealthy EU citizen, leaving at the margins those who may be under-educated, poor or belonging to disadvantaged or discriminated groups.

### **3.4. Local language and access to language courses by mobile EU citizens**

Learning the local language can be seen as beneficial for the social inclusion of mobile EU citizens. The availability of local language courses (organised by the local authorities) and the costs involved in accessing these language courses should therefore be examined, as certain conditions for accessibility and fees may constitute undue barriers.

In three of the five cities examined, government-led local language courses are accessible to mobile EU citizens. These local language courses vary slightly. In Brussels, for example, language courses in Dutch and French are quite accessible. Information on language courses can be found for learning Dutch (with the *Huis van het Nederlands*) and French (*La Maison de la Francité*). In principle, however, these language courses are subject to a fee. For example, Dutch languages courses (up to level B1) are offered

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<sup>37</sup> See <https://project-approach.eu/>.





by the *Huis van het Nederlands* for €50 for residents of Brussels.<sup>38</sup> The Expat Welcome Desk's website notes, however, that jobseekers registered with the Brussels employment agency (*Actiris*) may be entitled to free Dutch and French language courses.<sup>39</sup> Furthermore, an initiative by *Actiris* offers Brussels residents the possibility to learn Dutch and French (as well as English and German) online, in combination with live classes by videoconference and personal phone coaching session.<sup>40</sup>

The city case study of Copenhagen shows that all immigrants (including mobile EU citizens) are entitled to attend Danish language courses. For 'self-supporting citizens', these language courses must partly be covered by the individuals themselves (2000 kr. per language module). Similarly, the Barcelona city case study notes that the Regional government of Catalonia, through the Consortium for Language Standardisation (*Consortori per la Normalització Lingüística*, CPNL), offers Catalan language courses, with the first level (A1) being free and subsequent language levels increasing in cost (in other words, decreasing in reduction).<sup>41</sup>

On the other hand, neither the Sofia municipality in Bulgaria nor the Budapest municipality in Hungary offer language classes for EU mobile citizens. In the case of Sofia, the city study notes that Bulgarian language courses are offered by NGOs. However, these language classes are often not accessible to mobile EU citizens due to the limitations of the AMIF funding involved. The Budapest case study also notes the role of NGOs in offering Hungarian language classes – similarly funded by EU funds, such as the AMIF.<sup>42</sup> Particularly in cities (and Member States) where no language courses are available to or accessible by mobile EU citizens, some of the city case studies have observed the role played by informal arrangements. This is the case, for example, with informal "language cafes" organised by EU citizens themselves. In other cities, these alternative language acquisition methods may exist to complement formal language courses.

#### 4. Concluding remarks

"Citizenship of the Union is intended to be the fundamental status of nationals of the Member States". This sentence, often pronounced by the Court of Justice of the EU, aptly reflects the underlying motivation of this study. In order for EU citizenship to truly be the fundamental status of EU citizens, they must be able to effectively exercise their freedom to move to another EU Member State and truly be included in their receiving societies. The accessibility and security of residence rights in another Member State must be ensured and facilitated, in order for residence and permanent residence, in the words of the Free Movement Directive, to be a *genuine vehicle* for inclusion of mobile EU citizens.

The role of local level authorities and cities in ensuring inclusivity of mobile EU citizens is not to be underestimated. As the location where the effects of policies are truly manifested and experienced by

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<sup>38</sup> See <https://www.huisnederlandsbrussel.be/leren-oefenen/praktisch>.

<sup>39</sup> See <http://www.commissioner.brussels/i-am-an-expat/practical-daily-life/83-practical-daily-life/112-language-courses>.

<sup>40</sup> See <https://www.brulingua.be/en/>.

<sup>41</sup> See <https://www.cpnl.cat/cursos-de-catala/preus/>.

<sup>42</sup> In the Budapest case study, it is observed that the Hungarian government has withdrawn most call for tenders within the AMIF National Programme in January 2018.



mobile EU citizens, their inclusion will require local authorities to strive for *high quality and intercultural and multilingual service provision*.

This study therefore examined policies, practices and initiatives vis-à-vis mobile EU citizens in five cities: Barcelona, Brussels, Budapest, Copenhagen and Sofia. The findings, based on desk research and city case studies, that local authorities striving towards inclusion of mobile EU citizens have many tools at their disposal. The study focused specifically on three key areas:

- Ensuring and fostering the exercise by mobile EU citizens of their rights;
- Providing information and raising awareness of rights and opportunities available to mobile EU citizens;
- Facilitating mobile EU citizens in learning the local language as a step towards their social inclusion.

Mobile EU citizens first arriving in another EU Member State may **require specialised services in understanding and fulfilling all key administrative formalities**, such as those related to residence registration, in their receiving Member State. It is essential to observe how, for the case studies of Brussels and Copenhagen, nearly all interviewees made reference to the existence of (semi-) governmental agencies providing such assistance to mobile EU citizens (in Denmark, the International House Copenhagen; in Brussels, the CEIO and the Expat Welcome Desk). A similar service is also available for mobile EU citizens in Barcelona (the AMIC and CITE). In the absence of any such assistance from governmental organisation, the case studies for Budapest and Sofia demonstrate how non-governmental organisations emerge to fulfil this function but under increasingly difficult national political contexts and financial constraints.

Inclusion of mobile EU citizens goes further than residence, however. The city case studies have highlighted a number of **initiatives aimed at facilitating and fostering participation** of mobile EU citizens. These initiatives can aim at ensuring mobile EU citizens exercise their rights as EU citizens to be politically active and even to vote in local and European elections, as the “La meva Ciutat, el meu vot” and “VoteBrussels” campaigns in Barcelona and in Brussels demonstrate. Fostering inclusivity through participation can also take the form of having a say in the policies of the receiving society, as exemplified by the *Conseil Consultatif des Affaires européennes* of the Brussels municipality of Etterbeek and the Local Panels of Stakeholders (LPS) organised in the context of the CRISCO project.

Ensuring that mobile EU citizens are properly **informed and aware of their rights and opportunities** in the receiving Member State is crucial in ensuring their inclusion and full enjoyment of EU rights. Many practices and initiatives identified in the city case studies highlight the plethora of tools and methods at the disposal of Member States’ authorities in informing mobile EU citizens. *Online information*, by preference on one centralised platform, facilitates that mobile EU citizens are able to find the information they need to exercise their rights as EU citizens.

Examples of such ‘all-in-one’ platforms include “newindenmark.dk” and “lifeindenmark.dk” in Copenhagen/Denmark; “Guia d’acollida”, “Nova Ciutadania” and “Barcelona International Welcome” in Barcelona, and the website of the CEIO/Expat Welcome Desk in Brussels. An interesting pilot project to be aware of is APProach, in particular its approach of tailoring information for mobile EU citizens to specific cities as well as the potential of APProach to offer this information in all official EU languages.



These online information channels must be complemented by *offline* channels as well. A failure to provide for additional channels of information may have the unintended consequences of excluding those mobile EU citizens belonging to vulnerable groups or who otherwise are unable to access the required information online. Two examples of local authorities providing information other than via websites are the “Migrant Information Desks” in Budapest and the Expat Welcome Desk in Brussels.

In providing information to mobile EU citizens, it is crucial for local authorities to take into consideration the **native language of the majority of mobile EU citizens**. While the availability and accessibility of information provided by the local authorities in nearly all cities examined, careful reflection is needed on whether the use of English exclusively (in addition to the official languages) truly meets the goal of better standards and quality in providing services.

Finally, this study examined the **availability and accessibility of local language courses** to mobile EU citizens. The city case studies demonstrate that such language courses are not always available to mobile EU citizens. In Sofia and Budapest, no language courses offered by the local authorities have been identified. While NGOs in Sofia and Budapest do offer language courses (sometimes free of charge), mobile EU citizens are often not the intended target group. Moreover, the funding structures that NGOs rely on to offer such languages courses may even restrict access to these courses by mobile EU citizens.

Examples of more practices in organising language courses accessible to mobile EU citizens have been identified in the other cities studied. For example, the Catalan regional government (partly) subsidises Catalan language courses for all non-natives, with the lowest language level being available free of charge. In Brussels and Copenhagen, languages courses are available to mobile EU citizens (as well as other foreigners), often with a reduced fee. For job-seekers, language courses in Brussels and Copenhagen are free of charge. Brussels may stand out, however, with the availability in parallel of Brulingua, an online platform for all Brussels residents to learn French, Dutch, English and German completely free of charge.

The case studies also show that every local project and city initiative should take due account and give full consideration to the specific ‘access barriers’ affecting the exercise of EU free movement rights by economically inactive and under-privileged EU citizens, including those belong to disfavoured or disadvantaged minority communities, which are often exposed to institutional discrimination. Any future EU support should focus and be driven by *a service provision-oriented approach focused on enabling accessibility and inclusion of EU citizens and their families*.



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## Annex. City case studies

### CITY-CASE STUDY

#### BARCELONA

Author: Lorenzo Gabrielli

Supervisor: Andras Kovats, EU-CITZEN Partner

### I. Statistical overview of mobile EU citizens at the local level

Data on population in Barcelona are based on the municipal registry (*padrón municipal*), where all foreign residents can register, independently from their legal status. The analysis of the data of this registry made by the Barcelona City Council (<https://www.bcn.cat/estadistica7angles/dades/inf/pobest/index.htm>) provides very accurate information about the foreign population of the city. The total population in Barcelona, as of January 2019, was 1.650.358 people, consisted of 1.316.842 Spanish nationals and 335.516 foreigners. Foreigners represent 20,2% of the total population, growing from 18,5% in 2018. 102.933 foreign residents are from the EU-28, and 230.583 are from other non-EU countries. Looking at EU nationals residing in Barcelona, the largest community is that of Italians (36.276 people), followed by French (16.940), UK citizens (8.517), Germans (7.739), Romanian (7.617), Portuguese (5.371), Dutch (3.200), Polish (3.088), Bulgarian (2.044), Swedish (2.012), Belgian (1.782), Greek (1.246) and Irish (1.227) citizens.

Concerning the population of the three main EU nationalities in Barcelona, Italian, French and German citizens are relatively balanced in terms of gender (respectively, 53,8%, 50,4%, and 50,2% of them are male). Approximately half of them reside in the city for a period of 1-5 years (49,9% of Italians, 52% of French, and 46,5% of Germans). Approximately half of them are working age population between 25 and 39 years (54,9% of Italians, 47,3% of French and 48,6% of Germans). French seems to have the highest share of highly educated (72,8% have university or equivalent degrees). Unfortunately, available data do not inform us education levels by different age groups.

The same source indicates that the average annual wage of mobile EU citizens living in Barcelona is 24.761 €, lower than that of Spaniards (27.475 €), but higher than other Third Country Nationals (by region: non-EU Europeans/remaining CoE countries: 20.005 €; Latin America: 16.589 €; Rest of the world: 14.457 €). However, despite the high level of education, the average wage of mobile EU citizen is not as high as it can be expected.

An important issue related to mobile EU citizens in Barcelona is the dichotomy between the majority of this population and Roma population from EU countries, and mainly Romania. These two groups have radically different training and education profiles, as well as very important differences in terms of social and labour inclusion, economic and housing conditions. Consequently, their needs are also very different in terms of documentation and legal support, housing, access to labour market and basic social needs. An important part of mobile EU citizens from Roma origin have serious poverty issues, as



well as a part of them is living in informal settlements in different neighbourhood of the city. At the level of the Barcelona city council, an initiative called “Settlement plan” (*Pla d’assentaments*) managed by the OPAI (*Oficina del Pla d’assentaments irregulars* – Bureau of the Plan of Irregular Settlements) targets the needs of vulnerable populations living in informal and self-built housing<sup>43</sup>. Among this population, Roma EU mobile citizens are largely represented.

## II. EU citizens’ rights at the local level

Policy competences in terms of EU citizen rights are shared through, at least, three different political levels: the Spanish central State, the regional government of *Generalitat de Catalunya*, and the Barcelona city council.

The State level is competent for delivering the NIE (Number of Identification of Foreigners), a personal number provided by the Ministry of the Interior (the registration is managed at some specific police stations). This documentation constitute a basic requirement to access to different services and rights (i.e.: access to health services, beyond the urgent care service). Some information about the required documentation to apply for the NIE is available online, but the Spanish State does not provide very clear and complete overview of the registration procedure<sup>44</sup>. Moreover, the delivery of NIE is based on previous appointment that has to be scheduled by internet: sometimes there are no available schedules, while in other occasions, the waiting time can be very long (i.e. at least several weeks, even if it is not so long as for Third Country Nationals that have to wait for months).

At regional level, the main directive of *Generalitat de Catalunya* is to not duplicate services destined to foreign people, with other services addressed only to EU citizens. following the schema of shared competences between the Spanish State and the autonomous community of Catalonia, the main services provided by *Generalitat* to mobile EU citizens are: access to healthcare and education, as well as the service of labour search (SOC – *Servei d’ocupació de Catalunya*<sup>45</sup>). Such services are the same for all residents, while they offer a counselling service in several fields related to foreigners’ administrative formalities.

*Generalitat* provides consultations in person, as well as via a phone number (012) that gives advice to non-nationals on how to register, access the healthcare, social benefits, labour rights education, rules on associations, and language courses among other issues related to integration and daily life of foreigners in Barcelona. This institution also has a website<sup>46</sup>, where details welcoming or ‘first reception’

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<sup>43</sup> See <https://ajuntament.barcelona.cat/serveissociales/es/canal/pla-d-assentaments>. This service targets has two main functions: attending the need of vulnerable populations living in the settlements, through an integral perspective; acting as observatory of the phenomenon.

<sup>44</sup> The immigration portal, of the Ministry of work, Migration and Social Security, provides information about EU citizens registration, family card of a EU citizen, permanent residence certificate, in Spanish; see <https://extranejeros.mtramiss.gob.es/es/InformacionInteres/Informacion/Procedimientos/CiudadanosComunitarios/index.html>, as well as the web of the Interior Ministry (available in all national official languages, and English) <https://www.interior.gob.es/servicios-al-ciudadano/extranjeria/ciudadanos-de-la-union-europea/>.

<sup>45</sup> Ver <https://serveiocupacio.gencat.cat/>.

<sup>46</sup> [http://dps.gencat.cat/WebAccolida/AppJava/ca/seleccio\\_idioma.jsp.html/](http://dps.gencat.cat/WebAccolida/AppJava/ca/seleccio_idioma.jsp.html/).





services (*Servei de primera acollida*). This web, as well as digital and physical leaflets, is provided in English, French and Romanian, among other non-EU language (Arab, Russian and Tamazight).

Barcelona city council provides clear, accessible and organised information to all non-nationals. This can be accessed in person, through SAIER office (Care service to immigrants, emigrants and refugees<sup>47</sup>, those webpage is available in Catalan, Spanish and English), a “one-stop shop” office. Barcelona city council provides such services at the SAIER office in collaboration with Workers Unions. For example, the AMIC (Association of mutual help of immigrants in Catalonia<sup>48</sup>) initiative from UGT (*Unión General de Trabajadores*), one of the main workers union in the country, and CITE (Information centre for foreign workers<sup>49</sup>) initiative from CC.OO (*Comisiones Obreras*), another main labour union in the country.

AMIC, for instance, is providing different services: Support and legal advice in Immigration issues, advice and social and labour guidance for emigration, nostrification and recognition of university and non-university titles, training guidance services, support for job searching, housing access information. CITE is providing similar services: advice on immigrant legislation; processing of work permits, residency permits, and family reunification; information on access to nationality; information on first reception and knowledge of the environment; and delivering of the module of labour knowledge foreseen in the Reception Law of Catalonia (*Lei d’acollida*)

SAIER also provide services in collaboration with other institutions as the Consortium for Linguistic Normalisation (a public entity providing Catalan language courses), the Red Cross, and the ICAB (the Lawyers professional association).

Barcelona city council provides an extensive, well-organised and user-friendly online source of information called “Barcelona International Welcome”<sup>50</sup>, available in English, Spanish and Catalan. Through this webpage, foreign population can access information on different formalities, such as visa and permits, registration, identity documents, work and social security issues, health, education, vehicles and transports, pets. Furthermore, this webpage provides information on Banking and payments issues, housing, home utilities and services, education, social rights, taxes, driving, work, setting up enterprises and social life.

In general terms, local municipality officers/employment office agents/NGOs/ Trade Unions are aware about differences between EU mobile citizen’s rights and the situation of third country nationals.

Concerning multi-lingual environment, Generalitat de Catalunya and Barcelona city council are doing some efforts to provide multilingual attention to foreigners, both in written and in face-to-face communication, and especially at *Servei d’acollida* by the Generalitat and at the SAIER office of Barcelona city council. However, in general terms, apart the official languages spoken in the city (Catalan and Spanish, the main language used by, institutional bodies in Barcelona addressed to integration and foreign population to communicate with mobile EU citizens is English. As underlined by an interviewee, speaking English is not a formal requirement, but training in English are provided.

<sup>47</sup> See <https://ajuntament.barcelona.cat/novaciutadania/en/care-service-immigrants-emigrants-and-refugees-saier>

<sup>48</sup> See <http://www.associacioamic.cat/web/>

<sup>49</sup> See <https://www.ccoo.cat/aspnet/immigracio.aspx>

<sup>50</sup> See <https://www.barcelona.cat/internationalwelcome/en>



However, further progress has to be made in the direction of a real multilingual attention, in particular in general services (for instance public health services).

A stakeholder interviewee remarks that the provision of information for mobile EU citizens, as well for other foreigners, is still problematic, in particular in the field of tax and access to social benefit, as well as for healthcare.

### III. EU citizens' inclusion measures

Concerning inclusion measures, as previously mentioned, the main aim of the Generalitat's policy in this field is to avoid duplicating inclusion services for third country nationals on one hand, and EU citizens on the other hand. This does not mean that all non-nationals get the same services; mobile EU citizens have greater access to them. But orientation and information services to access inclusion measures are the same for all non-nationals.

As an interviewee explains, once foreign nationals register for the first time in Catalonia, they are offered the First Reception Service, consisting in a course composed by three different modules. The first one focuses on language (both Catalan and Spanish); the second one on rights and duties non-nationals in the Spanish labour market; and the third one about Catalan Society. This course is not compulsory for mobile EU citizen, but voluntary,

A similar idea guides also the action of the Barcelona city council that do not distinguish between mobile EU citizens and other foreigners in allowing access to services and do not separate services provision. Moreover, when the services are provided by the city council, independently from the legal status of the foreigners (legal residents as well as undocumented migrants).

As previously mentioned, the Barcelona city council has a website that provides comprehensive multilingual and well-organised information. Barcelona city council also distributes printed multilingual welcoming guides at SAIER and in other public information offices and in the administrative headquarters of the districts (where people can register in the *Padrón municipal*). Moreover, the one-stop shop SAIER provides guidance and access to public integration services, for newcomers, through cooperation with a reception network of NGOs. Furthermore, interpretation service can be called by any local service.

A promising initiative of the Barcelona city council has also to be underlined and concerns voting rights at local and European election of residents from EU countries (as well as from other Latin American countries where there is reciprocity of this right at local elections). For the last European and municipal elections of 2019, the city council foster, thanks to the co-funding of the REC program (Rights, Equality and Citizenship) of the EU, the initiative "*La meva ciutat el meu vot*" (My city, my vote)<sup>51</sup>.

### IV. Language requirements for mobile EU citizens

Regional government of Catalonia (Generalitat de Catalunya) provides a large array of Catalan courses for foreigners and nationals, through the CPNL - *Consorci per a la Normalització Lingüística*

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<sup>51</sup> See a video presentation of this initiative here: <https://www.youtube.com/watch?v=8NSUiwphwxE>



(<https://www.cpnl.cat>). Initial course of Catalan is provided for free, while following courses are paying, with a price range of 14,50 € - 248,50 €, with possible reductions of 50% or 70% depending on social and labour condition. For instance, an unemployed mobile EU citizen would have access to a 70% reduction of the Catalan courses, paying from 5,40 € to 80,40€, depending from the level (it has to be noted that the superior-C2 level has no reductions). Information and access to language courses provided by CPNL towards foreigners, including mobile EU citizens. It is facilitated by the SAIER offices as well.

According to all interviewees, in no circumstances language courses are mandatory for mobile EU citizens in Barcelona.

## V. Expulsion of EU citizens from another EU Member State

In the case of Barcelona, as in the rest of Spain, the only legal provisions justifying the expulsion of EU citizens arise after having committed a crime punishable by imprisonment for more than five years, or after repeating criminal offences. In addition, mobile EU citizen can be considered as a 'threat for public order, national security or public health' and this can represent a reason of expulsion from the national territory. One of this conditions is sufficient to implement the expulsion of mobile EU citizens.

State authorities are the only ones competent in this field, and specifically the Ministry of Interior. In 2017, Spanish authorities have expelled 282 Romanian citizens from the country (they were 343 in 2016, 388 in 2015, 280 in 2014 and 237 in 2013)<sup>52</sup>.

The official statistics do not allow to identify the city of residence expelled mobile EU citizens, and State government seems to be very cautious with this information. Some informal talk with civil society organisations in order to realise this report, highlighted that in Barcelona there have been some cases of mainly Romanian citizens of Roma ethnicity expelled for committing crimes or repeated violations of penal law. However, the official authorities that were interviewed for this case study do not seem to be aware about these practices.

### List of Interviews

Interview with a public servant at the policy making level (regional government of Generalitat de Catalunya), Barcelona, December 1<sup>st</sup> of 2019.

Interview with an independent expert working for Barcelona city council, Barcelona, December 2<sup>nd</sup> of 2019,

Interview with actor of Civil Society Organisation, Barcelona, December 5<sup>th</sup> of 2019.

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<sup>52</sup> El País, "España expulsa 30 inmigrante por día desde 2013", January 7<sup>th</sup> 2019, [https://www.elpais.com/politica/2019/01/04/actualidad/1546620169\\_232601.html](https://www.elpais.com/politica/2019/01/04/actualidad/1546620169_232601.html)



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## CITY-CASE STUDY

### BRUSSELS

Authors: Lina Vosyliute and Ngo Chun Luk

#### **I. Statistical overview of mobile EU citizens at the local level**

The Kingdom of Belgium has a total population (as of 1 January 2019) of 11.4 million inhabitants.<sup>53</sup> Belgium is divided into three provinces, of which the focus of this city case study will be the Brussels Capital Region. The Brussels Capital Region, with a population of 1.2 million inhabitants,<sup>54</sup> is further subdivided into 19 municipalities, of which the largest (in terms of size of population) are the City of Brussels (*Stad Brussel / Bruxelles-Ville*) with 181,726 inhabitants, followed by Schaerbeek (*Schaarbeek*) with 133,309 and Anderlecht with 119,714.<sup>55</sup>

Looking at mobile EU citizens in the Brussels Capital Region (hereinafter: 'Brussels'), in 2019, there were 278,944 mobile EU citizens resident, with the top three municipalities hosting mobile EU citizens being the City of Brussels (40,079 mobile EU citizens), Ixelles/Elsene (31,316) and Schaerbeek/Schaarbeek (29,297).<sup>56</sup> Relative to the total population in the municipality, the top three Brussels municipalities where mobile EU citizens are residing are Etterbeek (36.53%), Ixelles/Elsene (36.05%) and Saint-Gilles/Sint-Gillis (35.65%).<sup>57</sup>

Proportionally, more mobile EU citizens reside in the Brussels Capital Region (23.08%) than in the provinces of Flanders (5.73%) or Wallonia (7.40%), as well as the average for Belgium (8.09%).<sup>58</sup>

The following graph shows the distribution of mobile EU citizens (i.e. excluding Belgian nationals and third-country nationals) residing in the Brussels Capital Region by nationality (of their Member State), with the top five (non-Belgian) nationalities of EU citizens residing in the Brussels Capital Region being French (64,218), Romanian (41,858), Italian (33,718), Spanish (28,480) and Polish (23,182).<sup>59</sup> In terms of gender division, the group of mobile EU citizens in Brussels is relatively even (with 138,304 male v 140,640 female).

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<sup>53</sup> StatBel, "Population by sex and nationality for Belgium and provinces, 2009 and 2019", <https://bestat.economie.fgov.be/bestat/crosstable.xhtml?view=5525fea5-4abb-424b-918c-d5a5658b9e34>.

<sup>54</sup> Ibid.

<sup>55</sup> BISA (Brussels Institute for Statistics and Analysis), "Population. Figures by Nationalities (Current nationality, nationality at birth)", available at <http://statistics.brussels/themes/population>.

<sup>56</sup> Ibid.

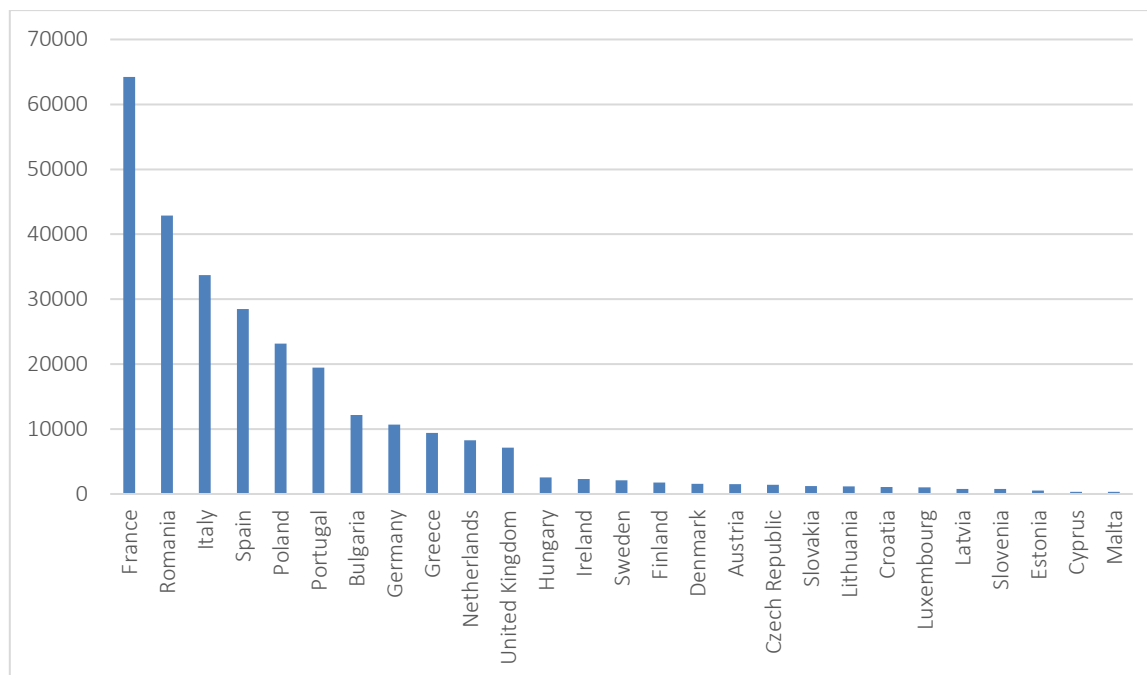
<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid.



Figure 1. Population of mobile EU citizens in the Brussels Capital Region by MS nationality (2019)



Source: BISA (Brussels Institute for Statistics and Analysis), “Population. Figures by Nationalities (Current nationality, nationality at birth)”.

## II. EU citizens’ rights at the local level

Information about one’s rights as a citizen can be found on the websites of various governmental agencies in Belgium – at the national, regional and local level. In many cases, however, these websites are available only in the national language(s) of Belgium or the relevant region. For example, the various Belgian authorities in the area of social security and social assistance have a website (SocialSecurity.be),<sup>60</sup> where a wealth of information can be found on various aspects of social security in Belgium, including unemployment, family, health(care), pensions, etc. However, this website is solely in French, Dutch and German, with some information available in English in its Coming2Belgium section.<sup>61</sup>

Information for (mobile EU) citizens can also be found on, for example, the website Belgium.be, which provides general information and links to additional information in French, Dutch, and (to varying degrees) English and Germany.<sup>62</sup> Similarly, general information is available on the website of the Flemish Region (Vlaanderen.be, in Dutch and English) and the Walloon Region (Wallonie.be, in French).

Focusing specifically on Brussels, general information can be found on the website be.brussels in Dutch, French and English.<sup>63</sup> Information, primarily on administrative formalities for mobile EU citizens, for the top five Brussels municipalities (City of Brussels, Etterbeek, Ixelles/Elsene, Saint-Gilles/Sint-Gillis and

<sup>60</sup> <https://www.socialsecurity.be/>.

<sup>61</sup> See [https://www.socialsecurity.be/CMS/en/coming\\_to\\_belgium/index.html](https://www.socialsecurity.be/CMS/en/coming_to_belgium/index.html).

<sup>62</sup> <https://www.belgium.be/>.

<sup>63</sup> <https://be.brussels/>.



Schaerbeek/Schaarbeek) can also be found on the websites of the respective municipalities in Dutch and French (and for the City of Brussels, also in English).

Specifically concerning the provision of information to mobile EU citizens, reference can be made to the Office of the Brussels Commissioner for Europe and International Organisations (CEIO). Officially established in 2014,<sup>64</sup> the goal of the CEIO is to maintain and further develop the direct relations between the Brussels Capital Region and European and International Organisations seated in Brussels.<sup>65</sup> As part of the CEIO, the Expat Welcome Desk (EWD) – established in 1991 within the framework of the Brussels-Europe Liaison Office and incorporated into the CEIO in 2015 – offers “a personalised administrative assistance service to all those who come to work in Brussels in or around the European and international institutions”.<sup>66</sup> Information on various aspects of moving to and living in Brussels are provided on the EWD’s website,<sup>67</sup> including residence formalities, employment, housing, social security, etc.

EWD often acts as a mediator between various newcomers (they also assist other EU citizens who come to them, but work outside the EU or international organisation) and the various Brussels municipalities in clarifying EU citizens’ rights and obligations. EWD has taken a proactive approach to informing EU citizens’ of their rights. For example, EWD provides information to newly arrived EU Blue book trainees or other EU personnel. In addition, EWD has organised a special conference for the 19 Brussels communes or municipalities as to inform the front-desk personnel about specificities of EU citizens’ rights and to promote sharing of promising practices among them.

An interesting project in which the Brussels municipality of Etterbeek is participating is the APProach project.<sup>68</sup> The project is specifically aimed at the inclusion of mobile EU citizens, in particular democratic participation, educational enrolment and participation in civic life.<sup>69</sup> The project’s objectives include facilitating information provision to promote effective exercise of mobile EU citizens’ rights and tackling the challenges faced by local authorities when welcoming mobile EU citizens.<sup>70</sup> On the APProach website, mobile EU citizens can find information about residence formalities, voting rights, school enrolment, civic engagement and social life in *inter alia* Etterbeek.<sup>71</sup> The website is currently available in English, but it seems the website will be offered in all EU languages in the future.

It is interesting to note that, at least concerning information provision on the internet, none of the Brussels municipalities, the Brussels Capital Region nor the Belgian federal authorities provide information in the native language of four of the top five nationalities of mobile EU citizens in Brussels (i.e. Romanian, Italian, Spanish and Polish). The information provision online is therefore inaccessible to mobile EU citizens who do not understand French, English or Dutch. Responses from interviewees and questionnaire respondents note that, while civil servants are formally required to work in one of the official languages in Brussels (Dutch or French), some officials and civil servants are prepared to

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<sup>64</sup> See Decision of the Council of Ministers of the Brussels Capital Region of 9 October 2014, available (in French) at [http://www.commissioner.brussels/component/fleximedia/files/download/187\\_4?Itemid=304](http://www.commissioner.brussels/component/fleximedia/files/download/187_4?Itemid=304).

<sup>65</sup> See <http://www.commissioner.brussels/about-us>.

<sup>66</sup> <http://www.commissioner.brussels/i-am-an-expat>.

<sup>67</sup> <http://www.commissioner.brussels/i-am-an-expat>.

<sup>68</sup> <https://project-approach.eu/>. The other participating municipalities are Paris, Lisbon, Milan, Velje and Nea Smyrni.

<sup>69</sup> <https://project-approach.eu/about-approach>.

<sup>70</sup> Ibid.

<sup>71</sup> See <https://etterbeek.project-approach.eu/>.



address mobile EU citizens in another language if the public official is able to do so. Moreover, Actiris (the Brussels public employment agency) has set up a partnership with social interpreters to assist counsellors and jobseekers in their native language.

### III. EU citizens' inclusion measures

The competence for determining an integration policy in Belgium has been transferred to the different (Language) Communities.<sup>72</sup> For Brussels specifically, the integration policies of the Flemish Community (*Vlaamse Gemeenschap*) and the French Community (*Communauté française*)<sup>73</sup> are of relevance. As noted by Xhardez, the issue of integration of foreigners in Brussels is a complex institutional and political puzzle.<sup>74</sup> Suffice it to say, however, that neither the integration policies of the Flemish Community nor of the French Community – as far as applicable to Brussels – impose any ‘integration’ obligations on mobile EU citizens.<sup>75</sup> On the other hand, there are no national, regional, communal or local policies or strategies specifically aimed at the inclusion of mobile EU citizens. Integration courses are available, on a voluntary basis, to mobile EU citizens residing in Brussels. The integration programmes in Brussels are organised by *Bon* for the Flemish-based programme,<sup>76</sup> and by *Bapa Bxl* (*Bureau d’Accueil pour Primo-Arrivants*) and *Via* in Brussels.<sup>77</sup>

Some examples of projects or programmes, with a focus on Brussels, aiming to inform and facilitate mobile EU citizens in the exercise of the rights can be noted. For example, the VoteBrussels campaign worked in partnership with various Brussels municipalities in order to raise awareness of and facilitate the exercise of voting rights of mobile EU citizens in the local elections (of 2018).<sup>78</sup> Another project, the PRODEC project, focuses on homelessness and mobile EU citizens and how to ensure that ‘destitute’ mobile EU citizens can effectively enforce their rights.<sup>79</sup> One of the results related to the PRODEC project is a guide for users in Brussels, i.e. the Surviving in Brussels website/app.<sup>80</sup>

Another interesting initiative witnessed in some Brussels municipalities is the engagement of mobile EU citizens in the decision and policy making process through so-called Advisory Councils for European

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<sup>72</sup> C. Xhardez (2016), “The integration of new immigrants in Brussels: an institutional and political puzzle” (translated from French by J. Corrigan), *Brussels Studies*, Article 105, 24 October 2016, para. 7-9. <https://journals.openedition.org/brussels/1434>.

<sup>73</sup> It should be noted that, for integration, the *Communauté française* has transferred the competences in this area to the French Community Commission (COCOF) in respect of Brussels; see *ibid.*, para. 7-8.

<sup>74</sup> *Ibid.*

<sup>75</sup> Cf. for the Flemish Community: Articles 26 and 27 of the *Decreet betreffende het Vlaamse integratie- en inburgeringsbeleid*, including all foreign nationals in the scope of its policy on integration (*inburgering*), but excludes mobile EU citizens from the obligation to do so; for the French Community: Article 150, 152 and 152/7, which excludes mobile EU citizens from the definition of the group of persons (*‘primo-arrivants’*) obliged to follow the integration process (*parcours d’intégration*).

<sup>76</sup> See <https://bon.be/en>.

<sup>77</sup> See <http://www.via.brussels/en/>.

<sup>78</sup> See T. Huddleston (2019), “The Citizens of the Capital of Europe. Evaluation of Voter Registration in Brussels and the VoteBrussels campaign”, Report of the VoteBrussels campaign, Brussels, FAIREU/ECAS, 24 June, <https://faireu.ecas.org/report-of-the-votebrussels-campaign-is-now-out/>.

<sup>79</sup> See <https://www.feantsa.org/en/project/2017/05/02/prodec-protecting-the-rights-of-destitute-eu-mobile-citizens> and <https://www.feantsa.org/en/project/2019/08/28/prodec-protecting-the-rights-of-destitute-eu-mobile-citizens-2nd-phase>.

<sup>80</sup> <https://survivinginbrussels.be/app/>. The app/website is currently available in French, English, Dutch and Romanian.





Affairs (*Adviesraad voor Europese Aangelegenheden / Conseil Consultatif des Affaires européennes*, hereinafter: CCAE). The CCAE of, for example, the Brussels municipality of Etterbeek,<sup>81</sup> functions as the bridge between mobile EU citizens residing in Etterbeek and the municipality. Its goal consists, among others, of receiving and finding solutions to problems encountered by mobile EU citizens, of serving as the communication channel between mobile EU citizens and the College of Mayor and Aldermen, and informing and supporting EU citizens in administrative procedures and life in Etterbeek more generally. The municipality of Ixelles is similarly setting up a CCAE.<sup>82</sup> One of the interviewees noted the importance of CCAEs, not only as the forum through which the municipalities can inform and be informed about the life of mobile EU citizens in their municipalities, but also in organising activities and supporting initiatives which promote the inclusion of mobile EU citizens into the receiving community.

#### IV. Language requirements for mobile EU citizens

While there are no specific programmes offering French or Dutch language courses to mobile EU citizens, languages courses in French or Dutch are offered for free as part of the integration programmes of the Flemish and French Communities in Brussels<sup>83</sup> – that mobile EU citizens are entitled to participate in on a voluntary basis. Actiris – the Brussels Employment Office – has launched an initiative – Brulingua) for all Brussels residents to free online language training in four different languages (Dutch, French, English and German).<sup>84</sup> It combines online languages courses with live classes (by videoconferencing) and personalised (phone) coaching.

Languages courses in Dutch and French are also offered by other organisations in Brussels.<sup>85</sup> Information on Dutch languages courses can be obtained, among others, from the House of the Dutch Language (*Het Huis van het Nederlands Brussel*),<sup>86</sup> while information on French language courses can be found *inter alia* from the House of the French Language (*La Maison de la Francité*)<sup>87</sup> and Dorifor.<sup>88</sup>

#### V. Expulsion of EU citizens from another EU Member State

According to a recent report of Myria, the residence rights/registrations of 1 845 mobile EU citizens were withdrawn in Belgium in 2016, with Romanian nationals representing 47% of mobile EU citizens whose residence in Belgium were no longer permitted.<sup>89</sup> In 2016, 5 558 expulsion orders were issued to mobile EU citizens in Belgium, and 857 EU citizens were repatriated.<sup>90</sup>

<sup>81</sup> See [https://www.etterbeek.be/nos-services/europe/la-commission-consultative-des-affaires-europeennes?set\\_language=fr](https://www.etterbeek.be/nos-services/europe/la-commission-consultative-des-affaires-europeennes?set_language=fr).

<sup>82</sup> See <http://www.ixelles.be/site/667-Conseil-Consultatif-des-Affaires-europeennes?language=en>.

<sup>83</sup> Cf. “Inburgering blijft gratis in Brussels Gewest”, *De Standaard*, 15 October 2019, [https://www.standaard.be/cnt/dmf20191015\\_04664922](https://www.standaard.be/cnt/dmf20191015_04664922); “Le parcours flamand d’intégration restera gratuit à Bruxelles”, BX1, 15 October 2019, <https://bx1.be/news/le-parcours-flamand-dintegration-restera-gratuit-a-bruxelles/>.

<sup>84</sup> See <https://www.brulingua.be/en/>.

<sup>85</sup> See <http://www.commissioner.brussels/i-am-an-expat/practical-daily-life/83-practical-daily-life/112-language-courses>.

<sup>86</sup> See <https://www.huisnederlandsbrussel.be/leren-oefenen/praktisch>.

<sup>87</sup> See <https://www.maisondelafrancite.be/?s=0000&p=62>.

<sup>88</sup> See <https://www.dorifor.be/sous-domaine/francais-langue-etrangere-154.html>.

<sup>89</sup> Myria (2018), “Migratie in cijfers en in rechten. 2018. Recht op gezinsleven in het gedrang”, Brussels, Myria – Federal Migration Centre, p. 131, [https://www.myria.be/files/MIGRA2018\\_NL\\_AS\\_1.pdf](https://www.myria.be/files/MIGRA2018_NL_AS_1.pdf).

<sup>90</sup> *Ibid.*



## List of Interviews

Interview with a civil servant at the Brussels Commissioner for Europe and International Organisations, 14 November 2019

Written input and follow-up interview with a civil servant at the Brussels Capital Region level (Actiris, the Brussels employment agency), 3 December 2019.

Interview with a civil servant at the policy-making level (Etterbeek municipality), 23 January 2020

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## CITY-CASE STUDY

### BUDAPEST

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## I. Introduction

The findings of the report are based on desk research on statistical data, legislative framework and practice concerning the rights of EU citizens exercising the right of free movement (hereinafter: mobile EU citizens) in Hungary, moreover on interviews with experts who have expertise and experience in integration and/or are/were in daily contact with foreigners, including mobile EU citizens. The following experts have been contacted:

Employees of the Municipality of Budapest;

the Hungarian immigration authority; an international organisation (that had a project aiming at integration of foreigners in Budapest); an NGO providing information, guidance and legal assistance to foreigners in Budapest; a former civil servant having worked for the Ministry of Interior (the ministry responsible for immigration policy); experts in the field of employment of foreigners were contacted. Three interviews have been conducted (with a former employee of the municipality of Budapest Capital, the manager of an NGO providing needs-based assistance to foreigners living in Hungary and an employee of an NGO assisting the integration of foreigners living in Hungary). The other experts/organisations contacted did not reply, refused to be interviewed or stated that they were unable to provide relevant information.

## II. Stakeholders in the integration process – authorities and NGOs

Integration of mobile EU citizens may involve a wide range of stakeholders: authorities responsible for registration or for the expulsion of mobile EU citizens, but also tax, employment, education, social security and local authorities as well as school, hospitals and other public service providers. The role of NGOs is inevitable, as there is no state/local integration strategy or action plan, program facilitating the integration of mobile EU citizens (see part IV).

In Hungary, most of the authorities that mobile EU citizens may contact are centralised ones. The responsible authority for registering mobile EU citizens, recognising their permanent right to stay and for ordering their expulsion is the Directorate General for Aliens Policing (before July 2019, its name was the Immigration and Asylum Office). It is a central authority that was established in 2000 by the Government of Hungary and has operated as a public service authority until July 2019 when it became a police authority. The Directorate General for Aliens Policing has 7 regional offices. The Regional



Directorate for Budapest and Pest County is the one that issues registration certificates and permanent registration cards for mobile EU citizens in Budapest and, where necessary, orders their expulsion. The Regional Directorate has a special office/customer service centre (separately from the offices responsible for the applications of third country nationals) where mobile EU citizens may register themselves and their non-EU family members may apply for residence cards. It is interesting that the e-application portal Enter Hungary<sup>91</sup> is only available to family members of mobile EU citizens. In accordance with European (secondary) legislation and under Hungarian law<sup>92</sup>, third-country national family members of EU nationals need a visa to enter Hungary unless European legislation or international agreements provide otherwise or they hold the residence documents verifying their right to reside issued by the Hungarian immigration authority or by an EU member state.

The health insurance system is managed by a central authority, the National Health Insurance Fund of Hungary. The tax authority is also a centralised one, the National Tax and Customs Administration also has regional directorates (in Budapest there are three directorates) and even several field offices in Budapest. Nevertheless, EU citizens may apply for their tax identification number and card in the government offices or government ‘windows’. These offices are ‘one-stop shops’ for the all residents in Hungary for the administration procedures that are conducted by the territorial units of central government authorities: besides tax identification and other tax procedures, the identity card, address card and the social security number/card, driving licence and vehicle registration may be applied there. In addition, procedures in the field of social security services (e.g. family benefit, social assistance) or consumer protection are also conducted by government offices. The education system is also centralised, all schools fall under the supervision and management of Klebelsberg Centre (Klebelsberg Központ), that also has regional offices in each education region (Budapest is split to 8 education regions)<sup>93</sup>.

Local governments have a limited authority: they provide primary healthcare, manage preschool education (kindergartens and crèches) and child welfare services, local public transport, supervise local planning and building activities, may also provide social assistance and are responsible for housing, including social housing. Though local authorities have a very limited role in housing. The scarcity of social housing is a general problem in Hungary affecting Hungarian citizens and foreigners. The local governments also collect local taxes (i.e. tourism, business tax, tax on real estate).

### III. Third country nationals and EU citizens in Hungary - statistics

Hungary is not primarily a country of destination, with foreigners – including mobile EU citizens and third country nationals constituting less than 2% of the country’s total population<sup>94</sup>. Around two-thirds of foreigners come from European countries: most of them are mobile EU citizens from Romania (15%),

<sup>91</sup> <https://enterhungary.gov.hu/eh/?en>, accessed on 10 January 2020

<sup>92</sup> Act I of 2007 on the entry and stay in Hungary of persons enjoying the right of free movement and residence, Section 3, paragraphs 2-4

<sup>93</sup> <https://kk.gov.hu/tankeruletek> (in Hungarian), accessed on 10 January 2020

<sup>94</sup> According to Eurostat data, from a total population of 9,778,371 there were 161,549 people from who did not have Hungarian nationality residing in Hungary in 2018, <https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=tps00157&plugin=1>, accessed on 10 January 2020



Germany (11%) and Slovakia (6.0%). Most of third country nationals are from the Ukraine (5.7 %) <sup>95</sup>. Just like Hungarian nationals, the foreigners are urbanised, most of the foreigners, including mobile EU citizens tend to live in Budapest.

Before 2011, the rate of foreigners compared to the total population was higher, around 2%. 2011 was the year when preferential naturalisation rules for those having Hungarian roots were introduced. As a result, many of the foreigners living in Hungary, especially those born in Romania, have acquired Hungarian nationality <sup>96</sup>.

Budapest, the capital of Hungary has an estimated population of 1.74 million, 17% of the total population, in 2014, 7,3% of the total population was foreign-born <sup>97</sup>.

Unfortunately, there are no publicly available statistics on the occupation of mobile EU citizens living in Hungary or Budapest. Relevant information is based on the 2011 census data <sup>98</sup> or from interviews with experts. Concerning occupation and skill levels, mobile EU citizens in Hungary are a diverse group – this feature applies to the biggest group among them as well, i.e. Romanian citizens. While in the past (before 2007, the accession of Romania to the EU) there were large groups of unskilled workers among Romanian citizens, today the picture is more complex from highly skilled workers to unskilled domestic workers (outside Budapest, especially in the vicinity of the Hungarian-Romanian border the number of unskilled – agricultural – workers is larger). According to the manager of a NGO providing services for foreigners <sup>99</sup>, Romanian nationals living in Budapest are diverse too, but their role in home-care, domestic work (domestic helpers, cleaners, gardeners) is significant. Besides Romanian nationals, other mobile EU citizens (German, Italian, Dutch, Belgian) are also present but not in significant numbers and their group is even more diverse: from pensioners (mainly from Germany, Netherlands, Belgium) to skilled workers working for shared-service centres or students at Hungarian universities (German, Dutch, Belgian nationals and in the medical universities, Greek or Norwegian nationals).

The statistical data of the Directorate General for Aliens Policing <sup>100</sup> show the number of mobile EU citizens in possession of a registration document. According to the statistics, on 1 January 2018, there were 123,526 mobile EU citizens holding residence cards and there were 17,332 holders of permanent residence cards in Hungary. The precise number of permanent resident EU citizens however is harder to find as family members of mobile EU citizens (and until 1 January 2019, family members of Hungarian nationals) are granted permanent residence cards after a certain period of continuous residence in

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<sup>95</sup> Central Statistical Office, <http://www.ksh.hu/docs/hun/xftp/idoszaki/nepmozg/nepmoz17.pdf> (in Hungarian), accessed on 10 January 2020

<sup>96</sup> About the proportion of ethnic Hungarians benefitting from simplified naturalisation, see the publication of the Central Statistical Office “Új magyar állampolgárok - Változások az egyszerűsített honosítási eljárás bevezetése után” (New Hungarian citizens – Changes after the introduction of simplified naturalisation), <http://www.ksh.hu/docs/hun/xftp/idoszaki/pdf/ujmagyarallampolgarok.pdf> (in Hungarian), accessed on 10 January 2020

<sup>97</sup> [https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=urb\\_cpopcb&lang=en](https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=urb_cpopcb&lang=en), accessed on 10 January 2020

<sup>98</sup> Dr. Kincses, Áron – Territorial characteristics of foreigners living in Hungary, <http://real.mtak.hu/15625/1/kincses.pdf> (in Hungarian), accessed on 10 January 2020

<sup>99</sup> Interview with the manager of a Hungarian NGO providing needs-based services to foreigners, conducted on 27 November 2019 in Budapest

<sup>100</sup> Statistics of the Directorate General for Aliens Policing on foreigners in Hungary in 2018 can be accessed here: [http://bmbah.hu/images/Kiadv%C3%A1nyf%C3%BCzet\\_2018\\_janu%C3%A1r\\_-\\_december.xls](http://bmbah.hu/images/Kiadv%C3%A1nyf%C3%BCzet_2018_janu%C3%A1r_-_december.xls) (in Hungarian), accessed on 10 January 2020



Hungary. Moreover, those long-term resident EU nationals, who moved to Hungary before the EU accession may have permanent residence cards issued before 2007.

#### IV. Integration of foreigners in Hungary

Hungary has not established a specific strategy on the integration of foreigners. In 2013, Hungary's first Migration Strategy was adopted by the Government<sup>101</sup>. Chapter VI of the Migration Strategy<sup>102</sup> deals with integration in general, including the integration of EU citizens as well. The strategy highlights the importance of taking into account the specific needs of the different groups of foreigners. It also describes the frameworks of integration, i.e. that EU citizens have access to the social protection system, to employment and to education under the same conditions as Hungarian nationals. Despite these favourable conditions, the Strategy highlights that EU citizens need support in their integration process, especially in Hungarian language, culture and information on everyday life.

The Migration Strategy calls for the development of a specific Integration Strategy for foreigners living in Hungary that has not happened yet.

Budapest does not have an integration strategy either. In 2013, the Municipality of Budapest Capital led an EU-financed project that resulted in the establishment of a 'Migration Round Table'<sup>103</sup>. The aim of the project was to facilitate the integration of migrant communities in Budapest, in particular to establish a network for migration/migrant organisations, the development of the activities and capacities of these organisations and the involvement of the Municipality of Budapest Capital in the management of migration policies. The Migration Round Table was able to map the issues and identify the areas and tools of intervention in the field of integration and culture, education and social services. Unfortunately, the Round Table has not been convened for years.

As a mainstreaming tool, the Migration Round Table would be able to identify the actions necessary to facilitate the integration of all non-nationals, including mobile EU citizens.

Another EU (Asylum, Migration and Integration Fund) project was awarded to the International Organisation for Migration in (partner: Municipality of Budapest) 2016 that envisaged an Action Program on integration of migrants living in Budapest. The Action Program has not been adopted yet.

#### V. The rights of mobile EU citizens

In accordance with primary and secondary EU legislation (in particular the Treaty on the Functioning of the European Union and the Charter of Fundamental Rights and the EU Free Movement Directive 2004/38) mobile EU citizens enjoy the same rights as Hungarian nationals. Mobile EU citizens benefit from a variety of rights, these rights are defined in fragmented legislation on the particular sub-systems

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<sup>101</sup> Government Resolution No 1698/2013. (X. 4.)

<sup>102</sup> The Migration Strategy can be accessed here: [http://belugyialapok.hu/alapok/sites/default/files/MMIA\\_.pdf](http://belugyialapok.hu/alapok/sites/default/files/MMIA_.pdf) (in Hungarian), and here: <http://belugyialapok.hu/alapok/sites/default/files/Migration%20Strategy%20Hungary.pdf> (abridged version in English), accessed on 10 January 2020

<sup>103</sup> The project was financed by the Asylum, Migration and Integration Fund of the European Union. More information about the project under: <https://budapest.hu/Lapok/F%C5%91v%C3%A1rosi-Migr%C3%A1ci%C3%B3s-Kerekasztal.aspx> (in Hungarian), accessed on 10 January 2020



(employment<sup>104</sup>, education<sup>105</sup>, healthcare<sup>106</sup>, social care<sup>107</sup>, taxation<sup>108</sup>, etc.), e.g. concerning access to the system of social protection, the Migration Strategy underlines that more rights are granted for them as required by relevant EU legislation.

The lack of information on how to access these rights is a challenge. Besides the generally available EU information portals, there is no targeted information campaign for mobile EU citizens. Nevertheless, the number of EU citizens is very low compared to the total population, the group of mobile EU citizens is very diverse therefore it is not cost-effective to organise specific services/trainings targeting EU citizens only.

There were activities that benefitted mobile EU citizens though they were not targeting them:

In 2017-18 the International Organisation for Migration and the Municipality of Budapest Capital implemented a project that resulted in the development of Migrant Information Desks, where beneficiaries of international protection and other migrants residing legally in Budapest could receive information on their rights, obligations, and information concerning their daily lives (on public transport, administration, rules and customs, holidays, etc.)<sup>109</sup>. Moreover, information was provided on the organisations assisting migrants in Budapest. This project, though not specifically targeting mobile EU citizens, was able to provide information for them - on the rights and duties of mobile EU citizens. The information was available in English, French and German through personal consultation at the Migrant Information Desks and an information line was also available to provide the information via phone.

In addition, the officials at the Migrant Information Desks directed the foreigners (including mobile EU citizens) to the competent (national or local) authorities or to the NGOs providing information and assistance to foreigners. During the interview<sup>110</sup>, a former official of the Municipality of Budapest Capital explained, that even after the completion of the project, the last part, i.e. that foreigners are directed to NGOs should be feasible. The former official highlighted that the project has addressed the information needs of mobile EU citizens.

Between 2013 and 2019 there was an official responsible for integration of foreigners employed by the Municipality of Budapest Capital. This position no longer exists, since it was merged with the tasks of the official responsible for equal opportunities<sup>111</sup>. Currently, information on how to access services is provided by state authorities (e.g. the website of the Directorate General for Aliens Policing, the National Tax and Customs Administration provides information in English, the National Health

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<sup>104</sup> See Act IV of 1991 on the facilitation of employment and support to unemployed persons, Section 2, paragraph (2)

<sup>105</sup> Act CXC of 2011 on national public education Section 92, paragraph (1), point b), Act CCIV of 2011 on national higher education, Section 39, paragraph (1), point a)

<sup>106</sup> Act CLIV of 1997 on healthcare, Section 3, point s), Act LXXX of 1997 on those entitled to social security and private pensions and the funds for these services, Section 4, point u), sub-paragraph 2

<sup>107</sup> Act III of 1993 on Social administration and social assistance, Section 3, paragraph (3)

<sup>108</sup> Act CXVI of 1995 on personal income tax, Section 3, paragraph 2, point b)

<sup>109</sup> More information about the AMIF-financed project under <http://www.iom.hu/building-bridges>, accessed on 10 January 2020

<sup>110</sup> Interview with a former employee of the Municipality of Budapest Capital, conducted on 29 November 2019 in Budapest

<sup>111</sup> source: interview with a former official of the Municipality of Budapest Capital, conducted on 29 November 2019 in Budapest



Insurance Fund of Hungary in English and German) and by NGOs working for the inclusion and integration of foreigners.

Various NGOs, church-based organisations assist foreigners in the most important fields of integration: in housing (housing programmes providing temporary accommodation and assistance in finding accommodation), guidance (social work), facilitating labour market integration by job-seeking assistance, internship programme and facilitating access to social assistance, health care, etc.

There are no Hungarian language courses provided by state authorities, but civil society organisations also provide Hungarian lessons free of charge. The activities of the civil society organisations had one common element: they were mostly financed from EU funds (mainly from the Asylum, Migration and Integration Fund – AMIF), thus they were project-based. As this EU fund is focussing on the integration of non-EU nationals, the projects implemented have not targeted mobile EU citizens specifically, but the latter may have benefitted from the services of the NGOs as well. Nevertheless, in January 2018 the Government decided to withdraw most calls for tenders in the framework of the Asylum, Migration and Integration Fund National Programme without any justifications<sup>112</sup> and has not issued new calls in this field ever since, this means that since July 2018 no projects have been implemented to support any activities facilitating the integration of foreigners in Hungary.

There are a few NGOs that provide services for mobile EU citizens. Menedék – Hungarian Association for Migrants has been operating since 1995 with the aim of facilitating integration of foreigners in Hungary<sup>113</sup>. Menedék Association provides services that are needs-based and not based on the status of the foreigner who needs them. These services include general information on the status of the person, information on the rights and duties – in a language that the client (the foreigner) understands. In addition, the association provides individual guidance by social workers and legal assistance on individual issues relating to residence and identity documents. It also provides assistance with issues that may emerge in everyday life: e.g. work contracts and working conditions, enrolment in education, taxation, consumer protection issues etc. Menedék also provides free Hungarian language classes (though the focus is mainly on non-EU nationals) and organises community activities that can be frequented by mobile EU citizens as well.

The cooperation of central/local government authorities and NGOs are not formalised. During the interview, the manager of an NGO providing needs-based services to foreigners<sup>114</sup> explained that there are no formalised contact list that state agencies/municipalities can use but in practice the family assistance services of the municipalities, teachers or social workers at kindergarten, schools, international student coordinators at universities or officials of the immigration authority contact the NGO and/or refer foreigners to this NGO. In addition, foreigners also use their (informal) networks, acquaintances, members of the local community also refer them to the NGO.

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<sup>112</sup> The note on withdrawal (in Hungarian) is available here: [http://belugyalapok.hu/alapok/sites/default/files/Hirdetmeny\\_ki%C3%ADr%C3%A1sok\\_visszavonas.pdf](http://belugyalapok.hu/alapok/sites/default/files/Hirdetmeny_ki%C3%ADr%C3%A1sok_visszavonas.pdf), accessed 10 January 2020

<sup>113</sup> source: <https://menedek.hu/> (accessed on 10 January 2020), interview with the manager of an NGO providing needs-based services to foreigners, conducted on 27 November 2019 in Budapest and interview with a staff member of an NGO assisting the integration of foreigners living in Hungary, conducted on 28 November 2019

<sup>114</sup> Interview with the manager of an NGO providing needs-based services to foreigners, conducted on 27 November 2019 in Budapest





The interviews clearly underline the challenges of accessing information that is not in Hungarian and information on a non-formal, understandable way. The latter is a challenge for Hungarian-speakers as well according to the interviewees.

Concerning limiting or terminating the right to free movement, the interviewees<sup>115</sup> stated that they had no direct information about expulsion of mobile EU citizens. According to them, most of the cases were based on ‘public policy’ grounds, after having served the criminal sentence. One interviewee<sup>116</sup> highlighted that expulsion – i.e. on public policy grounds – is a consequence of the (criminal) behaviour of the individual. In this regard, the interviewee feels that the ‘level of integration’ is not important on the level of the individual but is relevant on social level (as regards his/her networks, family, etc.) and on the level of his/her relationships.

### List of Interviews

Interview with the manager NGO providing needs-based services to foreigners, conducted on 27 November 2019 in Budapest,

Interview with a staff member of an NGO assisting the integration of foreigners living in Hungary, conducted on 28 November 2019,

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<sup>115</sup> Interview with the manager NGO providing needs-based services to foreigners, conducted on 27 November 2019 in Budapest, interview with a staff member of an NGO assisting the integration of foreigners living in Hungary, conducted on 28 November 2019, interview with a former employee of the Municipality of Budapest Capital, conducted on 29 November 2019 in Budapest

<sup>116</sup> Interview with the manager of an NGO providing needs-based services to foreigners, conducted on 27 November 2019 in Budapest



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## CITY-CASE STUDY

### COPENHAGEN

Author: Troels Fage Hedegaard

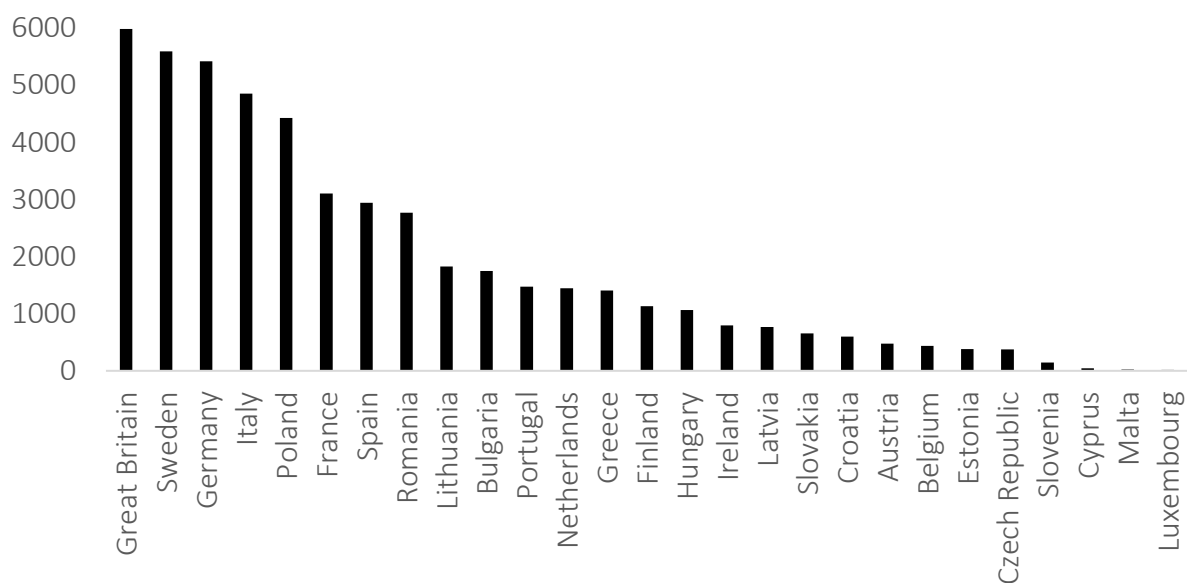
#### I. A statistical overview of the EU mobile citizens at the local level

Denmark is a country of 5,8 million people, of which approximately live in the 626.000 Copenhagen municipality and 1,8 million live in the capital region (Statistics Denmark FOLK1A, 3rd quarter 2019). For this short case-study, I will refer to statistics regarding Copenhagen municipality, though this might be a considered ‘narrow’ conception of Copenhagen, as many of the municipalities that border Copenhagen municipality might also be considered a part of the ‘Copenhagen area’.

Of the 626.000 living in Copenhagen municipality, about 7 % are EU citizens and 13 % are non-nationals. Both these numbers are above the national average. The largest populations of immigrants in the capital region are not found in Copenhagen municipality, but in municipalities that border Copenhagen like Albertslund (27,3 % immigrants and descendants), Brøndby (31,2%), Høje-Taastrup (26,3 %) and Ishøj (37,5 %). However, where Copenhagen differs from the neighboring municipalities is that Copenhagen has a larger share of mobile EU citizens and a lower share of third country nationals, compared to these municipalities (Statistics Denmark, 2018). This is likely connected to the high living costs in Copenhagen municipality.

Mobile EU citizens using their free movement rights enshrined in the EU Free Movement Directive 2004/38/EC. The distribution of the EU citizens between the different nationalities is shown in table 1 below.

**Table 1: Number of mobile EU citizens by country, living in Copenhagen, 2019.**





As table 1 shows then the largest group of mobile EU citizens living in Copenhagen are soon to become 'third country nationals', for the purposes of EU law, as they originate from Great Britain. The citizens originating from the two big neighboring countries of Sweden and Germany follow this. The group from Sweden working in Copenhagen might be larger than the residency statistics suggest, as studies show that around 15.000 people commute into the capital region every day thus they fall in the category of 'cross-border workers' (Oresund Institute, 2019). There are more than 2000 EU citizens living in Copenhagen municipality, from following EU Member States - Italy, Poland, France, Spain, and Romania.

In terms of gender division, the overall group split roughly equally between men and women. Looking at the of age composition the mobile EU citizens living in Copenhagen there are fewer children and elderly, and more among the younger and working-age groups, compared to the Danes living the municipality. Of the mobile EU citizens, 10 % are below 20 years, 53 % are between 20 and 34 years old, 36 % between 35 and 64 years old, and around than 2 % over the normal retirement age of 64 (own calculations based on Statistics Denmark FOLK1B, 3rd quarter 2019). In all, this points to a relatively young working-age population of EU mobile citizens. This also corresponds to the statistics on the basis for which residency 'permits' have been issued - the majority of mobile EU citizens came to either work or study (Statistics Denmark, 2018; Statistics Denmark VAN77, 2019).

## II. EU citizens' rights at the local level

The Danish welfare state provides a broad set of social benefits and welfare services, also sometimes known as 'in-kind' and 'in cash' welfare. Childcare, elderly care, and healthcare these services are generally available for all residents in Denmark, regardless of their citizenship. Some welfare benefits are, indexed or capped for EU-citizens and even more for third country nationals. For instance, then public pension, disability pension and child support are all, to some degree, dependent on the number of years lived in Denmark (lifeindenmark.dk, 2019). This is likely an attempt to likely to limit access for EU citizens and non-nationals. By adding rules on times they are not discriminating against specific groups without violating article 14 of the European Human Rights Convention on discrimination. For instance, child allowance is a universal benefit, but the benefit is reduced gradually if residency in Denmark (or employment period in the EU/EEA) is less than six years within the previous 10 years

Information about the rights of mobile EU citizens can be found through two public websites [newindenmark.dk](http://newindenmark.dk) and [lifeindenmark.dk](http://lifeindenmark.dk). The first is run by Agency for International Recruitment and Integration, also known as SIRI, and contains information on how to apply for residency rights and other documents. The second website, [lifeindenmark.dk](http://lifeindenmark.dk), is a webpage run by the government as a subpage of [borger.dk](http://borger.dk) ('borger' means citizen in Danish), which is the main way for Danes to find information about welfare rights and contact the local municipality.



Picture 1: Screenshot from lifeindenmark.dk

- > CPR Bank NemID
- **Basis for residence in Denmark**
- Car
- Danish language training
- Facts about Denmark
- Family and children
- Find a job in Denmark
- Foreign driving licences
- Getting around
- Healthcare
- Housing
- Insurance
- Practical matters to attend to
- Study in Denmark
- Tax matters and what taxes are spent on

## Basis for residence in Denmark

**Depending on the type of job and your country of origin, different rules apply**

- + Nordic citizens
- + EU/EEA citizens
- + Citizens from outside Scandinavia, the EU/EAA and Switzerland
- + International Citizen Service

Written by lifeindenmark.dk, The Danish Agency for International Recruitment and Integration

The website contains information on subjects like the basis for residence, language training possibilities, family policies, working or studying in Denmark, taxes, as well as practical information on matters like insurance and the public citizen register. Much of the information is divided into information for “Nordic citizens”, “EU/EEU citizens”, “citizens from outside the EU/EAA, and Switzerland” (meaning third country nationals) and “international citizens service” (which is open for all three groups). The website is available in English or Danish and includes links to some subpages in Danish only. This could limit how useful it is for non-nationals who do not speak English.

In terms of local initiatives, all interviewees have mentioned the International House Copenhagen. It is a public-private partnership that also includes Copenhagen municipality (International House Copenhagen, 2019). This initiative is mostly aimed at high skilled immigrants – covering both EU Citizens and Third country nationals, with at least a three-year university degree. The initiative focuses on the aspects related to the labor market inclusion like, for instance, their course “First Job Copenhagen” which is a six-day course on job search, CVs, Danish business culture and doing job interviews. In this initiative, there is not an explicit focus on mobile EU citizens. They have facilitated access to the Danish labor market via the rules on the EU free movement of workers, thus EU mobile citizens are an important target group for the International House Copenhagen.

## II. EU Citizens’ Inclusion Measures

There are several national and local strategies on integration. At the local level in Copenhagen, the municipality has adopted both the strategy “Let’s Invest in Integration” (Copenhagen Municipality, 2019c) and “Integration Action Plan” (Copenhagen Municipality, 2019b), both of which are valid for the period 2019-2022. The two plans share a common definition of the target group as:



“Copenhageners with a minority background”. This is defined as “citizens, which are immigrants or descendants of immigrants from non-Western countries. [...] Non-western countries all other countries than those in the EU, Andorra, Australia, Canada, Iceland, Lichtenstein, Monaco, New Zealand, Norway, San Marino, Switzerland, USA and the Vatican state” (Copenhagen Municipality, 2019c, 2).

Because of this, the immigrants from EU-countries are not included in the strategy or the accompanying policy goals. The same focus on “non-Western” immigrants is also present in national strategies. The category was ‘invented’ by Statistics Denmark in 2002, and has come to play a large role in policymaking in Denmark since many of the policies and initiatives are informed or driven by the statistics. For example, the Government's social housing plan “One Denmark without Parallel societies – No ghettos in 2030” (Government of Denmark, 2019) and the “Integration Barometers”. Both Denmark and Copenhagen have their own “integration barometers” (Copenhagen Integration Barometer, 2019; National Integration Barometer, 2019) that aim to measure the level and success of integration and in both cases, this focuses mainly on the “non-Western” category.

The respondents have explained that the lower “visibility” of the mobile EU citizens ensures that the group is not the focus of public debates in Denmark. It is presumed that EU-citizens and other “Western” third country nationals are included. They are often used as a reference point to the “non-Western” group, e.g. comparing employment rates (Copenhagen Integration Barometer, 2019; Statistics Denmark, 2018). It means that not many programs are “tailored” for mobile EU citizens. This picture was also confirmed in the short interviews with Red Cross and International House Copenhagen, both of who did not have programs aimed at EU citizens specifically. The categories of “Western” and “non-Western” are also plastic, in the sense that e.g. the EU-enlargements change a countries status.

#### **IV. Language requirements for mobile EU Citizens’**

All immigrants, including those from EU-countries, have the right to attend partially funded Danish language courses, if they are at least 18 years old, hold residence in Denmark. The level of language classes is determined on the basis of educational background and English skills (Copenhagen Municipality, 2019d). The language classes used to be free of charge, however, as of July of 2018 the government changed the rules so that there is partial self-payment for language classes for self-supporting citizens, meaning all foreign workers, students, EU/EEA citizens, and their accompanying spouses. The six modules of the Danish course now cost 2000 kr. each, resulting in a total out-of-pocket cost of 12.000 kr. or 1600 € (SIRI, 2018). However, as of December 2019, the newly elected government has promised to remove this again, and it has been put into the budget for 2020. When and how this will be implemented is still unclear.

Language classes can be offered as a part of “activation measures for unemployed EU-citizens, but are not mandatory. In that case, there is no fee, as they are not self-supporting under the definition outlined above (Copenhagen Municipality, 2019a).



## V. Expulsion of EU citizens from another EU Member State

In light of the Free Movement Directive (Directive 2004/38 EU) citizens can freely enter Denmark to take up paid work, to study, or as a self-employed person. They may also freely enter Denmark if they have sufficient funds to support themselves. In that case, EU-citizens need to apply for a residence permit, if they are planning to stay for more than three months. If they are seeking employment, they may remain in Denmark for up to six months before obtaining residence (SIRI, 2019b). Within this period they need to register at SIRI. There are registered cases of expulsion for EU-citizens who have not lived up to this.

Nordic citizens have privileged access to Denmark, due to rules predating the EU collaboration. Therefore, citizens of Finland, Iceland, Norway or Sweden, are free to enter, live, study and work in Denmark and do not need a residence document, unlike EU-citizens (SIRI, 2019a, 2019b).

If EU-citizens plan on staying in Denmark for longer than three months, or six months if they will be seeking employment, they need to apply for registration under EU law. If they have an EU residence document, they may remain in Denmark indefinitely, provided you meet the conditions for your grounds for residence described above. There is no date of expiry for residence documents. If the grounds for residence are terminated – e.g. if the EU-citizen stop working or studying – they must apply for a new residence document on other grounds – e.g. as a person with sufficient funds (SIRI, 2019b). The sufficient funds are dependent on life situations, for instance, students need less money than workers do<sup>117</sup>.

The registration of residence can also be revoked if crimes of a certain severity are committed. In this regard, the threshold for EU-citizens much are higher/stricter than for non-EU-citizens and must pass a standard of being a 'real, immediate and sufficient threat that pertains to the basic societal interest' (The Danish Institute for Human Rights, 2017). Factors such as level of attachment to Denmark and the origin country are also factored in.

### Interviewed for this case study

- Interviewee No.1 representing civil society
- Interviewee No 2 representing local authorities/ agencies
- Interviewee No 3 representing local authorities/ agencies

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<sup>117</sup> See the amounts here: <https://www.nyidanmark.dk/en-GB/Words-and-concepts/SIRI/Self-support---SIRI>



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## CITY-CASE STUDY

### SOFIA

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Supervisor: Zvezda Vankova

## I. Statistical overview of mobile EU citizens at the local level

The Bulgarian law transposing Directive 2004/38/EC<sup>118</sup> provides that EU citizens who are holders of a valid ID card or a passport can reside in Bulgaria for a period of up to three months following their entry into the country<sup>119</sup>. Then they must apply for a certificate for continuous residence which is valid for up to 5 years<sup>120</sup>. After residing legally for a continuous period of 5 years in Bulgaria or when fulfilling some special conditions set by the same Law, these citizens receive a certificate for permanent residence<sup>121</sup>.

Sofia's total population has grown from 1,316,557 in 2014 to 1,328,120 in 2018<sup>122</sup>. These numbers include all persons living permanently on the territory regardless of their citizenship and legal status. According to data obtained from the Ministry of Interior 10,689 EU citizens have been registered on the territory of Sofia with a certificate for *continuous* residence and 1,159 mobile EU citizens with a certificate for *permanent* residence in the last five years<sup>123124</sup>. In comparison, in the same period in Sofia

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<sup>118</sup> I.e. the Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families. See <https://ec.europa.eu/migrant-integration/librarydoc/law-on-entering-residing-and-leaving-the-republic-of-bulgaria-of-european-union-citizens-and-members-of-their-families>.

<sup>119</sup> Art. 6, para (1), Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families, promulgated in State Gazette (SG) No. 80/3 October 2006, in force from 1 January 2007, last amended SG 34/23 April 2019

<sup>120</sup> Art. 7, para (1), (2), Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families, promulgated in State Gazette (SG) No. 80/3 October 2006, in force from 1 January 2007, last amended SG 34/23 April 2019

<sup>121</sup> These special conditions are set in Art. 16, para (1), Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families, promulgated in State Gazette (SG) No. 80/3 October 2006, in force from 1 January 2007, last amended SG 34/23 April 2019:

1. At the moment of termination of his/her contract as a worker or his activity as a self-employed person, the EU citizen has worked for the last one year, or has reached retirement age or there is a reason for his earlier retirement and he has resided continuously in Bulgaria for more than three years;
2. The EU citizen is a worker or is self-employed who does not work due to permanently reduced working capacity and has resided continuously in Bulgaria for more than two years;
3. The EU citizen is a worker or is self-employed and his/her incapacity to work is the result of an accident at work or of an occupational disease;
4. The EU citizen is a worker or is self-employed who has continuously resided and worked in Bulgaria for three years and currently works in another Member State, retaining his/her place of residence in Bulgaria and returning at least once a week

<sup>122</sup> Population by districts, municipalities, place of residence and sex, National Statistical Institute - <https://www.nsi.bg/en/content/6704/population-districts-municipalities-place-residence-and-sex>

<sup>123</sup> 30 November 2014 – 30 November 2019

<sup>124</sup> Information obtained upon request by the researcher in accordance with the Access to Public Information Act. Letter No 812104-273/10.12.2019 issued by the Ministry of Interior of Bulgaria



municipality there were 11,268 third country nationals with a permit for continuous residence, 152 with an EU long-term residence permit and 4,747 with permanent residence permits. When officially asked, the Ministry of Interior didn't provide information about the countries of origin<sup>125</sup>.

## II. EU citizens' rights at the local level

EU citizens are not among the target groups of the National Strategy on Migration, Asylum and Integration (2015-2020)<sup>126</sup>. The Law on Entry, Residence and Leave of the Republic of Bulgaria to the Citizens of the European Union and the Members of Their Families states that EU citizens and their non - EU family members, when residing in Bulgaria, have all rights and obligations under the laws of Bulgaria and international treaties to which Bulgaria is a party, with the exception of those for whom Bulgarian citizenship is required<sup>127</sup>. However, it doesn't specifically cover the topic of their inclusion.

In 2011 the Sofia City Council established a new institution – Sofia Ombudsman – as an independent body to ensure equal opportunities of all citizens when dealing with the bodies of local government and administration and to protect their rights and legal interests. The Sofia Ombudsman provides its services in English too. Around 200-250 Bulgarian citizens per year use the Sofia Ombudsman<sup>128</sup>. However, in the last five years only 4 EU citizens and 6 third country nationals, two of them with Bulgarian origin, have used the Ombudsman services<sup>129</sup>.

The Employment Agency treats EU citizens as Bulgarian citizens – they are included as a target group in the Employment Promotion Act<sup>130</sup>. They are able to register in the Employment offices, benefit from vocational training, qualification courses, etc. In the last six years there is a significant drop in the number of unemployed Bulgarian citizens registered in the Employment offices in Sofia – from 38,520 in 2014 to 25,966 in 2019<sup>131</sup>. The number of third country nationals has also decreased slightly from 219 in 2014 to 209 in 2019<sup>132</sup>. The number of EU citizens, however, has almost doubled – from 64 in 2014 to 125 in 2019<sup>133</sup>.

The Employment Agency applies the Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems and EU citizens can benefit from their social rights. For example, unemployed EU citizens who are entitled to receive benefits in

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<sup>125</sup> See above

<sup>126</sup> National Strategy on Migration, Asylum and Integration (2015-2020) - <https://ec.europa.eu/migrant-integration/librarydoc/national-strategy-on-migration-asylum-and-integration-2015-2020>

<sup>127</sup> Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families, promulgated in State Gazette (SG) No. 80/3 October 2006, in force from 1 January 2007, last amended SG 34/23 April 2019

<sup>128</sup> Information is provided by the Sofia Ombudsman in an interview for this research, 8 November 2019

<sup>129</sup> Information is provided by the Sofia Ombudsman in an interview for this research, 8 November 2019

<sup>130</sup> Art. 1, Employment Promotion Act, promulgated in State Gazette (SG) No. 112/29 December 2001, in force from 1 January 2002, last amended SG 24/22 March 2019

<sup>131</sup> Information is provided by an Employment Agency expert in an interview for this research, 7 November 2019

<sup>132</sup> See above

<sup>133</sup> See above



their country can also receive them in Bulgaria for up to three months<sup>134</sup>. In exceptional cases, the Employment agency can extend this period up to six months<sup>135</sup>.

### III. EU citizens' inclusion measures

The Sofia City Council (SCC) of the Sofia Municipality has a commission called "Education, Culture, Science and Cultural Diversity". The Commission has the tasks of 'examining the needs of the population in the areas of education, culture, science and cultural diversity and making proposals to address the problems identified; assisting the SCC in the preparation of decisions on issues submitted for discussion and resolution; exercising control over the implementation of the decisions of the SCC<sup>136</sup>.' However, the Commission has not developed a city-level strategy or action plan on diversity neither for EU citizens' or even for third country nationals' integration. There are only sporadic and non-coordinated measures that are not targeted at European citizens.

Sofia Municipality doesn't have a general portal with information for EU citizens or third country nationals. Its civil servants are not prepared to work in a multi-lingual environment and rarely speak any foreign languages<sup>137</sup>. Some of the 24 regional administrations offer written information boards in English in their premises. However, this is not a coordinated effort and they are not obliged to meet certain standards<sup>138</sup>. Multi-lingual services are offered mostly on digital platforms. One example is the new Health Portal run by the Sofia Municipality which is offered in English too<sup>139</sup>. The Portal aims to provide extensive information about the municipal medical establishments on the territory of the Sofia Municipality, about the doctors practicing in them, as well as to allow citizens to make appointments. Another example is the Urban Mobility Center which offers information about public transport in English<sup>140</sup>.

In September 2018 the campaign "*Sofia – City of Tolerance and Wisdom*" was initiated by the Sofia Municipality and the Organization of the Jews in Bulgaria "Shalom" in partnership with other NGOs. It is intended as a long-term project to unite institutions and civic organizations to counter hate speech, discrimination and xenophobia. A Memorandum of Understanding was signed by the Mayor of Sofia and various religious and ethnic organizations. In 2019, the Sofia Municipality financed 43 projects in the field of sport, civic education and social competences in the framework of the campaign "*Sofia – City of Tolerance and Wisdom*". They were realized by kindergartens, schools, regional administrations, sport clubs, youth organizations. A Youth Academy for health and civic education was also established. One of its main topics is tolerance and accepting the differences.

The "Calendar of cultural events" of Sofia Municipality is a municipality instrument to support financially and logistically significant cultural events. It includes several events dedicated to dialogue and tolerance between religions, which include the Orthodox, Catholic, Armenian, Protestant, Muslim and Jewish

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<sup>134</sup> Art. 64, para 1(v), Regulation (EC) No 883/2004 of the European Parliament and of the Council of 29 April 2004 on the coordination of social security systems – <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32004R0883&from=BG>

<sup>135</sup> See above

<sup>136</sup> Art. 42, para 1, Rules on the organization and activities of the Sofia Municipal Council, Decision No 1 from Protocol No 7/19 January 2004, last amended with Decision No 154 from Protocol No 8/11 February 2016

<sup>137</sup> Information is provided by an NGO in an interview for this research, 8 November 2019

<sup>138</sup> See above

<sup>139</sup> MyHealth - <https://myhealth.bg/en>

<sup>140</sup> Urban Mobility Center - <https://www.sofiatraffic.bg/en/common>



communities in Sofia. There are several events dedicated to the Roma culture such as the Roma New Year Bango Vassil, International Roma Day, etc. Sofia Municipality also organizes various celebrations of Europe Day such as concerts, discussions, art exhibitions, etc.

EU citizens can benefit from the Employment Agency's program "Employee Vouchers Project" which is open for all residents, including EU citizens. It provides vocational training and key competence training - foreign language training or digital competences. For EU citizens, Bulgarian language is a foreign language so they can study it. Eligible candidates are: employed persons (outside of the state administration system) who (1) have acquired a secondary or lower education (without age restriction); or (2) are over 54 years old with higher education. The participants in the program have to pay 50% of the costs of the vouchers. However, for the period 2014-2019 no EU citizens have benefited from studying Bulgarian as a foreign language through any Employment Agency's programs<sup>141</sup>.

Bulgaria is a member of the EURES platform which offers more information about living and working conditions in Bulgaria as well as the job opportunities. This is intended to prepare EU citizens before entering Bulgaria. The certified EURES assistants and advisors, employees of the Employment Agency, are also published on the platform. However, in practice these services are rarely offered in other languages than Bulgarian. For example, the Employment offices have a registration form in the three official EU languages (English, German, French) but it can only be filled in Bulgarian<sup>142</sup>. The Employment Offices don't provide translators and EU citizens need to secure one if they need it.

There is a governmental platform for attracting foreign investments which caters to entrepreneurs and provides business information<sup>143</sup>. In addition, several comprehensive online platforms run by NGOs cover integration but they are targeting asylum seekers and refugees, not mobile EU citizens<sup>144</sup><sup>145</sup>. Most NGO-run integration projects (funded mainly through EU's Asylum, Migration and Integration Fund - AMIF) focus on language classes, legal aid, social orientation, employment for asylum seekers, refugees and third country nationals. EU citizens fall out of their scope, since in most of the cases they work in English speaking environment and are not pressed to learn the language. Furthermore, in most of the cases they can afford private Bulgarian language lessons or such are organized by their employers. In addition, when it comes to their integration needs, EU citizens rely on private consultants and informal channels such as Facebook groups, informal meetings, events, etc<sup>146</sup>.

#### IV. Language requirements for mobile EU Citizens'

Sofia Municipality does not offer any language classes for EU citizens. NGOs only offer language classes to asylum seekers, refugees and sometimes third country nationals due to limitations of the AMIF funding. Therefore, EU citizens organize informal activities such as language cafes to help each other

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<sup>141</sup> See above

<sup>142</sup> See above

<sup>143</sup> InvestBulgaria, <https://www.investbg.government.bg/en>

<sup>144</sup> <http://refugeelife.bg/> is run by Foundation for Access to Rights FAR

<sup>145</sup> <http://asylum.bg/> is run by the Bulgarian Helsinki Committee

<sup>146</sup> For example, the Facebook group Foreigners in Sofia & Friends has over 25,000 members - <https://www.facebook.com/groups/1752281848329730/>



learn the local language<sup>147</sup>. This can be attributed to the fact that there are hardly any NGOs specialized in providing services to EU citizens, they do not consider EU citizens as a target group in need of support or they simply do not know about the opportunities in this regard offered by EU funds such as ESF.

## V. Expulsion of EU citizens from another EU Member State

The compulsory administrative measure “expulsion” for EU citizens is based on the Law on Entry, Residence and Leave of the Republic of Bulgaria to the Citizens of the European Union and the Members of Their Families<sup>148</sup>. Refusals of issuing a certificate for residence are based on the same law<sup>149</sup>. It also takes into account the person’s social and cultural integration among others<sup>150</sup>. The law stipulates that “The measure takes into account the length of stay in the Republic of Bulgaria, age, health, economic and family situation, social and cultural integration and the degree of connection with the country of origin of the person.<sup>151</sup>”

In the last 5 years, 9 EU citizens have been expelled – citizens of Belgium, Germany, Poland, Romania, Croatia and France<sup>152</sup>. In the same period there have been 149 non-renewals of certificate for residence– mostly citizens of Belgium, Germany, Greece, Italy and the Netherlands<sup>153</sup>. In comparison, in the last 5 years 83 third country nationals have been expelled – mostly citizens of Turkey (33), North Macedonia (7), Albania (5), Serbia (5) Iraq (5), Syria (4), Côte d'Ivoire (4) and others<sup>154</sup>. In the same period there have been 230 non-renewals of certificates for residence– mostly citizens of China, Russia, North Macedonia and Turkey<sup>155</sup>. The Ministry of Interior did not provide information about the reasons for expulsion or non-renewal of certificates for residence<sup>156</sup>.

### Interviews for this case study

- L.Zh., lawyer, Open Sofia Foundation, 2 November 2019

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<sup>147</sup> For example, the Facebook page Language Exchange Café Sofia - <https://www.facebook.com/language.exchange.cafe.sofia/>

<sup>148</sup> Art. 25, para 1, Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families, promulgated in State Gazette (SG) No. 80/3 October 2006, in force from 1 January 2007, last amended SG 34/23 April 2019

<sup>149</sup> Art. 9, para. 6, Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families, promulgated in State Gazette (SG) No. 80/3 October 2006, in force from 1 January 2007, last amended SG 34/23 April 2019

<sup>150</sup> Art. 23, para. 3, Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families, promulgated in State Gazette (SG) No. 80/3 October 2006, in force from 1 January 2007, last amended SG 34/23 April 2019

<sup>151</sup> Art. 23, para 3, Law for Entering, Residing and Leaving the Republic of Bulgaria of European Union Citizens and Members of Their Families, promulgated in State Gazette (SG) No. 80/3 October 2006, in force from 1 January 2007, last amended SG 34/23 April 2019

<sup>152</sup> Information obtained upon request by the researcher in accordance with the Access to Public Information Act. Letter No 812104-263/26.11.2019 issued by the Ministry of Interior of Bulgaria

<sup>153</sup> See above

<sup>154</sup> See above

<sup>155</sup> See above

<sup>156</sup> See above



- D.I., expert from Employment Agency with the Ministry of Labour and Social Affairs, 7 November 2019
- L.H., Sofia Ombudsman, 8 November 2019
- S.V., expert from Sofia Development Association, 10 November 2019

## References

Employment Promotion Act

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Rules on the organization and activities of the Sofia Municipal Council