



***Intra-EU mobility:
State of play
Commission actions to strengthen free movement***

Riga, 11-12 May 2015

How to improve Intra-European Mobility and Circular Migration? Fostering Diaspora Engagement

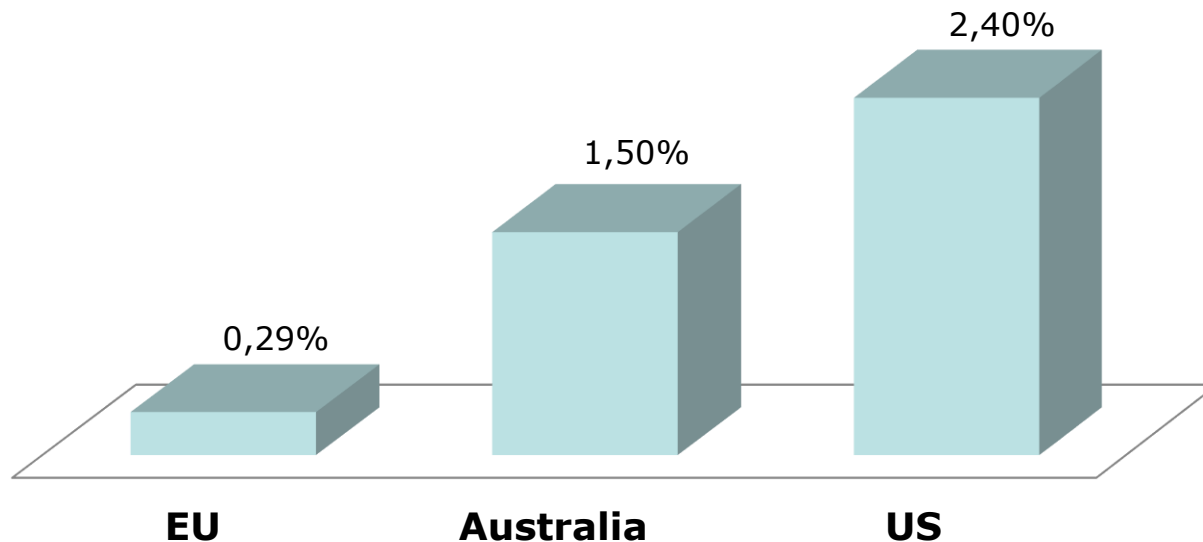
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Unit C2/Union Citizenship rights and free movement***

FREE MOVEMENT

- ✓ **The context**
 - ❖ **Some figures on intra-EU mobility**
 - ❖ **The perceptions about free movement**
- ✓ **Commission communication of November 2013**
- ✓ **Commission actions to strengthen free movement**
- ✓ **Developing a welcoming attitude to free movement**

- ❖ **Annual EU cross-border mobility** stands at an average rate **far below** rates in **Australia** and the **United States**

Average annual rate of cross-border mobility



Source: OECD Economic Surveys – European Union, March 2012 (full report available at <http://www.oecd.org/eco/49950244.pdf>)

Percentage of mobile EU citizens out of the total population in Member States

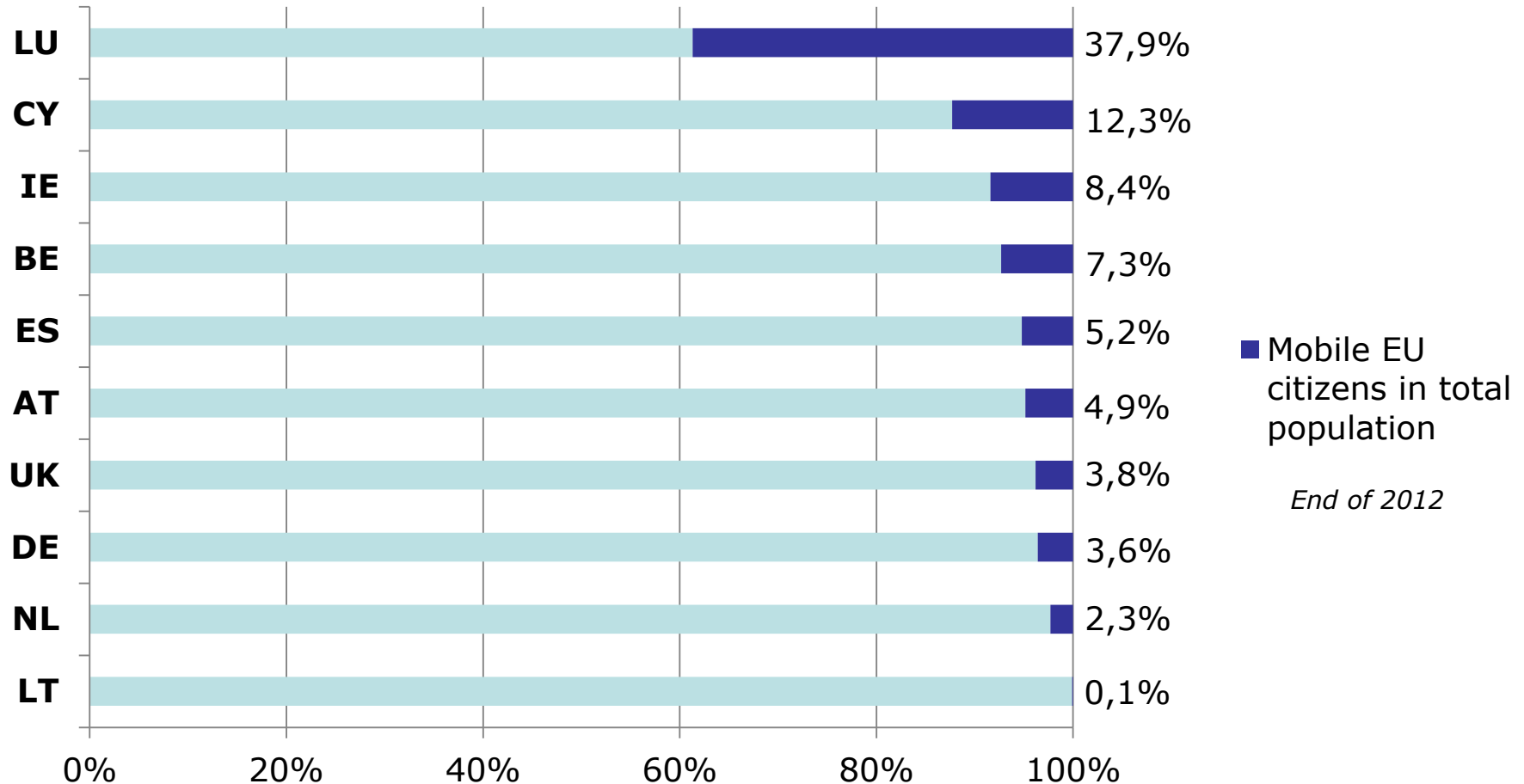
In **most Member States** mobile EU citizens represent **less than 4%** of the total population.

In **4 Member States** (IE, BE, ES and AT) they represent **5-8%** of the total population.

In **2 Member States (CY and LU)** mobile EU citizens represent **>10%** of the total population.

Source: Eurostat migration statistics, supplemented by Eurostat EU LFS quarterly data, national data sources and DG EMPL estimates

Share of mobile EU citizens in % of the total population of selected Member States



Source: Eurostat migration statistics, supplemented by Eurostat EU LFS quarterly data, national data sources and DG EMPL estimates

For EU citizens, free movement is...

- **Their most cherished EU right and most closely associated ("synonymous ") with Union citizenship**
- **The most well-known EU citizenship right: 90% of EU citizens know that they have this right**
- **THE most important achievement of the European Union (56%) (*peace comes second at 53 %...*)**
- **An economic benefit for their country (67%)**

Since 2013: debate in certain Member States about...

- **Pressures on social welfare systems ("Benefit tourism")**
- **Social inclusion challenges ("Poverty migration")**
- **Abuse and fraud ("Sham marriages")**

Some contributing factors

- **Approaching end of transitional arrangements**
- **Financial and economic crisis**
- **Conflation between immigration (legal and illegal) and free movement**
- **Discourses based on perceptions rather than facts**

The Commission's response

Communication "Free movement of EU citizens and their families: Five actions to make a difference"
- November 2013 – set out:

- **Facts and figures:** Profile of mobile EU citizens, drivers of mobility and economic impact
- **Safeguards contained in existing EU law** for MS to fight abuse and protect their public finances
- **Five actions to help national and local authorities** fully apply EU rules on free movement

Facts and figures

Experience of 2004 and 2007 enlargements: **economic impact of intra-EU mobility is positive**

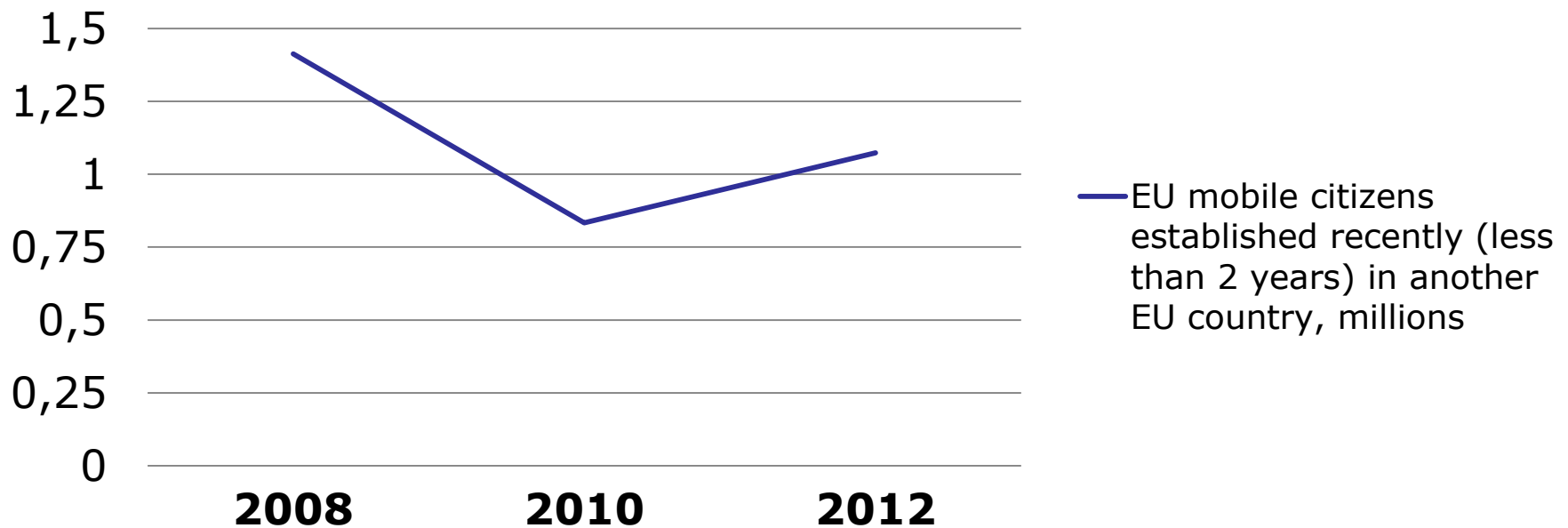
- ❖ **GDP of EU-15** estimated to have **increased by almost 1%** in the long-term as a result of post-enlargement mobility (2004-2009)*
- ❖ Recent intra-EU mobility flows generated an overall **income gain of around 24 billion** EUR for EU citizens**

*Source: *Employment and social developments in Europe 2011, Chapter 6: "Intra-EU labour mobility and the impact of enlargement"*, p. 274.

**Source: *Report by the European Integration Consortium on labour mobility within the EU, in the context of enlargement and the functioning of the transitional arrangements, Nuremberg, 2009, p. 132*

Main motivation of mobile EU citizens: work-related ("People move where jobs are")

Mobility declined sharply between 2008 and 2010 (-41%), but recovered somewhat in 2011 and 2012



Source: DG EMPL calculations based on Eurostat LFS.

Note: BE not included as a destination country due to problems with the variable 'Years of residence'.

EU mobile citizens are more likely to be economically active than national citizens (2012)

- ❖ **78,2%** of mobile EU citizens were of working age (15 to 64) - compared to **65,7%** amongst nationals
- ❖ **68,1%** of working-age mobile EU citizens were in employment - compared to **65%** amongst nationals

No evidence of mobile EU citizens representing an excessive burden on welfare systems

- ❖ Mobile EU citizens are **net contributors** to the public purse in most Member States
 - ❑ They pay more in tax and social security contributions than they receive in benefits
 - ❑ They are net contributors to the costs of public services they use
- ❖ There is **no correlation between generosity of welfare systems and inflows** of mobile EU citizens

Share of EU mobile citizens in receipt of unemployment, housing and family-related benefits

- ❖ **1%** in **AT, BG, EE, EL, MT, PT**
- ❖ Between **1%** and **5%** in **DE, FI, FR, NL, SE**
- ❖ More than **5%** in **BE, IE**

Anecdotal evidence of challenges

Social inclusion challenges: sudden large inflows of marginalised EU citizens into disadvantaged areas of certain big cities in certain Member States; homelessness:

- ❑ Challenges exist at **local level** but data provided are **fragmented**

Abuse in the form of marriages of convenience:

- ❑ Fragmented data submitted by **a few countries**
- ❑ Figures show **overall low magnitude** of the problem

Existing rules contain robust safeguards that Member States can use...

❖ to prevent excessive burdens to their public finances

- Member States are free to decide which social assistance benefits they want to set up, under which conditions they are going to pay them. EU rules do not ask Member States to grant benefits unconditionally to everyone.

❖ to fight against potential abuse and fraud

- EU rules allow Member States to take effective measures

❖ "It is the responsibility of Member States to make full use of the safeguards – the Commission supports their efforts."

Five concrete actions to help Member States' authorities...

- 1. fight abuse** – Handbook to address marriages of convenience, September 2014
- 2. apply EU social security coordination rules**
- 3. meet social inclusion challenges** – at least 20% of funding under the European Social Fund to be spent on social inclusion
- 4. apply EU free movement rules on the ground**
- 5. exchange best practices on social inclusion**

Help MS authorities apply EU free movement rules

- **E-training tool on free movement:** for front-desk officials enforcing mobile EU citizens' rights – *2015*
- **Judicial training on EU free movement rules -** *ongoing*

Promoting a welcoming attitude to free movement

Dispel misperceptions – spell out realities

Tackle the root causes of challenges arising in the context of intra-EU mobility: poverty, discrimination, exploitation of workers

Promote exchanges and dissemination of good practices developed locally

Promote exchange of good practices

- ✓ **Mayors' conference on impact of intra-EU mobility at local level - February 2014**
- ✓ **Open Days workshop:**
 - ❑ **Inclusion of Mobile EU Citizens - EU Funds and Best Practices for Cities and Regions - October 2014**
 - ❑ *2015* : **Building an inclusive city: local policies for mobile EU citizens to find their place in their host community**
- ✓ **Study: Impact of free movement of EU citizens at local level completed in 2014**

http://ec.europa.eu/justice/citizen/files/dg_just_eva_free_mov_final_report_27.01.14.pdf

The study

objectives and scope

- ▶ Investigating **governance models** and **policies**
- ▶ Analysing **economic** and **social** impacts
- ▶ Identifying **best practices**



- ▶ **Six case studies**
 - ▶ Local relevant policies
 - ▶ Wide geographical coverage of EU

Cities selected



Lille



Hamburg



Dublin



Prague



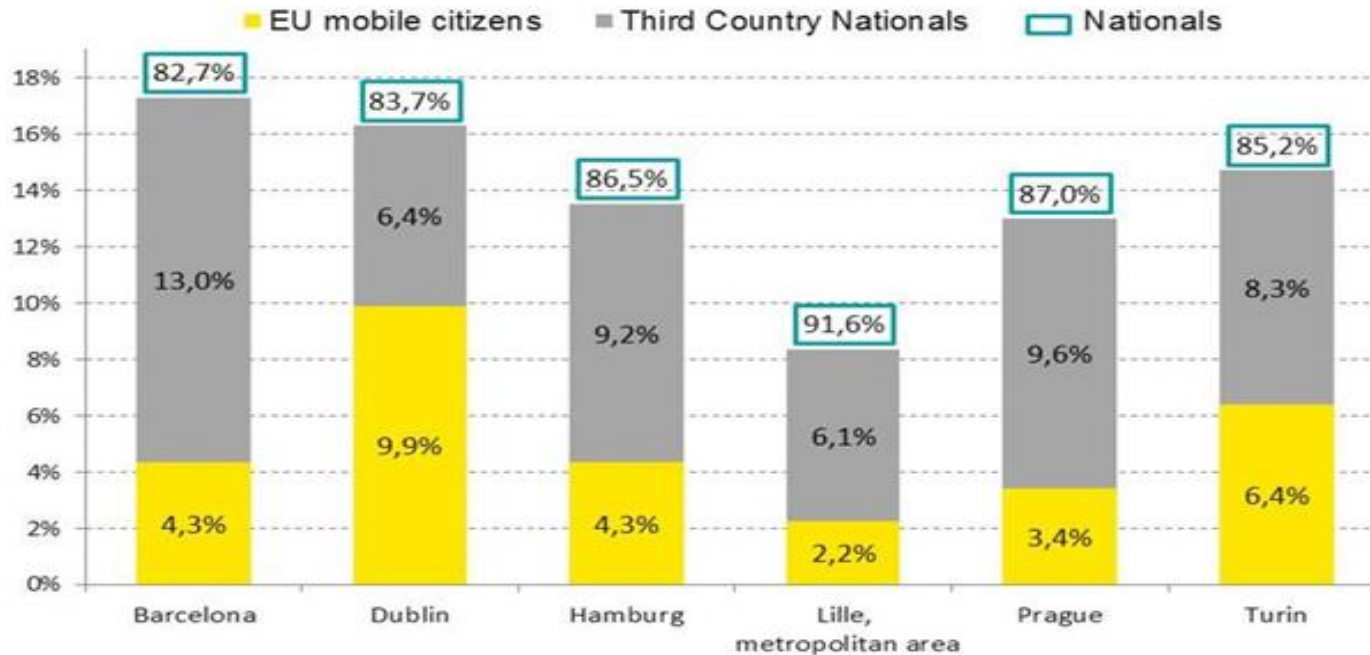
Turin



Barcelona



Intra-EU Mobility in the six cities



Why is intra-EU mobility good for the cities?



economic impacts



- ▶ He's young!
- ▶ He fills gaps in the labour market



- ▶ He supports the development and sustainment of some core sectors of the local economy
- ▶ He creates new business ventures!

Challenges



- ▶ Housing: more issues in housing market
- ▶ Some foreign children face more problems



- ▶ Educating children from different cultures is a challenging endeavour
- ▶ Participation in elections is low

What are a newcomer's needs?



▶ Employment



▶ Entrepreneurship



▶ Housing



▶ Education and University



▶ Inter-cultural dialogue



▶ People's attitude



▶ Participation to city life



Employment and entrepreneurship: *What are the cities' answers?*



Barcelona

Barcelonactiva



Turin



Dublin



Make IT in Ireland

EPIC

Prague



▶ Help Them out of the Crisis

Housing, education, participation: *What are the cities' answers?*



Barcelona

- ▶ Training for the reception and teaching of immigrants
- ▶ Barcelona University Centre



Dublin

- ▶ Migrant voters campaign



Lille



- ▶ International label programme

Hamburg



- ▶ We are Hamburg!
Won't you join us?

Inter-cultural dialogue: *What are cities' answers?*



Barcelona

- ▶ Anti – Rumours strategy



Dublin

- ▶ One city One people
- ▶ Tell Me more



Turin

- ▶ Play it again Sam



Prague



- ▶ Libraries for All

Hamburg



- ▶ Hamburg Welcome center
- ▶ Hamburg Integration Concept

But, above all...

 [attitude towards mobility
is improving] 

- ▶ Attitudes of local communities are progressively improving!



- ▶ All cities are promoting an inclusive environment!

Key: welcoming policies at local level



DEMOCRATIC PARTICIPATION Commission's report on the 2014 elections



Novelties

For the first time:

- direct link between citizens' vote and the election of the Commission President
- a European-level forum for political debate was established
- the steady fall in turnout was stemmed

TRANSPARENCY AND EUROPEAN DIMENSION

**The European political families
nominated candidates
for President of the
European Commission**

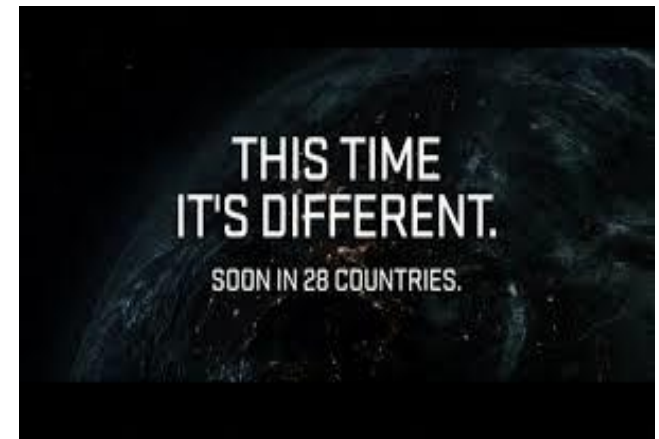


TRANSPARENCY AND EUROPEAN DIMENSION



The European political parties
launched EU-wide election
campaigns and held **public events**
across Europe

246 cities visited across the
Member States.



The visits of the lead candidates in the Member States

Member State	PES	EPP	ALDE	GUE / NGL	Green / EFA
Belgium	✓	✓	✓	✓	✓
Bulgaria	✓	✓			
Czech Republic	✓		✓	✓	✓
Denmark	✓				✓
Germany	✓	✓	✓	✓	✓
Estonia					
Ireland	✓	✓	✓	✓	✓
Greece	✓	✓		✓	
Spain	✓	✓	✓	✓	✓
France	✓	✓	✓	✓	✓
Croatia	✓				✓
Italy	✓	✓	✓	✓	✓
Cyprus		✓		✓	
Latvia		✓			
Lithuania					
Luxembourg	✓	✓	✓		
Hungary					✓
Malta	✓	✓			
Netherlands	✓	✓	✓		✓
Austria	✓	✓	✓		✓
Poland	✓	✓	✓		✓
Portugal	✓	✓		✓	
Romania	✓		✓		
Slovenia	✓		✓	✓	
Slovakia	✓	✓			
Finland	✓	✓			✓
Sweden	✓		✓		✓
UK	✓		✓		✓
Total	23	18	15	11	16

TRANSPARENCY AND EUROPEAN DIMENSION

10 televised debates
in different
Member States and
different languages

The **final debate**
between the lead candidates
on 15 May 2014



was broadcasted live in 28 countries, aired by at least
152 media outlets (including 55 TV channels and 88
websites) and generated social media traffic

As a result...

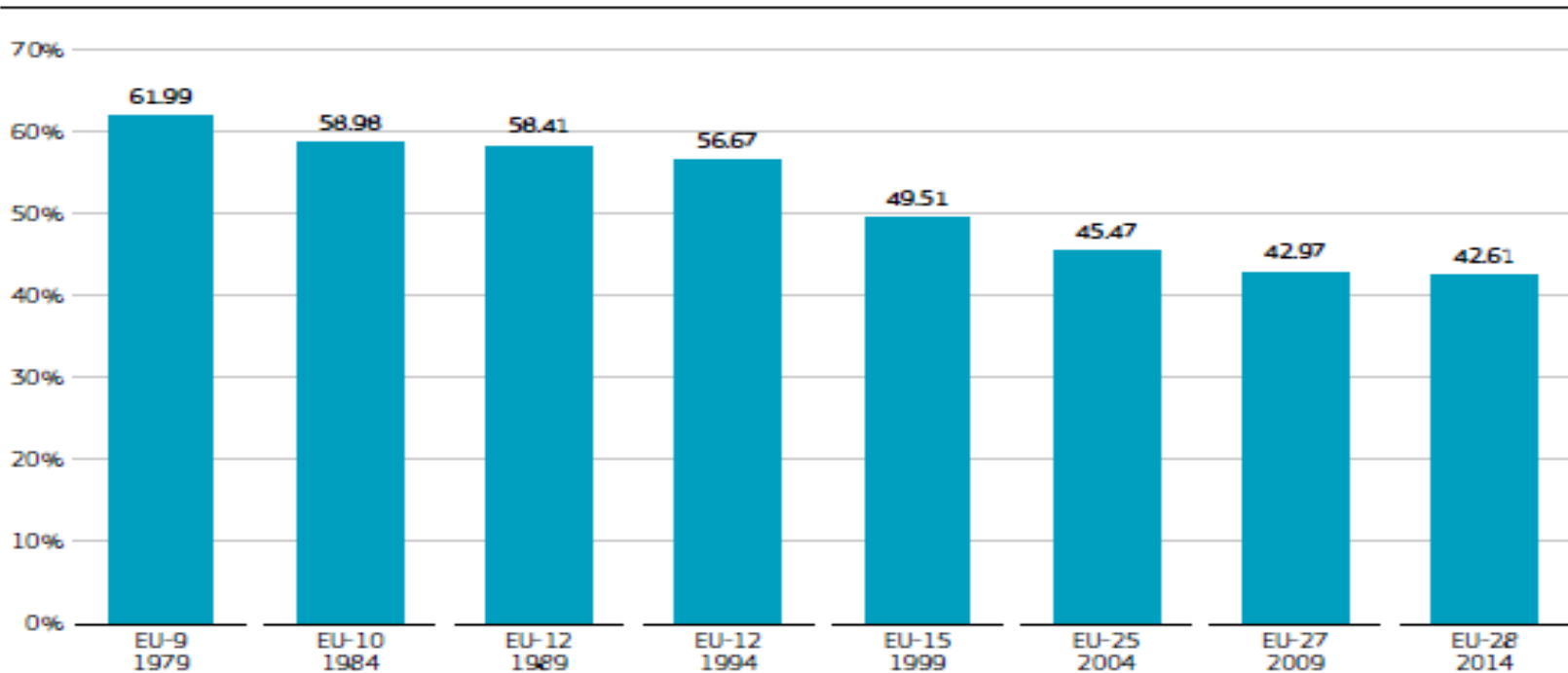
Voters could make more easily the link between a vote cast for a national party and its impact on the political direction of the EU

The Commission's democratic legitimacy was reinforced

Important precedent was set for 2019

OVERALL PARTICIPATION IN THE ELECTIONS

The steady fall in turnout since 1979 was significantly stemmed



Younger voters were the largest group of abstainers

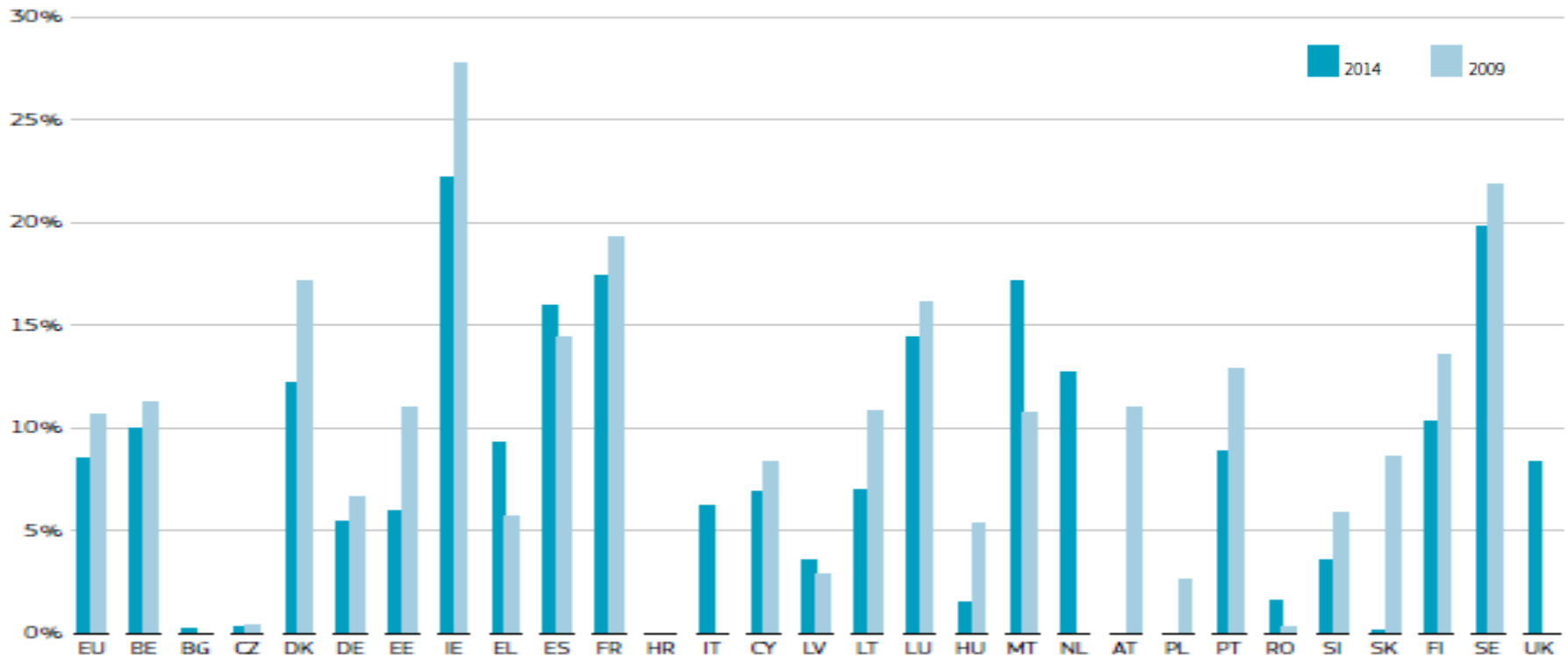


Only 27.8% of 18-24 year-olds voted, as compared with 51.3% in the 55+ age-group



Participation of mobile EU citizens

A relatively low number of mobile EU citizens made use of their right to vote in their Member State of residence



Proportion of non-nationals (who are mobile EU citizens) registered to vote in the European elections in 2009 and 2014 in the EU and by Member State

Participation of mobile EU citizens as *candidates*

The number of mobile EU citizens who stood as candidates in their Member State of residence more than doubled,

from 81 in 2009 to 170 in 2014



...possibly thanks to new simplified procedures

Directive 2013/1/EU:

candidates no longer have to provide proof that they have not been deprived of their electoral rights in their home Member State; they only have to ***make a declaration*** to that effect - to be verified by the the host Member State

Enforcement of EU citizens' electoral rights

Examples:

- **Equal treatment** of mobile EU citizens with nationals as regards the right to vote and stand as candidates in the Member State of residence: no additional requirements may be imposed on them
- They have the **right to found or become members of political parties** in the country of residence **under the same conditions as nationals**

Towards a Union of democratic change...

- *Start far in advance of 2019 elections*
- *Dialogue with stakeholders*
- *Identify ways to foster participation: ex. timely support for national, regional, local actions*
- *Enhance visibility of affiliations between national and European political parties*
- *Encourage more interaction of citizens with EU national and local politicians on European issues that matter to them: ex. Citizens' Dialogues*



Consular Protection of unrepresented EU citizens

Council Directive (EU) 2015/637 of 20 April 2015

Facts and figures



- ❑ *European citizens make over **90 million trips** outside the EU for business or pleasure.*
- ❑ *There are more than **30 million** EU citizens living permanently outside the EU*
- ❑ *All Member States are only represented in **4 Countries***
- ❑ *Almost **7 millions** of EU citizens travel or live outside the EU where their own EU country does not have an embassy or consulate.*
- ❑ *Large numbers of EU citizens have been affected by recent crises in third countries (Yemen or Nepal with only 5 MS represented)*

The right to consular protection

The right to consular protection is one of the specific rights granted by the Treaty to citizens of the Union (point (c) of Article 20(2) TFEU).

Every citizen of the Union shall,

- *in the territory of a **third country** in which the Member State of which he is a national is not represented,*
- *be entitled to **protection** by the diplomatic or consular authorities of **any Member State**,*
- *on the **same conditions** as the nationals of that State.*

The Treaty of Lisbon reinforced the status of citizenship of the Union and strengthened the rights attached to it, inter alia by providing a new legal basis for an EU legislation (Article 23 TFEU).

Council Directive (EU) 2015/637



- **Proposal** for a Council directive on consular protection for citizens of the Union abroad (COM(2011)0881 – 14.12.2011)

- **COUNCIL DIRECTIVE (EU) 2015/637** of 20 April 2015 on the coordination and cooperation measures to facilitate consular protection for unrepresented citizens of the Union in third countries and repealing Decision 95/553/EC
 - **It repeals Decision 95/553/EC (as of 1 May 2018)**
 - **Transposition deadline: 1 May 2018**

Better coordination and cooperation

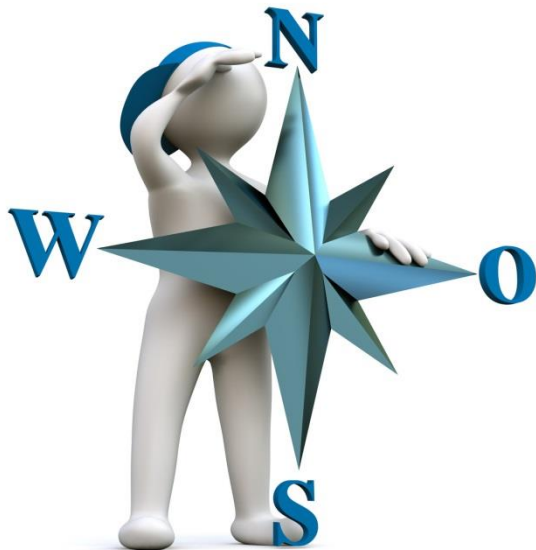


The aim of the Directive is to lay down the cooperation and coordination measures necessary to further facilitate consular protection for unrepresented citizens of the Union.

Those measures should enhance legal certainty as well as efficient cooperation and solidarity among consular authorities.

(Recital 4)

More precise rules on:



- The notion of representation and who should receive protection.*
- Coordination of assistance among the MS in day to day and crisis situations.*
- Financial procedures.*
- The role of EU delegations.*

To whom is CP provided?

❑ ***Unrepresented citizens***

- Member States' embassies or consulates shall provide consular protection to **unrepresented** citizens on the **same conditions as to their own nationals**. (Article 2)

❑ ***Third-country family members***

- To the same extent and on the same conditions as it would be provided to the family members of the citizens in accordance with its national law or practice. (Article 5)
- *Effectiveness of the right (Recital 9)*

The Directive does not affect Member States' competence to determine the scope of the protection to be provided to their own nationals. (Recital 5)

Unrepresented EU citizens

- ❑ *'unrepresented citizen' shall mean every citizen holding the nationality of a Member State which is not represented in a third country. (Article 4)*
- ❑ *a Member State is not represented in a third country if it has no embassy or consulate established there on a permanent basis, or if it has no embassy, consulate or honorary consul there which is effectively in a position to provide consular protection in a given case. (Article 6)*
- ❑ *Clear rules on how the **identification** of an applicant as EU citizen should be carried out. (Article 8)*

Coordination and cooperation

Member States' diplomatic and consular authorities shall closely cooperate and coordinate with one another and with the Union. (see Article 10)



- ***Mandatory prior consultation:*** Article 10.2
- ***Consular protection by the Member State of nationality:*** Article 3
- ***Financial procedures:*** Article 14 and 15
- ***Mandatory practical arrangements (whenever necessary):*** Article 12
- ***Local cooperation and crisis preparedness and cooperation:*** Article 12 and 13

Role of EU delegations

The Directive fully recognises, and further enhances, the contribution already provided by the EEAS and by Union delegations, in particular during crisis situations, in accordance with Council Decision 2010/427/EU, in particular Article 5(10) thereof. (Recital 17)

2013 EU Citizenship Report

- * Reporting on 2010 EU Citizenship Report actions
- * Set 12 actions to improve citizens' lives
in a bid to:

- > remove obstacles for workers, students etc.
- > cut red tape in MS
- > protect the more vulnerable in the EU
- > eliminate barriers to shopping in the EU
- > provide targeted and accessible info in the EU
- > enable better participation in EU democratic life



Report available at:

http://ec.europa.eu/justice/citizen/files/2013eucitizenshipreport_en.pdf



Thank you for your attention