

**NATIONAL SCHOOL OF POLITICAL AND ADMINISTRATIVE  
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**SUMMARY  
DOCTORAL THESIS**

**Free movement and integration perspectives of the Roma minority in 4  
destination states**

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## INTRODUCTORY PRELIMINARY

Roma mobility in Romania has been an hotly contested topic since 2007's accession to the European Union. The analysis of the situation of the Roma from the perspective of the concepts of “precariousness” and “discrimination” becomes a ubiquitous form of justifying the existence of Roma communities in Europe, the two concepts becoming a justifying form to undertake certain measures for integration. At the same time, they allow the association of the concept of “identity”<sup>1</sup>, justifying at the moment, on the one hand, the existence of Roma communities in Europe, and on the other hand, the excessive use of these two dimensions can lead to the limitation of the positive approach. to the Roma integration. The pragmatic, solution-oriented approach is being diluted, with certain institutional structures remaining limited in justifying the reactive phenomena of governments and no longer seeing the optimal solutions to produce positive change.

Addressing this issue has started from an increasingly difficult reality, that of Roma integration in host societies, in a political and international context not very favorable to them, an approach to Roma issues, especially by the government sector, mainly from the perspective of poverty and the crises that Europe is facing. At national level, the situation of the Roma community in Romania, which exercised their free movement, has not concerned, in recent years, a large and diverse number of institutional actors, public and private, which analyze the situation from the perspective of national immigration policies, already established in these states. It becomes an acute and silent problem of the northern and western governments and not only, who understood to manage it, either through ignorance or through the use of force structures, although, Roma representation structures have been set up at European and international level, they have EU Directives and government decisions have been issued structuring interventions to improve the situation of the Roma in general. The issue remains, in a

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<sup>1</sup> Identity is a concept of great importance in the debates associated with the Roma. In the literature, the essence of these debates is reduced to the way individuals are placed or classified by external forces, even if there is the possibility that they internalize and place themselves in accordance with their own sense of self. In the wider debates of vulnerable groups, especially people with disabilities, the concept of identity has been debated as to how people can "internalize" the "external". Negative perceptions and assumptions can simply affect the way people think about themselves. (Acher, 1995)

way, in a shadow cone and loaded with many negative practices generated by the existence of Roma in the territories of the destination states, often not known in essence, remaining only encapsulated in the life trajectories of Roma citizens, who, in most cases, are not considered European citizens.

Research on free movement and prospects for the integration of the Roma minority in 4 destination states is taking place in the context of an unprecedented evolution of the mobility phenomenon, both within the borders of the European Union and outside borders in general, regarding Roma, as we will show during the paper, there are no official quantitative statistics that indicate the exact number of Roma in the destination states. The mobility of Roma people is part of the migratory flows registered at the level of the European Union, with the particularity of some complexities of exclusion factors associated with deviant behaviors in the destination countries, generated also by the cultural discrepancy. Also, in the absence of coherent measures to support the social integration policies of Roma people, various risks to European security are generated by the emergence of extremist, racist, xenophobic and ethnic intolerance tendencies in the vast majority of Member States. European Union, accompanied by the most diverse public reactions<sup>2</sup>.

This paper introduces new concepts of analysis for the Roma minority in the context of exercising the right to freedom of movement of persons, as defined by Armataya Sen: "*What the human being can achieve in a positive way is influenced by economic opportunities, political freedoms, social power, access to health conditions, basic education, encouragement and cultivation of initiatives*."<sup>3</sup>

### **Research objectives**

The main objective of the doctoral thesis, aims to provide interested actors in Romania, data, information, conclusions, recommendations and strategies that would lead to knowledge

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<sup>2</sup> "Manuel Valls, Minister of the Interior and member of the National Assembly, France:" Most [Roma] should be sent back to the borders. We are not here to meet these people. I remind you of the statement of [the former socialist prime minister] of Michel Rocard: "It is not France's job to deal with the misery of the whole world." Valls was born in Barcelona to Spanish immigrant parents.

<sup>3</sup> Sen Amartya, Development as Freedom, Anchor Book Publishing, New York, 2000. p 4.

and capitalization of the impact of Roma mobility in destination countries, to coordinate the 4 countries involved in addressing Roma issues in Europe.

In order to carry out the proposed research, in addition to studying an extensive bibliography, I undertook direct research studies in the destination countries (Sweden, Norway, France and The UK), by participating in various international research activities and in the Roma people living spaces<sup>4</sup>, in addition to having an in-depth understanding -I traveled to various countries of the European Union, to see the concrete way in which the Roma communities are viewed and, moreover, how the issues regarding their integration in the host society are solved, but also what are the phenomena associated with their presence in Europe, how and the behavior of states in relation to the Roma minority.

## **THESIS STRUCTURE**

### **Part I. Free movement in the European area, with following chapters:**

#### **The European framework for free movement**

The right to free movement has been and is widely debated at European level. From a legal point of view, it has its origins in Articles 3 (2) of the Treaty on European Union (TEU), Articles 21 of the Treaty on the Functioning of the European Union (Technical Data Sheets EP, 2010), Titles IV and V of the TFEU. To these are added five other actions to support a better implementation of the concept of free movement (Information Sheet, No. 5). The role of the actions is to clarify the rights and obligations of EU citizens, as well as the conditions and limits imposed by EU law, and also to address the concerns expressed by certain Member States.

The right to free movement of citizens within the EU is governed by Article 21 (1) of the Treaty on the Functioning of the European Union. It stipulates that: of the measures taken to implement them "(TFEU, Art. 21 (1)). Although the construction of Europe is based on the assessment of common principles, it is easy to identify in the work of the Member States an active risk management in the governing act, often distorted and contrary to these principles and values.

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<sup>4</sup>The term living spaces is used in France and refers to camps formed by Roma.

## **Challenges in applying the provisions of free movement in the Schengen Area**

With the role of "Establishing a barrier-free internal market for the free movement of persons", most EU Member States (Belgium, Czech Republic, Denmark, Germany, Estonia, Greece, Spain, France, Italy, Latvia, Lithuania, Luxembourg, Hungary) , Malta, the Netherlands, Austria, Poland, Portugal, Slovenia, Slovakia, Finland and Sweden), plus Iceland, Norway and Switzerland, are part of the Schengen area.

The Schengen area is based on two regulations: the original Schengen Agreement of 14 June 1985 and the Convention implementing the Agreement, signed on 19 June 1990 and which entered into force on 26 March 1995. The Convention on the Implementation of the Schengen Agreement was signed only by Belgium, France, Germany, Luxembourg and the Netherlands, the scope was based on intergovernmental cooperation in the field of justice and home affairs of these Member States.

Although the Schengen area is generally regarded as one of the European Union's main achievements, it has recently come under considerable pressure due to the unprecedented influx of refugees and migrants into the EU. The extremely large number of newcomers has led several Member States to temporarily reintroduce checks at the internal borders of the Schengen area in recent years, in accordance with the provisions of the Schengen Borders Code.

An additional challenge to without passport-free movement in the Schengen area is linked to the possibility of facilitating increased terrorist threats. The current challenges have helped to highlight the direct link between firm management of external borders and free movement within them, which has led the Commission to draw up proposals both to increase security controls on people entering the Schengen area and to improve external border management.

## **Legislative aspects regarding free movement and residence in the states of destination analyzed**

The concept of free movement has been one of the most important aspects since the establishment of the EU and a well-founded practice based on the association of Member States. The analysis of internal legislative changes and the transposition of Directive 2004/38 / EC in some Member States clearly underlines that there has always been a tension regarding the restriction in migration policies and although Member States have joined the EU, the

transposition of free movement legislation and residence reflected in state policies was the element of divergence in the construction of the EU.

### **Civil rights and citizenship of the European Union**

The rights associated with EU citizenship are conditional on the exercise of a form of "travel" to another Member State. Certain provisions of Article 20 TFEU apply only to "mobile" EU citizens, Article 20 (2) (b), as set out in Article 22 TFEU, which establishes the right of the EU citizen to vote and to participate both in elections to the European Parliament and in municipal elections in the Member State in which they live.

Member States may allow, regardless of nationality or any person of their nationality, regardless of where they live, to vote in the European Parliament. Its only requirement is that in comparable situations they be treated equally, in the light of the general principle of equal treatment.

Being a citizen of the European Union entitles the person concerned to seek employment and / or work in another Member State of the European Union, in the European Economic Area and in Switzerland. The free movement of workers within the Union is guaranteed, according to art. 45 to the TFEU. Freedom of movement for workers also applies in general terms to the countries of the European Economic Area (Member States of the European Union, plus Iceland, Liechtenstein and Norway) and, from 1 June 2016, to Switzerland.

### **The substance and principle of European citizenship**

The link between nationality versus citizenship. In current practice citizenship and nationality tend to be used as synonyms, the analysis of legislative frameworks shows that there are subtle differences between nationality and citizenship. Thus, citizenship refers to a person's rights and duties in relation to the state, an internal category which is a matter of domestic law. Nationality refers to the rights and protections that a citizen has with respect to the state in the territory and outside it an external category that is partially regulated by international law. The EU has citizenship, but not nationality, and classifications are not defined and citizenship and nationality are often used interchangeably by policy makers and by law.

The regulation of the concept of citizenship is covered by Article 15 of the Universal Declaration of Human Rights, which presupposes that everyone has the right to a nationality and

no one may be arbitrarily deprived of his or her nationality nor denied the right to change his or her nationality. .

### **The phenomenon of migration in the era of globalization**

Globalization has opened wide the framework of international collaboration, offering unprecedented possibilities for the movement of people, goods, capital and services. "Emigration is a dynamic phenomenon that includes a large number of actors. All countries have a common interest in addressing multilateral issues in the management of migration processes, which will ensure the security and dignity of migrants. They make a positive contribution to changing the face of society globally. The key is not to prevent mobility, but to direct it more effectively. "<sup>5</sup>

Due to the uncertainty with which the concept of migration currently operates, it can be seen that it is in the early stages of identifying a clear theoretical approach to responding to the acute needs in addressing its effects on international migration as an integral part of global migration processes. change, rather than as a problem to be solved.

### **Part II Roma, the following chapters:**

#### **Conceptual theoretical perspectives in the scientific understanding of the Roma issue**

Research trends on "Roma mobility" in Europe have been characterized by developments over the last decade in the number of Roma who have exercised their right to free movement from Eastern European countries to Western Europe, mainly after the 2004 EU accession, and 2007, but also the crises exposed by the media, the unfavorable public reactions of some national governments and the measures taken by them. Researchers' interest has also increased and it can be mentioned that there is an orientation towards this new topic, so that research has begun to focus in the last decade on the causes and consequences of mobility patterns exercised by Roma. Especially with regard to their life in the new countries and the associated legal issues, by challenging European citizenship and the relevance of public integration policies. All these

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<sup>5</sup> Brunson McKinley, director general of the International Organization for Migration (O.I.M.).

aspects have placed the physical existence of the Roma in the territories of the European states, often considered “others” especially in Western Europe and a justified presence in the acceptance of some governments to exercise antisocial actions.

### **The contemporary situation of the Roma from Romania in the destination states**

The purpose of this chapter is to examine the growing body of literature on the Roma situation, to summarize the key approaches, themes and issues relevant to this study. Noting that there is very little research on the various aspects of intra-community mobility of Roma, in which experiences on the labor market are revealed, the examination of the determination process and the effectiveness of integration / settlement policies in the destination states.

### **Part III Methodological design and implementation of applied research methodes, having the chapters: Purpose of applied research and Establishment of the framework for applied research in the selected destination states**

The aim of this applied research is to explore the situation of Roma in the destination states, as a result of exercising free movement, through a conceptual understanding of contemporary social factors and to examine social and economic interaction in the context of political change, all through the lens of European citizenship.

The general objective of the doctoral thesis aims to provide interested actors in Romania with data, information, conclusions, recommendations and strategies that would lead to knowledge and capitalization of the impact of Roma mobility in destination countries, to coordinate the 4 countries involved in addressing Roma issues in Europe. The main challenges that the countries have highlighted, as a result of the exercise of the mobility of Romanian citizens of Roma ethnicity, will also be highlighted.

**Methodology.** As mentioned in previous chapters, several series of data sources were used. The first data generation technique involved an analysis of the existing literature and documents in the field of research throughout its realization. This method involved analyzing the documents of the integration departments in the destination countries, national legislation, progress reports on the transposition of European directives, publications of national and regional organizations, online articles, books and academic journals.



**Justification for choosing countries.** **France** was chosen as an EU member state because it was the focus of a considerable number of cases for the treatment of Roma migrants by the authorities and the emergence of large-scale deportation to Romania. I tried to follow up and find out what had changed in the country's position, after the European Commission launched the procedure for finding that the French state had failed to fulfill its obligations. **Sweden** was chosen because it is normally considered to have a liberal approach to migrants (although this has recently begun to change). **The United Kingdom** was chosen because at the beginning of research and doctoral studies, there were many reactive debates on migration and immigration on the public agenda. **Norway** has been chosen as the external driver, a non-EU country, to identify changes in approaches to the Roma community and to test for discrimination, but also to compare integration and similarity policy interventions with European countries. .

Data were collected from in-depth semi-structured interviews and 8 observation sessions of the target group in the destination countries. Additionally, we held talks with government representatives in the Nordic countries, as well as non-governmental organizations providing social services.

**The key questions** were developed based on the issues that are analyzed in the previous sections and taking into account the agreements summarized above, 4 central empirical questions were identified:

1. What was the Roma experience and interaction with local authorities?
2. What do their experiences tell us about the integration process in the host country?
3. What are the barriers and opportunities that Roma face?
4. What are the perceptions of governmental and non-governmental structures regarding the situation of the Roma?

To amplify, this study aims to analyze the Roma experience in 4 destination states, placing the analysis from a comparative perspective. As illustrated in the integration chapter, there are a number of different factors that need to be considered when analyzing people's integration in the context of immigration. First, there are the Roma's own personal stories and experiences and their life trajectories. Each person brings to the fore different stories and

experiences in the immigration arena; for example, previous education or work, knowledge of the language, family situation and experiences that led to the departure from the country of origin to the country of destination, considering that these elements can influence people's actions in the host society and can become constraining or permissive. Second, the influence of the structure is taken into account in terms of institutional constraints and "official practices" (through government integration policies, law enforcement behavior), as well as barriers to discourses and discursive practices (community opinion). "Host" through the media), which can act as a persistent barrier to long-term integration. However, in this analysis of the institutional framework, empowerment and coercion capabilities are examined, in particular in terms of the positive support provided at local level, as well as the resources they can use.

Third, the role of governmental and non-governmental structures is taken into account (although they exist in a limited way) in terms of their contested practices. Finally, the actions of the Roma themselves are explored, especially in terms of their daily practices and the strategies they adopt in situations of coercion.

#### **Part IV Results, with chapters:**

##### **Progress made by countries of destination in terms of Roma integration in Europe**

Europe is considered the continent of integration, an analysis of the last fifty years highlighting a major increase in ethnic and cultural diversity in most EU countries (Y.Scholten et al, 2015, R.King, 2016) In countries such as France, Britain, the Netherlands the integration process has been long-term, however in Italy, Spain, Portugal literature highlights that the integration process is relatively recent. As far as Eastern Europe is concerned, the integration process is at an early stage. Despite the fact that European integration is a hotly debated concept and is based on European values "Integration is understood differently, depending on the country and the context. It is a process of generating respect and obligation towards the basic values of the society, the respective country that involves mutual adaptation, through multidimensional interactions"<sup>6</sup>. Given that European countries are divided by economic inequalities, the differences between the Global South and the Global North require detailed analysis to

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<sup>6</sup> Mutu M., The migrant crisis in Europe - Aspects regarding the integration of migrants. Geopolitical Magazin, Bucharest, 2016. p 110.

understand the fundamentals of the concept of integration and how states act in developing and implementing their own integration policies.

### **The importance of education for the integration process in the states of origin and the states of destination**

Education is considered the most important factor in the integration process, this dimension is absolutely valid, both in the state of origin and in the state of destination, at national level the field of education being considered as the main catalyst in the process of social inclusion of Roma communities. Given the exposure of indicators in the field of education by the European Commission on the Roma minority, it is considered that there is progress in this area, but the obvious reductions in gaps are precarious and indicate that more involvement is needed from education systems, which to contribute actively and implicitly to produce sustainable results.

Education policies should focus on promoting equity, social cohesion and active citizenship as one of the strategic objectives for cooperation in education and training at EU level. The 2015 Joint Report of the Commission and the Council on the implementation of the 2020 Strategy identified "inclusive education, equality, equity, non-discrimination and the promotion of civic competences" as priority areas for European cooperation in education and training.

### **The perspective of governmental and non-governmental institutions in the countries of destination on the policy of each country that may favor or hinder Roma integration.**

How migration issues and EU mobility are framed in the national political context, as well as public opinion expressed, are key elements in understanding the barriers to EU mobile citizens' access to social rights in Europe. The migrant populations in the EU remain distinct between countries and the access to social rights arises from their belonging presupposes the observance of the national route, and the applicability of the legislations in force. Both civil and social rights define the living standards of citizens.

In order to research the institutional perspective on the political issues that may or may not favor the integration of Roma in the four destination countries analyzed, a semi-structured interview guide with 13 questions was used, conducting interviews with people from 30

governmental and non-governmental structures. Thus, starting from the hypothesis that any integration policy, as well as the integration process presupposes a stable and coherent social dialogue framework, a first question from the semi-structured interview guide referred to the relations of subordination, coordination, inter-relationship that the structures responsible for the integration policy have them with the other institutions or organizations whose task is to implement the measures for the Roma (existing in the respective country or migrants). Moreover, it is clear that a joint effort is needed from all governmental and non-governmental institutions to achieve Roma integration, with predictable effects and benefits for all stakeholders.

## **Part V**

### **Conclusions and recommendations:**

#### **The main conclusions and recommendations of the doctoral thesis**

The first applied recommendation is that the states included in the research make efforts to start the integration process on the model applied to refugees. This is because the measures currently being taken, especially in the Nordic countries, are temporary measures justified by Roma mobility. And this mobility is also due to the fact that the Roma did not find support to legalize their status and access basic services. Excessive round-trip mobility that lasts for many years leads us to this assumption.

The second recommendation is to organize campaigns to promote the rights, as European citizens, that they have in the countries of destination. In the applied research, no Roma registered in such structures were identified, because the Roma do not know these rights.

The third recommendation is to use the term integration and the measures taken as an integral part of the general measures, more specifically this involves guiding the Roma to employment services and educational services, in order to learn the language of the destination country.

Starting from the data collected and qualitative secondary analysis, I consider that a profile can be made of the most pressing problems faced by the Roma population in Romania in the destination states selected in this research. By corroborating the quantitative data with the

qualitative research data, respectively the semi-structured interviews and the study of the documents, we can identify a series of priority areas and problems that can be approached as measures for Roma integration.

These issues can be guiding elements for conducting an impact analysis and making the right decisions on areas, priorities, objectives, future actions, taking into account the availability of financial, human, administrative, political resources, measures for Roma in the destination states.

The identification of priorities for action in each country must be done individually, respectively the assessment of the expected impact to substantiate policy decisions and measures - an approach that is not the subject and I did not propose in this paper, considering that it must be done by the structures responsible government.

The concept of migration has an importance argued in various normative acts of the European Union. The socio-economic and political effects of migration are reflected in the current and future realities of Europe, although there is tacit agreement on the contribution of migrants to national economies, there are active debates against migrants, in conclusion communication strategies should be promoted. the quantified results that migrants produce for national economies.

Also, in the absence of coherent measures to support the integration policies of Roma people, various risks to European security are generated by the emergence of extremist, racist, xenophobic and ethnic intolerance tendencies in the vast majority of EU Member States. , accompanied by the most diverse public reactions. The presence of Roma in the territories of the countries introduced in this research was not a novelty for the governments of the analyzed states, all destination states have their own Roma, for which they have developed national inclusion strategies.

The position of Roma who have exercised their free movement in Europe is challenged through the use of law enforcement.

As a result of the presence of Roma in the destination countries, migration centers and social structures have been activated as a result of the efforts of human rights organizations.

The situation of Roma who have exercised their free movement is very much addressed by civil society organizations such as Caritas, Salvation Army, Church State.

Free movement is the factor that contributed to the mobility process considered for the Roma minority the 4th wave in Europe. The fact that no integration measures have been taken regarding the position of the Roma in Western countries has turned them into undocumented migrants. The transfer of responsibilities to civil society for Roma integration in the destination states cannot replace the political will and measures necessary for Roma integration.

The Nordic States consider that the development model established at the level of their territories cannot include the Roma minority. As a result, they have established alternative ways to meet basic needs and provide a minimum of services, which means respecting human rights.

Following the visits to the centers that facilitate access to the labor market, it was found that the Roma do not use the services of these structures to facilitate their integration into the labor market in the destination states.

Attempts or legislative changes that occurred as a result of the presence of the Roma.

The co-production of knowledge generated by politicians' speeches and the media are the main tools that build and deconstruct the Roma problem in Europe, the situation being further analyzed from a political point of view.

The presence of Roma in the destination states was possible due to the European architecture, the non-existence of these legislative regulations would have generated much more abuses against Roma communities.

There are concerns in destination countries about turning temporary services into long-term measures. Norway is the first country in the analysis in which the state has started debates on this issue;

Following the infringement proceedings against France, the authorities and civil society have started to provide social housing and provide integration assistance programs, but the dimension of territorial exclusion and discrimination remains active after the intervention of the European Commission, territorial exclusion has been maintained. activate.

In French politics there is no change of policy regarding the Roma minority, the mode of action becomes softer and less politicized.

Compared to France, the United Kingdom and the Nordic countries have implemented soft policy in managing the Roma issue. The expulsions took place without too many press statements. There was no intense political dialogue as in the case of France.

The Roma have not had their right to free movement violated, their exercise is an automatic dimension of European citizenship, the main problem is residency which involves assuming the responsibilities and laws of the destination states.

Once the Roma became European citizens, their situation became a European problem. This means that, in relation to the behavior of the states, highlighted in the paper, it indicates that there is no common understanding on free movement at the state level.