

**Position Paper by the German Association of Cities  
on questions concerning immigration from Romania and Bulgaria**

**Preliminary Note**

The German Association of Cities is the federation of 205 direct member cities including 107 autonomous cities (including all city-states), 98 towns and cities that are part of a district and 16 member associations with more than 3,200 indirect member towns and municipalities. It actively represents the cause of local self-government and upholds the interests of towns and cities in their dealings with the Federal Government, the Federal Parliament and the Federal Council, the European Union, and numerous other organisations.

We therefore regard it as our obligation and duty to point out highly undesirable developments that put a strain on local authorities and which cannot be solved by local action alone.

Migration of people from Romania and Bulgaria poses a problem that cannot be solved unless Federal Government, Federal States, European institutions and other relevant bodies cooperate. This is the aim of the present position paper and our call for a dialogue. We are not talking about sealing off Germany from immigration, it is about finding conditions that further integration.

## **I. Point of departure**

In its present form, the EU comprises 27 member states representing 500 million people. It considers itself as a community of shared values based on peace and freedom, democracy and constitutionality as well as tolerance and solidarity. It aims at becoming safer, wealthier, stronger and more influential than the former European Economic Community. German towns and cities explicitly recognize the success of the European Union. They have participated in the positive effects caused by the EU and they have contributed considerably to the integration of people from other countries in their local community.

The accession of Bulgaria (7.3m inhabitants) and Romania (21m inhabitants) in January 2007 concluded the fifth enlargement of the European Union. New economic resources have increased the prosperity and competitiveness of Europe. However, integration is not only a matter of economic concern but also includes a social dimension, where we are facing complex challenges. Both countries joined the EU although the European Commission had made it very clear, in its 1997 assessment of Romania and Bulgaria, that there were strong doubts as to the countries' implementation of reforms both promised and required to meet all requirements for a membership. The overall social situation in both countries was considered problematic.

The fields of education and labour, public health and housing, human rights and the protection of minorities showed considerable deficits. The minority of the Roma was seen to be affected most. In its regular reports along the whole process of accession, the European Commission admitted to the aspirants' strong deficits in the implementation of reforms. All observations relating to the accession of Bulgaria and Romania to the EU confirm that the poor conditions addressed in 1997 have, to date, not or only in part undergone any positive development in those countries.

People who had suffered discrimination in Bulgaria and Romania still live in sometimes extremely precarious conditions; they are victims of ethnic discrimination and sometimes even open racist abuse, and they continue to be practically excluded from social participation in almost all fields. They have no share in the slow increase in prosperity witnessed in the youngest EU member states. They do not expect any chance at home. They rather see their future living as European citizens in other member states and substantially improving their living standards there.

As a result, there has been significant migration from Bulgaria and Romania to other EU member states since 2007. While the immigration of well qualified EU citizens with relatively good participation opportunities at home who easily establish themselves in Germany usually runs smoothly, the migration of nationals from Bulgaria and Romania, who sometimes live in the most precarious conditions at home and therefore take the chance to improve their personal situation in the rest of Europe with reasonable motives, becomes a serious problem.

According to official registers, 64,158 Bulgarian and Romanian nationals immigrated in 2007, with an increase in numbers to 147,091 immigrants in 2011. The Federal Statistical Office of Germany reckons today that migration from Romania and Bulgaria increased by 24 % in the first two quarters of 2012 compared to 2011, which equals to approximately 88,000 immigrants. However, this only reflects the number of officially registered migrants while unknown cases are not counted.

	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Bulgaria</b>	20,702	23,834	29,221	39,387	51,612
<b>Romania</b>	43,456	47,642	57,273	74,585	95,479
	64,158	71,476	86,494	113,972	147,091

*Source: Federal Statistical Office of Germany*

Officially, immigration usually is motivated by the search of labour. However, migrants often fail to secure a job that is subject to social insurance contributions or to take up self-employment. Frequently, poor education and qualification as well as deficient, or even non-existent, language skills pose a serious problem. But also, previous socialization experiences are very likely to hinder a smooth integration. Migrants often find it difficult to gain a foothold in the labour market, and there are numerous cases where it even becomes impossible.

We also have noticed that social distress often makes individuals victims of traffickers who are paid high sums to prepare applications for children's allowances and register businesses or procure housing at extortionate rates. The effect of which is an increased pressure on migrants to find illegal income and gives rise to dumping wages, prostitution and begging.

This type of migration presents the places of destination with huge challenges. If people have been discriminated in their countries of origin, discrimination continues at their destination: those who were marginalized and without access to healthcare in their countries of origin do not qualify for health insurance at their new home.

Their housing conditions were miserable and they conform to an equally miserable situation at their destination. They have no access to education and labour market and are therefore left without the chance of a proper income.

We would like to emphasize that these observations do not apply to all migrants from Romania and Bulgaria. Nevertheless, the serious situation with a large part of migrants from South Eastern Europe must not be withheld even though it is also true that there are nationals from Romania and Bulgaria who have become well integrated into our society.

The situations described above of poverty-related migration are not subject to European law, which rules integration issues in the European Single Market and concentrates its activities on "employees", e.g. when harmonizing social law.

According to the Directive on European Citizenship and the German Act on Free Movement/EU, sufficient health insurance coverage and sufficient means of subsistence are required only of non-working migrants. An application of these requirements to employees and self-employed seems impossible: firstly, there is no obligation to prove the compliance with such requirements prior to immigration and secondly, the termination of residence is restricted to more serious cases, such as the commission of a very serious crime, while lacking health insurance coverage and means of subsistence are not sufficiently recognized. A poverty-related migration of European nationals is simply "not foreseen", as reflects the applicable legislation on social security:

Social Security Code II as well as Social Security XII excludes only those from the provision of services whose right of residence arises solely from their search of work. This implies that municipalities hosting these migrants become the repair shop for regulatory deficits of the Federal Government dating from the accessions to the European Union. As a consequence, the European Union is brought into discredit.

To date, the Federal Government, being the main German player on European level, has not addressed the consequences of the latest accessions to the EU to urban societies. The "EU Framework for National Roma Integration Strategies up to 2020" was prepared without municipal input, and it

completely ignores urban realities. Considerable means and effort will be required to cope with the effects of the most recent EU enlargement. Federal states and Federal Government have to address the open issues in a systematic manner and include towns and cities in the process.

However, there is more to the issue than financial strain on local authorities. Another important aspect could not be appreciated if attention was focused only on money matters: the organisation and preservation of social harmony in urban society. Ways have to be found to create perspectives for new inhabitants which emancipate them from social transfer and allow their independent participation in society. And it must be made clear that the receiving urban society, too, has its expectations: native citizens also contribute to successful integration.

The Federal Government is the main player on European level, while local authorities are those who are most affected by European policy without being included into the decision-making process by the Government. This is a disproportion that cries for immediate relief.

## **II. Need for Action**

From a local and regional point of view, there is an urgent need for action. The migration of Bulgarian and Romanian nationals lacking language skills, social security and professional prospects, who move into neglected properties or even become homeless, strongly influences local educational, social and health systems, the labour and housing markets, as well as the community as a whole.

In some areas, this situation has meanwhile led to evident problems, even more so as South Eastern migrants often move to neighbourhoods characterized by poor social standards and relatively high unemployment and social transfer rates. Some neighbourhoods have witnessed a huge surge in migration from both countries.

Local authorities are faced with considerable expenses due to poverty-related migration, e.g. by providing emergency accommodation, basic health services or social transfer and consultancy. Their financial burden is immense. However, migration also poses a social challenge that, apart from considerable financial burden, raises issues relating to urban society as a whole. Particular attention must be paid to preventing right-wing and xenophobic elements from identifying this situation as their field of activity and complicating the subject even more. Unfortunately, there are first signs of such a development.

Europe has never witnessed such an extent of poverty-related migration within such a difficult context. Private agencies as well as local authorities are limited in their search for solutions and sustainable strategies. There are too many questions relating to the migration from South Eastern Europe that cannot be solved on local level. In addition, established integration measures cannot be applied to this new category of migrants, and new strategies have to be found.

Therefore, the countries of origin are required to adopt measures to improve the situation of those who particularly suffer from poverty so as to render poverty-related migration unnecessary.

On the other hand, towns and cities need a framework which enables them to offer a perspective to migrants.

## **The European Union has adopted its enlargement policy knowing about the living conditions in the countries of origin. - Demands on the EU and the countries of origin**

### **I. Raising the awareness, establishing structures and appreciating the need for action**

- The social dimension of the European Union has to be focused. Development of strategies to solve social and financial problems on local level in many member states which are a result of deficient regulation within the EU enlargement process – recognition of a social and economic balance between old and new EU member states
- The integration of refugees escaping poverty and the fight against the discrimination of minorities is a pan-European issue and therefore also the issue of the countries of origin! All member states of the European Union must provide for the chance of a good life at home, to all members of society. It is the duty of the EU to support this claim and implement changes.

### **II. Establishing the general conditions for the work of local authorities, compensating social transfer costs resulting from a misguided enlargement policy of the EU and the Federal Government**

- Easier access to public funds
- ESF funds for language courses etc.
- Financial security through the flow of unspent EU funds back to the federal budget

### **III. Involving the countries of origin: improving the social situation and assuming responsibility in the context of poverty-related emigration**

- Defeating precarious conditions in the countries of origin is an essential prerequisite to prevent poverty-related migration within the EU due to wealth gap;
  - Deficits in the fields of human rights and protection of minorities, discrimination and marginalization are to be reduced in order to create prospects in the home countries, thus providing an alternative to fleeing home as a last resort and hope to improve individual living conditions;
  - Secondment of „integration commissioners“ – similar to budget commissioners – from the European Union to the countries of origin in order to provide for a joint development and implementation of strategies towards an improvement of opportunities at home together with those affected and to guarantee that European funds destined to improve the living conditions of minorities actually get to their destination.
- Consultants on emigration issues must be available in the countries of origin.
- Embassies must play a greater role in the care of their nationals.

Federal Government, Federal States and European Union must not withdraw from a responsibility they have to answer for. Urban society is unable to cope with the extent and consequences of this poverty-related migration. Social harmony is at great risk in affected areas.

Urgent action is required to create a legal, organizational and financial framework for local authorities to manage migration. At the same time, immigration without regard to the prerequisites for free movement of the European Union has to be effectively stopped.

This first position paper aims to provide an impetus and initiate a discussion on all responsible levels. However, short-term measures are urgently required to manage immigration in receiving towns and cities. Neither do we wish to incite prejudice against EU citizens from Romania or Bulgaria nor can we accept that problems caused by migration serve as a projection screen for extremely right-wing sentiments.