



BEUCITIZEN
BARRIERS TOWARDS EU CITIZENSHIP

Social Rights of EU Migrant Citizens: A Comparative Perspective*

Document Identifier

Research paper on categorization of social welfare benefits with respect to the factors hindering access by other EU nationals and third-country nationals

Version

1.0

Date Due

30.04.2015

Submission date

29.04.2015

WorkPackage

WP6 – Social rights

Lead Beneficiary

UOXF

Dissemination Level

PU



Grant Agreement Number 320294
SSH.2012.1-1



Change log

Version	Date	amended by	changes
1.0	29.04.2015	Martin Seeleib-Kaiser	Final paper delivered

Partners involved

number	partner name	People involved
25	UOXF	Cecilia Bruzelius, Elaine Chase and Martin Seeleib-Kaiser

*This comparative report is based on original analysis conducted by the Oxford team and national reports for Britain (Chase/Seeleib-Kaiser 2014), Denmark (Jacqueson 2014), Estonia (Tavits 2014), Germany (Absenger et al. 2014) the Netherlands (Heeger/Pennings 2014), Poland (Swiatkowski/Wujczyk 2014), Spain (Alvarez et al. 2014), and Sweden (Ismail 2014).and national reports for Britain (Chase/Seeleib-Kaiser 2014), Denmark (Jacqueson 2014), Estonia (Tavits 2014), Germany (Absenger et al. 2014) the Netherlands (Heeger/Pennings 2014), Poland (Swiatkowski/Wujczyk 2014), Spain (Alvarez et al. 2014), and Sweden (Ismail 2014).



Table of Contents

EXECUTIVE SUMMARY	4
INTRODUCTION	5
LEGAL CONTEXT.....	6
A QUANTITATIVE PERSPECTIVE OF INTRA-EU MIGRATION	8
Increasing intra-EU migration	8
Age distribution	11
Sectors of employment and education levels.....	13
PUBLIC OPINION AND DISCOURSE	15
SOCIAL RIGHTS OF EU MIGRANT CITIZENS.....	20
EU Citizens' Use of Social Transfers	22
The Right to Social Assistance.....	23
The Right to Housing.....	26
The Right to Healthcare	26
The Right to Education.....	28
CONCLUSION	29
REFERENCES	32



EXECUTIVE SUMMARY

Access to social rights is core for the ability of all citizens irrespective of class to more fully enjoy political and civil rights. The development of EU citizenship over the past twenty years has made great progress in granting social rights not only to workers, but also to EU citizens, who fulfil certain minimum residency requirements. These developments are, however, not fully underpinned by the necessary political legitimacy in all Member States. Although across Member States one can detect a nascent solidarity that includes EU migrant citizens, in a number of countries the support for access to social rights by EU migrant citizens is fragile at best, or almost non-existent, as in the United Kingdom. The specific welfare regime of a country does not seem to be of great importance for EU migrant citizens accessing social rights. In practice, access largely depends on meeting residency and/or registration requirements and on the propensity of individual Member States to implement rules limiting access of these rights for EU migrant citizens. Systematic evidence regarding the extent to which EU migrant citizens have been able to access their social rights in EU Member States as well as about the social conditions under which EU migrant citizens live is largely lacking.



INTRODUCTION

T.H. Marshall (1950) conceptualizes citizenship as a status of membership in a community; social rights are defined as core for the ability of all citizens irrespective of class to more fully enjoy political and civil rights. According to Marshall social rights encompass everything from the right to a modicum of economic welfare to the right to live the life of a civilized being according to the standards prevailing in the society.

The evolution of social rights, and of the welfare state more generally, in many European countries were closely linked to the establishment of the nation state. Moreover, the nation state was sovereign to limit the provision of social rights and benefits to *its* citizens. The process of European integration has gradually eroded the sovereignty of EU Member States to limit service provision and consumption of benefits to its citizens and territory, but Member States remain the primary institutions responsible for determining the overall design of social policies in a multi-tiered polity guided by the principle of subsidiarity. It is not surprising that the institutional design of social policy varies significantly within the European Union since some welfare states are built on the principle of universalism, others on promoting social stability, and others still on mitigating poverty. Hence, concepts of social rights or social citizenship do not have a uniform meaning and applicability across the EU. Moreover, European welfare states are regularly clustered into four welfare regimes: social-democratic, conservative, liberal and clientelistic or Mediterranean (cf. Ferragina/Seeleib-Kaiser, 2011). The welfare states of Central and Eastern Europe (CEE) are quite diverse, with some of them rather falling into the conservative (Poland) and others into the liberal (Baltic states) regime cluster (Potůček, 2008). Analysis of welfare *outcomes* along dimensions of old and new social risks, such as child poverty, youth employment, support for the unemployed etc., clearly identify four different regimes throughout Europe. In other words the real worlds of EU citizens' social rights differ greatly among Member States (Ferragina et al., 2015).

This paper does not address this important dimension of Social Europe, which at various times of the EU integration process has led to calls for greater European social policy intervention and the need for greater policy convergence (Leibfried, 1992), but considers to what extent EU migrant citizens have access to certain social benefits and services two decades after the introduction of *EU Citizenship* and one decade after increased intra-EU migration set in. We define 'EU migrant citizens' as EU citizens that have migrated to another EU Member State, thereby excluding tourists, cross-border mobile workers or posted workers within the EU. Two criteria guided the selection of countries to be included in our analysis: a) to account for different welfare regimes and b) to include countries with varied experiences of intra-EU migration. Based on these selection criteria we have included the following countries in our analysis: Estonia, Denmark, Germany, the Netherlands, Poland, Spain, Sweden and the UK (see Table 1).

Table 1: Welfare state regimes and degree of intra-EU immigration

Welfare State Regime	Degree of Intra-EU Immigration		
	Low	Medium	High
Mediterranean			Spain
Residual/liberal	Estonia		UK
Conservative	Poland	Netherlands	Germany
Social Democratic		Netherlands Denmark	Sweden



In the first section of our paper we briefly set out the legal context for social rights of EU migrant citizens, before providing migration numbers, broken down by basic socio-demographic variables, followed by an overview of the political discourse relating to social rights of EU migrant citizens in the respective Member States and a comparative analysis of (barriers to) social rights EU migrant citizens are entitled to, including access to education, healthcare, housing and social assistance.

LEGAL CONTEXT

The Treaty of Rome, signed by the initial six Member States in 1957, defined European integration as a *political project* with the aim of “an ever-closer union among the peoples of Europe”. It was the hope of its founders to overcome Europe’s fragmentation and build an institutional framework that would promote peace on a Continent that had been devastated twice by war during the first half of the 20th Century.

Since its inception, European integration has aimed to achieve the *freedom of movement* between member states of goods, services, capital and workers and was always intended to be more than purely a trade bloc. From the very beginning of European integration the freedom of movement of workers (and job seekers) was embedded in the legal framework of the European Economic Community, the predecessor of the EU (Hantrais, 2007), with Article 51 clearly stating: “The Council shall, acting unanimously on a proposal from the Commission, adopt such measures in the field of social security as are necessary to provide freedom of movement for workers ...”. Leibfried and Pierson (1995: 54) write in reference to the 1958 coordination requirements to promote labour mobility and their subsequent interpretations by the European Court of Justice (ECJ): “any de facto discrimination against nationals of other EU members is illegal, a traditional means of excluding noncitizens is no longer at the disposal of the national legislator.” Over the years, significant progress in specifying the principles of freedom of movement and non-discrimination for migrant workers was made through rulings of the ECJ, highlighting the limits of national sovereignty in the realm of social policy. Many of the rulings of the ECJ related to the coordination or, in effect, exportability of social security benefits for workers and the application of the principle of non-discrimination (Leibfried/Pierson, 1995; Pennings, 2012). These rulings have made explicit that Member States are no longer sovereign in determining the eligibility criteria of national social policies – they have lost sovereignty and could best be characterized as ‘semi-sovereign welfare states’. Nation states can no longer limit benefits to their ‘own’ citizens and insist that benefits are consumed within their territory.

The end of the Cold War triggered a rapid deepening and widening of European integration. Austria, Finland, Sweden and most Central and Eastern European countries became Member States, eventually turning a club of 12 Western European Member States into a club of 28 Europe-wide Member States. The Maastricht Treaty of 1992 established the concept of *EU Citizenship* as a constituent element of the EU. EU citizenship was further embedded into the EU architecture with the entry into force of the Lisbon Treaty and the EU Charter of Fundamental Rights in 2009. Article 15 of the Charter explicitly states: “Every citizen of the Union has the freedom to seek employment, to work, to exercise the right of establishment and to provide services in any Member State”; and article 34 stipulates, “Everyone residing and moving legally within the European Union is entitled to social security benefits and social advantages in accordance with Union law and national laws and practices. In order to combat social exclusion and poverty, the Union recognizes and respects the right to social and housing assistance so as to ensure a decent existence for all those who lack sufficient resources, in accordance with the rules laid down by Union law and national laws and practices.”



These clauses provide the context for various EU Regulations and Directives that regulate not only the exportability of social rights, but also EU citizens' access to social security benefits in the "host" country (Pennings, 2012). The key piece of EU legislation in relation to the rights of citizens of the Union and their family members to move and reside freely within the territory of the Member States is the Free Movement Directive (2004/38/EC). Replacing earlier regulations, two new EU social security regulations came into force in 2010 (Regulation (EC) No 883/2004 and No 987/2009). Based on the principles of freedom of movement and non-discrimination, these directives and regulations specify that the coordination of social security is no longer limited to economically active persons, but that EU citizens also have access to special non-contributory social security benefits based on the same conditions as nationals, if they are habitually resident in a Member State.

Member States have the right to withhold social assistance payments during the first three months after the arrival of an economically inactive EU migrant citizen and to request that they have health insurance coverage during that time. However, EU migrant citizens are entitled to family benefits from the very beginning of their residence in a Member State. Economically *non-active* EU citizens are in practice unlikely to be eligible for social assistance benefits during the first five years, since to acquire the right to reside they would have initially needed to show to the national authorities that they had sufficient resources. After a residency period of five years, governments can no longer discriminate between national citizens and resident EU citizens from another Member State. For workers, the principle of non-discrimination is effective from the point of taking up residence (for an overview see European Commission, 2013a).

These legal arrangements, and the increased mobility of EU citizens, have significantly expanded the reach of Social Europe. Unsurprisingly, the construction of social rights is regularly contested in the courts. Eigmüller (2013) argues that increasingly European citizens assert their social rights through the judicial system, expanding EU social policy from below. European countries are very likely to be affected by these developments in different ways, partially as a result of the size and increase of the EU migrant citizen population and their socio-demographic makeup as well as different institutional welfare state arrangements. Whereas from a legal perspective Member States cannot discriminate against EU migrant citizens, as workers, or families accessing family benefits, from the day of arrival in another Member State or after five years of legal residence, EU law is largely silent on restricting access for Third Country Nationals (TCN), with the consequence that many Member States continue to restrict TCN immigrants' access to public funds, the UK being a particular restrictive case (Joppke, 2010: 89-90). From the perspective of European integration EU citizenship and associated social rights can be characterized as great achievements. Joppke (2010: 171) concludes: "European citizenship used to be ridiculed as a misnomer, but the more interesting way of perceiving it is as the future of the real thing. ... States deem themselves in control because access to European citizenship is still through holding a national citizenship. But this is deceptive. In reality, the court-driven empowerment of European citizenship casts a long shadow over contemporary campaigns ..."



A QUANTITATIVE PERSPECTIVE OF INTRA-EU MIGRATION¹

INCREASING INTRA-EU MIGRATION

For decades intra-EU migration has been low compared to, for example, migration within the United States of America, a fact that has been variably attributed to language barriers, cultural attachments and national identities. However in the last couple of decades an improved legal framework for EU citizens, improved access to higher education, educational mobility programmes, and starkly uneven economic and employment opportunities have facilitated an increase in intra-EU migration. Figure 1 shows the development of the proportion of EU migrant citizens in Denmark, Estonia, Germany, the Netherlands, Poland, Spain, Sweden and the UK as a percentage of the resident population. The graph shows very low percentages of EU citizens in Estonia and Poland; as the numbers of EU migrant citizens in these countries are too small to be disaggregated in any meaningful way, they have been excluded from our further statistical analysis.

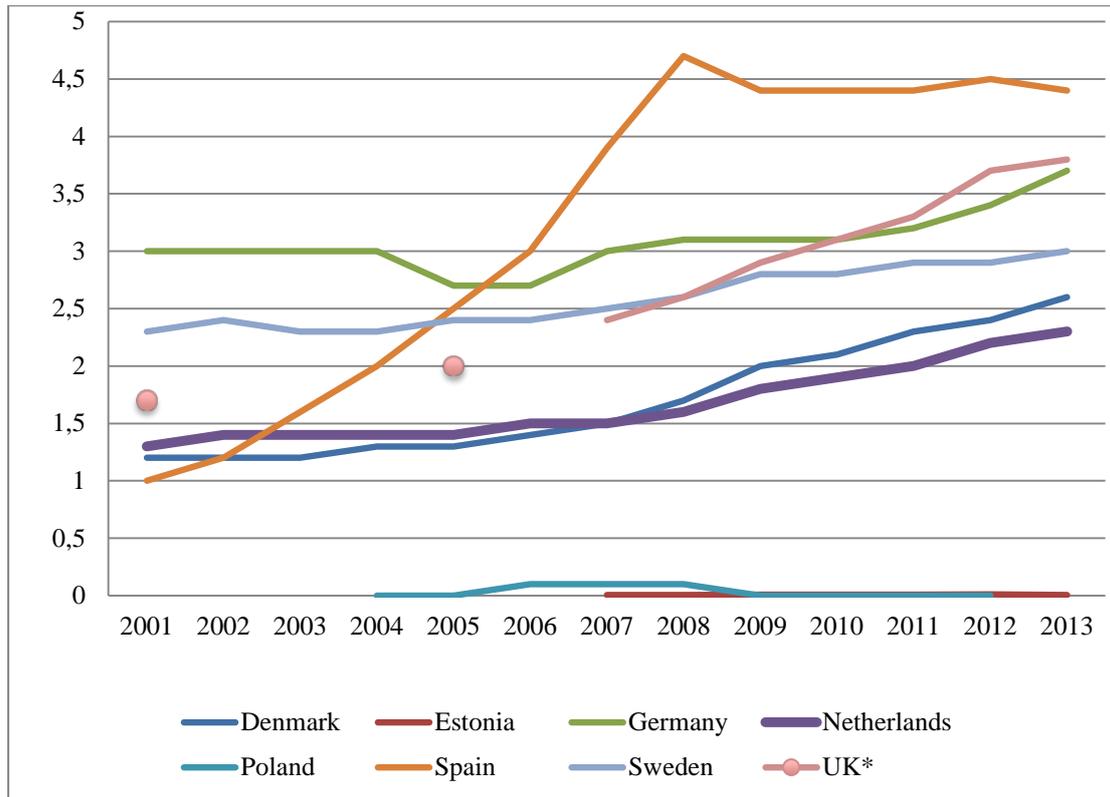
In all other countries, however, EU immigration has steadily increased, predominantly people from New Member States moving to Old Member States (Tables 1 and 2). There are however significant differences in the quantity of these flows. Whilst comparatively large numbers of citizens from the EU8 countries chose to move to the UK and Germany (which already had a comparatively large proportion of citizens from these countries at the time of accession), the largest numbers of EU2 citizens have moved to Spain. Despite the increases in the absolute number of citizens from new Member States, the majority of EU migrant citizens in the countries analysed are from old Member States. In 2013, 55-70 per cent of all EU migrant citizens in Denmark, Germany, the Netherlands and Sweden were from old Europe². Spain had an equal share of citizens from old and new Member States, and only the UK had slightly more EU migrant citizens from new Member States (just over 50 per cent).

¹ To ensure that the data are comparable across countries, all data on numbers of EU citizens used in this chapter are taken from Eurostat. It should be noted that data are collected in different ways in different countries (from national population registers, household surveys and censuses) and that this might have consequences for the robustness of the data.

² Sweden 70 %; Germany 60%; Netherlands 65%; Denmark 55 %



Figure 1: EU migrant citizens as percentage of total population (2001-2013)



* The dotted line indicates missing data for the UK.

Source: Eurostat, "Population on 1 January by five year age group, sex and citizenship".

Table 2: Absolute number of EU8 citizens per country and year (2001-2013)

Year/country	Denmark	Germany	Netherlands	Spain	Sweden	UK*
2001	8763	434593	10180	16396	39808	66023
2002	9470	453100	11249	23672	39712	
2003	9664	466382	12239	34076	38972	
2004	9963	480690	13125	42672	39652	
2005	10762	438828	17883	55735	42614	185756
2006	12933	481672	23212	70576	47237	
2007	16203	562444	28394	103190	55536	
2008	21807	594277	36365	126971	66176	
2009	30033	603783	48131	128259	76060	
2010	33179	615060	58201	126812	83984	
2011	37276	653976	71418	125233	88775	
2012	41586	740804	87239	125834	93010	
2013	46342	848996	99532	124486	97362	934287

Source: Eurostat, "Population on 1 January by five year age group, sex and citizenship".

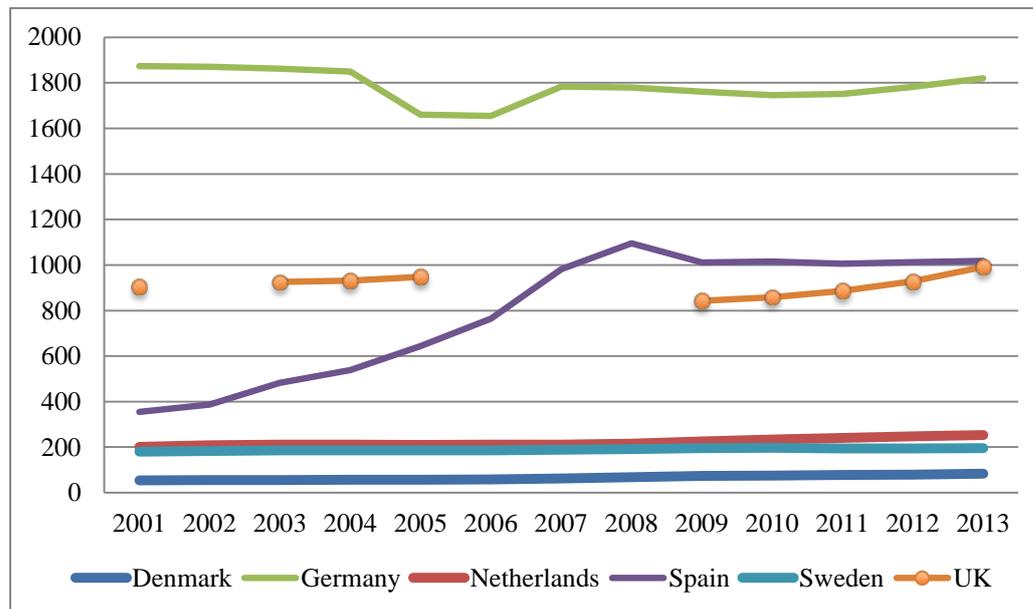


Table 3: Absolute number of EU2 citizens per country and year (2001-2013)

Year/country	Denmark	Germany	Netherlands	Spain	Sweden	UK*
2001	1514	124453	2564	36967	3951	12582
2002	1602	126245	3168	25562	3300	
2003	173	131098	3720	156279	3123	12137
2004	1822	133404	4413	253793	3148	19384
2005	1941	112532	4944	370505	3170	29814
2006	2135	112196	4082	490397	3205	
2007	2255	120399	5427	664480	3080	
2008	3209	140896	11272	889650	6280	
2009	5277	157984	16446	916885	9191	
2010	7397	178468	19458	921156	10316	
2011	10123	216247	22399	932485	12514	75572
2012	13460	272949	25875	950442	14212	94825
2013	17380	346111	27111	916918	15718	105273

Source: Eurostat, “Population on 1 January by five year age group, sex and citizenship”.

Figure 2: Number of EU 15 (minus reporting country) citizens per country (thousands) (2001-2013)



Source: Eurostat, “Population on 1 January by five year age group, sex and citizenship”.

Aside from the commonality of an increase of citizens from new Member States, the composition of EU migrant populations remain distinct across countries. This reflects, among other things, geography, earlier patterns of migration and cultural and linguistic ties. Citizens from neighbouring countries constitute one of the biggest groups of EU migrant citizens in each of the studied countries. Large shares of citizens from neighbouring countries also mirror freedom of movement agreements



other, and older, than those tied to the EU. For example, the intra-Nordic agreements and the Common Travel Area between the UK and Ireland have made it easier for these citizens to move between these countries. Among the EU migrant citizens in Denmark we predominantly find Swedish and German citizens, in Germany Austrian and Polish citizens, in the Netherlands German and Belgian citizens, in Sweden Danish and Finnish citizens, and in the UK Irish citizens. Spain stands out from the other countries; here linguistic rather than geographical dimensions appear the more important factor. Italians and Romanians are two of the biggest groups in Spain, which may reflect their shared Latin language.

The importance of previous migration histories and established networks is also evident. For instance many of the EU migrant citizens in Germany from southern European Member States will have migrated as 'guest workers' or are the descendants of these earlier labour migrants, who have not taken up German citizenship. The same may be the case with the large share of Italians in the Netherlands where guest workers arrived from Italy decades ago. These patterns, as well as the comparatively large increase of citizens from different member states in specific countries, highlight that labour market opportunities do not constitute the full story behind intra-EU migration, but that networks can also play an important role³.

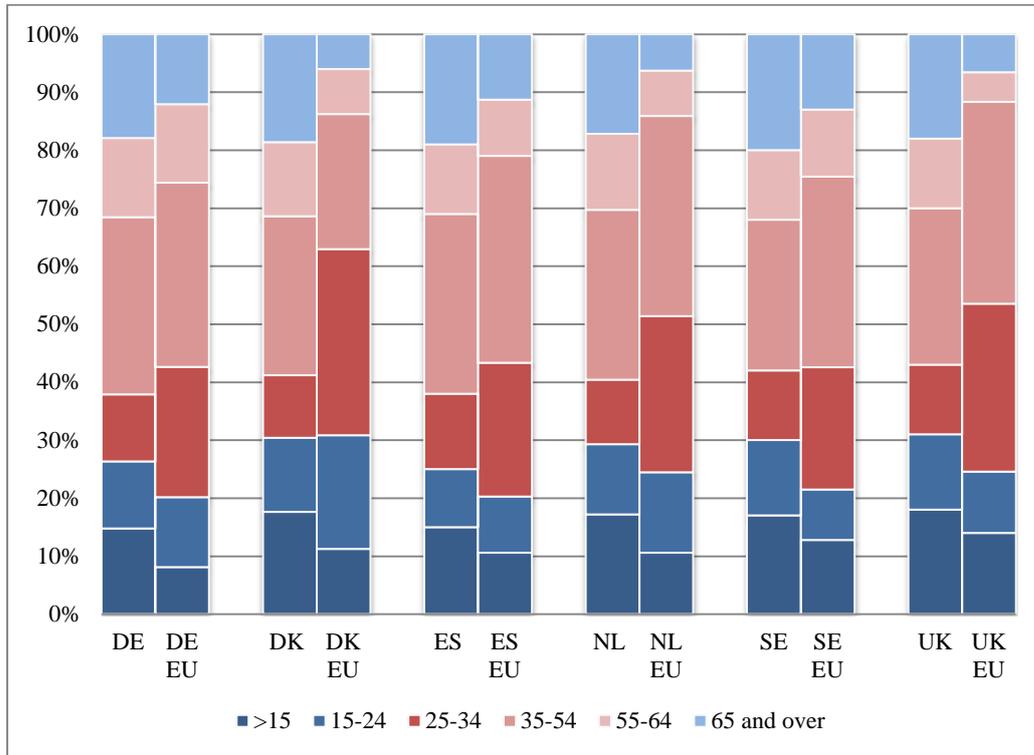
AGE DISTRIBUTION

EU migrant citizens are generally younger than the national populations (Figure 3). The majority of EU migrant citizens are in their prime working age (25-54). There are nevertheless variations across countries in the age distribution of EU migrant populations. Denmark has a comparatively high proportion of EU citizens in the age group 15-24, potentially reflecting the large number of young people coming to study in Denmark. The United Kingdom meanwhile has the largest share of EU migrant citizens of prime working age (24-54), which partially reflects the more recent immigration from CEE and the very low share of established EU migrant communities, other than from Ireland, prior to enlargement. Germany in turn has comparatively lower shares of prime working age migrant citizens as a proportion among EU migrant citizens, most likely a result of earlier immigration of EU migrant citizens, who came to Germany in the 1960s and 1970s as 'guest workers'. Similarly, the EU migrant population in Sweden is comparatively old (but still younger than the national population), which reflects the presence of a long established Finnish population. Spain's comparatively large share of older EU migrant citizens in contrast reflects EU citizens (in particular British and German citizens) coming to retire in the country (see Table 4). However, in all countries analysed, the share of the EU migrant citizen population in their prime working age is larger than among the 'indigenous' population.

³ For a summary of the network argument see Massey et al (1993).



Figure 3: Distribution of age groups in per cent of total national population [country code] and resident population [country code + EU] (2013)



Source: Eurostat, "Population on 1 January by five year age group, sex and citizenship".

Across countries, we also see clear differences in age distribution between old and new EU migrant citizens. As we might expect, citizens from new Member States are significantly younger than those from older member states (see Table 4).



Table 4 Age group in per cent of total old and new EU migrant citizen population in 2013

	>15	15-24	25-34	35-54	55-64	65 & over
Denmark						
Old EU	8,5	14,4	22,7	35,3	10,1	8,9
New EU	12,2	21,9	37,0	25,2	3,0	0,8
Germany						
Old EU	6,4	10,4	15,4	37,3	14,9	15,7
New EU	9,0	12,0	28,2	39,1	8,6	3,1
Netherlands						
Old EU	8,5	12,9	20,9	37,9	10,4	9,3
New EU	14,6	15,8	38,7	28,0	2,4	0,4
Spain						
Old EU	7,2	6,8	15,7	34	14,4	21,9
New EU	13,9	9,0	30,4	37,3	5,0	0,9
Sweden						
Old EU	10,6	7,7	16,8	33,2	14,4	17,3
New EU	17,8	11,1	30,8	32,1	5,4	2,9
UK						
Old EU	11,9	9,9	21,8	31,7	10,3	14,5
New EU	19,2	13,7	42,2	21,7	2,0	1,2

Source: Eurostat, “Population on 1 January by five year age group, sex and citizenship”.

With regard to gender we find a more or less even distribution with only very small differences, which make it difficult to generalize.

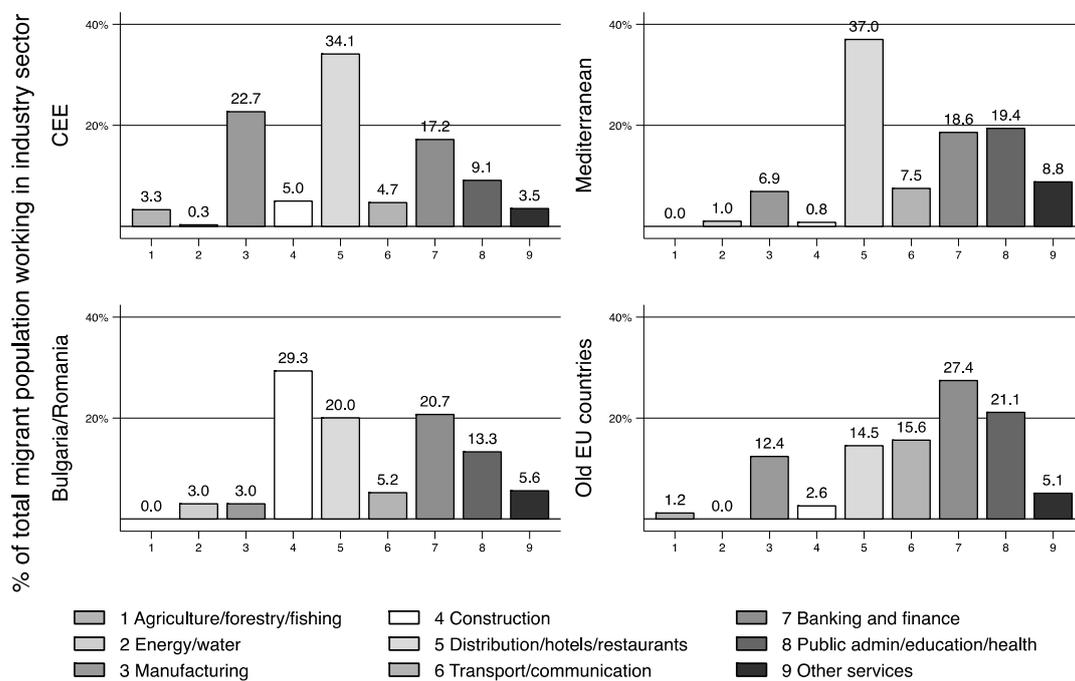
SECTORS OF EMPLOYMENT AND EDUCATION LEVELS

The majority of EU migrant citizens move to other EU countries for, or in search of, a job. The cases for which we have secondary data there exists secondary research show that EU migrant citizens take up jobs at both ends of the skill spectrum and that they often have a high level of education. These data also point to variations in both employment sector and educational background between EU migrant citizens from old and new Member States.



Data from the British Labour Force Survey (Figure 4) show that EU migrant citizens in Britain are employed across all sectors of the economy, but with significant differences by country of origin. EU citizens from Old Europe are predominantly working in high-skilled service sectors, such as financial industries, education and health care (48 per cent), whereas EU migrant citizens from CEE countries primarily work in the distribution and hospitality sector (34 per cent) as well as manufacturing (22.7 per cent), with a small, but significant proportion working in agriculture (3.3 per cent). Bulgarians and Romanians predominantly work in construction (29.3 per cent), but also in the banking and financial services (20.7 per cent). The UK government also actively recruits high-skilled workers from other EU Member States, such as health care professionals (for a case study on Spanish healthcare professionals in the UK see Blitz, 2014).

Figure 4: Employment of EU migrant citizens from various regions by economic sector in Britain



Data: Estimations based on QLFS, 2013 (Q1-Q4); Authors: Elaine Chase & Thees Spreckelsen, 2014

EU migrant citizens from old and new Member States are also employed across industry sectors in the Netherlands. For example, between 2000 and 2006, 23.7 per cent of EU migrant citizens from old Europe plus Cyprus and Malta were employed in the business services sector, 17.8 per cent worked for temping agencies and only 1.2 per cent in agriculture, fishing and forestry. By contrast, 19 per cent of EU migrant citizens from the EU8 and EU2 countries worked in business services, 31.5 per cent worked for temping agencies and 6.8 per cent worked in agriculture, fishing and forestry (Verschuren et al., 2011: 70). Other studies focusing specifically on citizens from new Member States have found that most work in the secondary labour market, particularly in the horticulture industry, construction, cleaning, catering as well as in private households (Engbersen et al., 2011).

Research into the occupation of EU migrant citizens from new Member States in Sweden has found a small overrepresentation in the construction and health care sector, and a small underrepresentation in public administration (Gerdes/Wadensjö, 2013). Data from Germany in turn show that employed



EU migrant citizens are overrepresented in the hospitality sector, agriculture and in private households. Those with employment contracts covered by social insurance primarily work in manufacturing and business services (BMI/BAMS, 2014: 28).

These patterns of employment do however not fully reflect education levels, as there appear to be a significant proportion of EU migrant citizens, especially from CEE Member States, employed in occupations for which they are 'overqualified' (Sert, 2014; for the UK see Altorjai, 2013). Immigration from the new Member States has raised the average level of qualification of the population in Germany (SVR, 2013: 62). The proportion of highly qualified EU migrant citizens amongst the 25 to 44 year olds who have migrated to Germany since 2004 is higher than in the overall resident population. With a high share of university graduates, EU immigration has contributed to stabilising the availability of qualified workers in Germany (ibid: 102-3). The same pattern of high levels of education relative to the national population is found in Sweden where EU migrant citizens usually have at least a secondary education. Among the five largest groups of EU migrant citizens from the new Member States in Sweden, half or more than half have a tertiary education, compared to 40 per cent of the national population (Zelano et al., 2014:13). Evidence from the Netherlands confirms the picture of high levels of education among EU migrant citizens from CEE, but also reveals rather stark differences between citizens from EU8 and EU2 countries (Gijsberts/Lubbers, 2013; Engbersen et al., 2011; Weltevrede, et al., 2009: fn 6), the former group typically having higher education than the latter. To some extent the higher education among EU migrant citizens from new EU Member States reflects their younger age, as younger cohorts are on average better educated (Gerdes/Wadensjö, 2013).

These socio-demographics suggest that the majority of EU migrant citizens in the six countries scrutinized tend to be of working age and well educated; EU migrant citizens work across all industry sectors and a significant percentage in sectors requiring high skills, as shown in our data for the UK. A minority of EU migrant citizens are children, with comparatively high percentages in Sweden and the UK. In Denmark we witness a relatively high proportion of young people among EU migrant citizens, whereas the group of pensioners is relatively high in Germany and Spain. The majority of EU pensioners in Germany are former 'guest workers' from old Member States; in Spain comparatively large numbers of pensioners come from Germany and Britain.

PUBLIC OPINION AND DISCOURSE

Social rights are not a natural given, but often contested and in need of political legitimation to be sustained. Public opinion and public discourses can provide us with an overall context in which to analyse and understand social rights of EU migrant citizens. The literature on deservingness suggests that public support for the accordance of social rights tends to be lowest for immigrants compared to other groups in society requiring welfare support, such as the disabled, elderly and unemployed (Van Oorshot, 2006). Gerhards and Lengfeld (2014). However, the literature also suggests a relatively high degree of solidarity with EU migrant citizens in Germany, Poland and Spain. In these three countries 72.5 percent support the statement that EU migrant citizens should be able to access social rights on the same terms as nationals. This suggests that the notion of immigrants being the least deserving might need to be further investigated, at least with regard to EU migrant citizens. Unfortunately, no systematic comparable public opinion data on solidarity of nationals with EU migrant citizens are available for the eight countries included in our analysis. Hence, we have to rely on proxy measurements. By using the item of 'feelings' embedded in the Eurobarometer, one can deduce a rough sense of the potential level of solidarity towards EU migrant citizens and other immigrants in each of the Member States studied According to Eurobarometer 2014 results, an overall majority of



citizens within the EU 28 associate positive feelings with EU migrant citizens (52 percent), with especially high positive feelings in Sweden (82 percent of respondents). By contrast, only 35 percent of citizens from the EU 28 have positive feelings towards immigrants from outside the EU. Among the countries analysed in this report, the UK stood out with the highest percentage of respondents having very negative feelings towards EU migrant citizens (19 percent), almost twice as high as in Germany, the country with the second highest reported percentage of negative feelings (10 percent). Overall, it seems worthwhile to note that the attitude towards EU migrant citizens compared to immigrants from outside the EU differs significantly in all countries analysed, with the exception of the UK (see Table 5). This overall positive feeling towards EU migrant citizens compared to migrants from other parts of the world might be understood as an indicator of a nascent element of solidarity within the EU.

Table 5: Feelings towards immigrants from the EU/outside the EU

	Very Negative EU	Very Negative Outside EU	Total Positive EU	Total Positive Outside EU	Total Negative EU	Total Negative Outside EU
EU 28	12	21	52	35	41	57
DK	7	20	69	42	27	52
DE	10	20	50	29	41	61
EE	5	27	53	19	40	71
ES	9	14	64	48	27	42
NL	8	12	62	46	35	50
PL	5	11	61	39	26	44
SE	3	8	82	72	16	25
UK	19	22	43	38	52	57

Note: In the Standard Eurobarometer Europeans are asked the following question: QA11.1: Please tell me whether each of the following statements evokes a positive or negative feeling for you. Immigration of people from other EU/outside the EU.

Source: Standard Eurobarometer 82, Autumn 2014. Available at http://ec.europa.eu/public_opinion/archives/eb/eb82/eb82_anx_en.pdf.

However, these data must be treated with caution, especially as various national public opinion data seem to suggest a more sceptical view among the public, particularly when it comes to the perceived rights of EU migrant citizens to access social benefits within member states. A 2014 analysis of public opinion showed that approximately 60 percent of Danes agreed that migrant workers should not have access to social benefits such as family benefits (Jacqueson, 2014). An opinion poll in the Netherlands suggests that a clear majority of respondents (64%) believe that there are too many migrants from CEE in the Netherlands, that the government should limit their number (62%), and that they should return to their country of origin once they become unemployed (78%). 62 percent of respondents are of the opinion that the disadvantages of having CEE migrants in the Netherlands outweigh the advantages and 58 percent believe migrants from CEE countries abuse the Dutch welfare system (Heeger/Pennings, 2014: 22). In Germany, the Migration Barometer suggests a relatively high level of



solidarity with more than two-thirds of those surveyed of the opinion that newly immigrated employees should have the right to receive social benefits if they become unemployed; other surveys suggest somewhat more negative attitudes (Absenger et al., 2014: 26-28). According to a survey conducted by Harris for the Financial Times, a majority of respondents in France, Great Britain, Germany, Italy and Spain were of the opinion that their governments should be able to restrict rights to benefits for citizens from other EU Member States. The strongest support for national governments to be able to restrict benefits is found in Britain.

Table 6: Support for national governments to restrict benefits

	France	Great Britain	Germany	Italy	Spain
Yes	72%	83%	73%	66%	60%

Note: Q: Do you think EU governments should be able to restrict rights to benefits for citizens from other EU member states?

Source: THE HARRIS POLL GLOBAL OMNIBUS, J110757W41 OCTOBER 2013, HARRIS INTERACTIVE, A729 - FT IMMIGRATION, FIELD PERIOD: 8TH OCTOBER - 14TH OCTOBER 2013; available at: <http://im.ft-static.com/content/images/8caa41b8-383e-11e3-8668-00144feab7de.pdf>

The data presented concerning the level of solidarity with EU migrant citizens across Europe are inconclusive; much seems to depend on the exact wording of the survey questions. However, the data do seem to indicate that, with the exception of Britain, we might be able to speak of a nascent element of solidarity for EU migrant citizens.

Koning (2013) in his work on 'selective solidarity' has highlighted that discourse and policy with regard to immigration is not dependent on the actual number or proportion of immigrants, but related to the selectiveness of the welfare state and the presence of populist parties. To compare the prevailing public discourse around European citizenship and social rights, we analysed print media across our selected countries. In each country, the main national newspapers, both broadsheets and tabloids, from across the political spectrum were included in the analysis (see national reports for details). To identify individual articles equivalent search terms of 'EU Citizen' and 'EU migrant' were combined with specified key words pertaining to the areas of social rights investigated in this report. Articles from key periods between 1990 and 2014 were then analysed thematically.

As could be expected, based on the extremely low numbers of EU migrant citizens in Estonia and Poland, the discourse on social rights of EU migrant citizens was irrelevant or non-existent in these countries. With the exception of Germany and Spain, populist anti-European parties are quite strong in the 'destination' countries analysed. Different to Denmark, the Netherlands and the UK, the established parties in Sweden have constructed a cordon sanitaire around the populist Sweden Democrats, which seems to have had an impact on the overall political discourse in relation to immigration. In Denmark, the Netherlands and the United Kingdom the populist right parties have partially been able to set the political agenda regarding demands to limit the freedom of movement and associated social rights for EU migrant citizens.



As could be expected, the public (media) discourse surrounding immigration and associated social rights in the Member States studied was quite varied. Among the five northwest European countries,⁴ the public discourses in Britain, Denmark and the Netherlands stood out as particularly negative. Although the debate around social rights for EU citizens was fairly muted in the UK during the run up to the EU expansion in 2004, it has rapidly developed since that time and especially since 2010. The expansion of the EU in 2004 to include Eastern European countries and the subsequent removal of restrictions to citizens from Bulgaria and Romania in January 2014 have been accompanied by extensive media reporting of the risks and dangers that such expansion brings to Britain. The media constantly blames the former Labour government for its 'open door' policy at the time of EU expansion in 2004, when it chose not to introduce transitional controls, as did most other Member States. The sense of overwhelming numbers coming to Britain is repeatedly conjured through language such as 'surge', 'swamp', 'tide', 'influx' or 'open floodgates' (Daily Express, 0.09.2013). In Britain, the rights of 'EU migrants' are repeatedly presented as usurping those of British citizens and posing a threat to 'our rights'; 'our jobs'; and 'our benefits' (Daily Express, 25.04.2011). More generally, the perceived 'abuse' of the benefits system (in particular 'exporting' child benefit payments to children not living in the UK and access to benefits without paying contributions) by people from other European countries is a recurrent theme in the media and typified by a piece in the Mail on Sunday entitled, 'British taxpayers to fork out millions more in benefits to EU migrants' (07.03.2010). The media is replete with references to 'benefit tourism' posing a major risk to the economy and finger pointing at the European Commission for stymieing efforts by the British government to impose controls on such abuses (e.g. Daily Mail, 09.09.2011; Daily Star, 13.12.2011; The Sun, 28.09.2010; Daily Express, 30.09.2011). Both main political parties, the Conservatives and Labour, have proposed to restrict access to various social benefits by EU migrant citizens for a period of time after they have come to Britain (BBC, 2014a; BBC, 2014b).

In the Danish political discourse EU rules are often portrayed as an illegitimate intrusion into the decisions of a democratically elected Parliament. This view is deeply rooted and political actors have suggested that it might be necessary to change the Danish welfare state. Since the enlargement of the EU in 2004, the issue of 'benefit tourism' has been high on the agenda of politicians and the media. The discourse revolves around the distinction between 'us' and 'them', where EU migrant citizens – especially those from the Central and Eastern European countries – are often portrayed as people who mainly come to Denmark to benefit from its generous social system, such as family and employment benefits. 2013 was the year when politicians and the press were shocked by the ECJ's ruling in the *LN* case, entitling students who work part-time in Denmark to student maintenance grants on an equal footing with Danish nationals. The majority of political actors opposed the ruling and claimed that this was not an issue that the EU or the ECJ should decide. The general image within the Danish media was that the Court's ruling threatened the existence of the Danish welfare state and only the Radicals and the Social Democrats claimed that this threat was over-stated, since actual numbers did not indicate a large increase in the amount of entitled students from other Member States. From the summer of 2013 to the elections of the European Parliament, newspapers have literally been filled with articles on EU migrant citizens, especially those from Central and Eastern Europe, accused of being 'benefit tourists' and the alleged threat upon the existence of the Danish

⁴ The analysis of the political discourse in Britain, Germany and Sweden is largely based on Bruzelius et al. (2014). The analyses of the discourses in Denmark and the Netherlands are based on national reports (Jacqueson 2014; Heeger/Pennings, 2014). The discourse in Spain seems to have been quite muted, despite the high proportion of intra-EU migration, especially from Romania. Due to difficulties accessing the respective media database this finding must be treated as tentative.



welfare system that they constitute. Focus was essentially on the government's proposal to amend the law on family benefits, which required two years residence in Denmark for payment of the full benefit. Despite being unable to find a parliamentary majority to amend the law to be in compliance with EU regulation, the government has ordered the payment agency to enforce the rights of EU migrant citizens.⁵

In the Netherlands, the general tone of reporting about EU migrant citizens from Central and Eastern European member states is also quite negative. While the contribution of labour migrants to the Dutch economy is occasionally acknowledged, fears of them 'draining', indeed 'abusing', the Dutch welfare system and their inability to integrate due to language barriers, dominate the debate. Most negative are the representations of Bulgarians ("Bulgarians score bad...live in illegal flats, are poorly educated, come with whole families, children hardly ever go to school. They constitute an underclass" – Volkskrant, 09-04-2011) and most ambiguous the representations of the Polish: "Many are poorly educated, don't speak any Dutch and have few perspectives" (Trouw, 05.11.2008); "Most of the Polish work hard, are exploited, work long hours for less than minimum wage. The Dutch cannot compete with that" (Volkskrant, 16.02.2012).

Although EU policy per se is not directly questioned, the compatibility of certain European regulations with the Dutch national interest is often brought into question, e.g. by discussing policy changes that are 'necessary' to protect the Dutch welfare state. With respect to existing social rights, most controversial is the right of EU migrant citizens to claim social benefits, and in particular social assistance benefits. Press reports about "welfare tourism" mention a "sharp increase in social assistance claims" by EU migrant citizens, talk about "unrightfully granted benefits" (Telegraaf, 12-12-2011) or "jobless migrants who incorrectly try to free-ride on the solidarity in our country" (Telegraaf, 12.10.2011). Politicians quoted in press reports propose tightening the rules both domestically and at the EU level. For example it is suggested that EU labour migrants should contribute for a longer time period before they become eligible for unemployment benefits (Trouw, 05.11.2008). Jobless labour migrants should also be required to return to their 'home' country as soon as possible. Once proved ineligible for benefits, it should be possible to declare them a *persona-non-grata*. Similarly, claiming a social assistance benefit should result in the withdrawal of the residence permit and, if necessary, expulsion from Dutch territory (Telegraaf, 12.10.2011).⁶

In Germany the debate is markedly different, as the entire political establishment supports further integration and only recently has a more Euro-sceptic party (*Alternative für Deutschland; Alternative for Germany*) been founded. Although our analysis shows an increase in media reporting on EU migrant citizens and the entitlement to social rights in the run-up to the extension of free movement to Romanians and Bulgarians in January 2014, much of the reporting is focused on court cases relating to the entitlement of EU migrant citizens to the non-contributory unemployment benefit (so-called Hartz IV) (SZ, 13.12.2013). The principle of freedom of movement for EU citizens is not questioned; moreover, it is understood to be a positive element of EU integration. It has to be highlighted that Germany made full use of the maximum period allowed for limiting the freedom of movement and the right to reside for citizens of CEE accession countries, and pushed for the incorporation of the clause that EU citizens needed to be self-sufficient in the first months after taking up residence in a different Member State (SZ, 14.06.1997). This may partly explain why EU migrant citizens coming to

⁵ This section exclusively draws on the national report provided by Jacqueson (2014).

⁶ The section on the NL draws exclusively on the national report Heeger/Pennings (2014).



work in Germany are in general portrayed to be an asset for the economy (FAZ, 21.01.2014). Much of the media reporting is related to the practicalities in single cases of EU citizens exercising their social rights or legal reviews of decisions by administrative authorities (taz, 13.05.1998). In stark contrast to the UK, Denmark and the Netherlands, the debate is *not* dominated by policy proposals to either limit the number of EU migrant citizens or restrict their ordinary access to social rights.

With the marked exception of the Sweden Democrats the political establishment in Sweden is very pro-European, which is also reflected in the public (media) discourse. Overall, media reporting adopts a neutral or positive tone and the principle of freedom of movement is strongly supported. The public debate peaked during the 2004 EU enlargement, when a debate on ‘social tourism’ emerged for a very brief time. In Sweden, issues to do with immigration have generally been characterised by broad political consensus. The recent success of the far-right anti-immigrant party (the Sweden Democrats) has been met by a cordon sanitaire from the other political parties. In neither of the 2004 and 2007 EU enlargement phases did Sweden impose restrictions on the movement of CEE citizens. With the accession of Bulgaria and Romania there was hardly any accompanying political debate on whether transition rules should be considered (e.g. Syd, 10.05.2006). On the contrary, the Swedish media has portrayed EU migration as having a positive impact on the national economy and welfare system – supplying needed labour (and tax payers) (e.g. GT, 16.01.2003; GT, 29.04.2004; Syd, 29.05.2006) and improving the quality of national and European welfare systems by exposing national healthcare to competition (e.g. DN, 22.05.2000; SvD, 23.08.2001; SvD, 07.04.2009). Poor and unemployed EU migrant citizens have emerged in public discourse since about 2008 – and are largely depicted as vulnerable and marginalised. Assertions by certain politicians of ‘social tourism’ are heavily refuted in the media discourse. Instead the debate is around the need for Europe to collectively address the needs of more marginalised migrant citizens.

Our analysis highlights that the dominant discourses in Member States about EU citizenship and associated social rights are highly varied and not directly related to the proportion of the EU migrant citizens among the overall resident population (also see Koning, 2013). Whereas in the Netherlands and the UK the dominant discourses were primarily related to the freedom of movement of workers and associated social rights in relation to unemployed workers, in Denmark much of the political debate focused on student grants. The concept of social rights for EU migrant citizens is contested by members of the political elite in all three countries, calling for significant changes in the rules determining eligibility. In Germany and Sweden the social rights of EU migrant citizens seem to be much less contested by members of the political elite. Whereas in Germany the public (media) debate is largely focused on reporting of individual cases and the relevant interpretation to what extent specific administrative decisions are in compliance with EU law (especially relating to the assistance programme for the unemployed [Hartz IV]), the dominant debate in Sweden seems to focus on the social conditions of poor EU migrant citizens.

SOCIAL RIGHTS OF EU MIGRANT CITIZENS

The EU Commission, as the guardian of the relevant Treaties governing free movement and access to social rights, is monitoring whether Member States comply with EU law. Despite various regulations and court rulings, uncertainties in the application of the fundamental right to freedom of movement and associated social rights remain, especially around defining work and legal residence. For instance, the EU Commission has challenged the UK at the ECJ for imposing a “right to reside” test for non-British EU citizens in determining the eligibility for a number of social benefits in addition to the



habitual residence test and thereby, according to the legal position of the Commission, discriminating against EU citizens (European Commission, 2013a).

Based on Article 7 of the Citizenship Directive, EU citizens have the right to reside on the territory of another Member State for a period longer than three months, if they are 'workers' or 'self-employed persons', have sufficient resources for themselves and their family members not to become a burden on the social assistance system of the host Member State and have comprehensive sickness insurance, are students with comprehensive sickness insurance, or family members accompanying or joining a EU citizen, who fulfils the criteria (Blitz, 2014: 46-48). The social rights of 'workers' significantly differ from those of the other groups, as Member States are bound by the principle of non-discrimination with regards to social rights from the day of arrival. In our analysis we will exclude the social rights of pensioners, as they are largely exported from the country in which an EU migrant citizen initially retired as well as the social right of unemployed workers to export their unemployment insurance entitlements from their 'home' country to another Member State for a period of time, while they are actively seeking work. Instead, we will primarily focus on access to social assistance, healthcare, housing and education.

Defining the minimum conditions for the status of a 'worker' under the freedom of movement directive is particularly important for the social rights of EU migrant citizens, as workers on low wages or with only a limited number of hours of work might be eligible for means-tested in-work benefits, such as tax credits, or other assistance that are not available to 'inactive' EU migrant citizens during the first five years of their residency. In 2010, the ECJ in the Genc case has ruled (C-14/9):

25 The Court held that the fact that a worker's earnings do not cover all his needs cannot preclude him from being a member of the working population and that employment which yields an income lower than the minimum required for subsistence or normally does not exceed even 10 hours a week does not prevent the person in such employment from being regarded as a worker within the meaning of Article 39 EC (see, to that effect, Case C-213/05 Geven [2007] ECR I-6347, paragraph 27, and Megner and Scheffel, paragraph 18).

26 Although the fact that a person works for only a very limited number of hours in the context of an employment relationship may be an indication that the activities performed are marginal and ancillary (Case C-357/89 Raulin [1992] ECR I-1027, paragraph 14), the fact remains that, independently of the limited amount of the remuneration for and the number of hours of the activity in question, the possibility cannot be ruled out that, following an overall assessment of the employment relationship in question, that activity may be considered by the national authorities to be real and genuine, thereby allowing its holder to be granted the status of 'worker' within the meaning of Article 39 EC.

Whilst European case law generally assumes that 10 hours of work per week can fulfil the minimum requirement, the British government has introduced a minimum earnings threshold of £153 a week – equivalent to working 24 hours a week at National Minimum Wage in 2014 – to fulfil the requirements of being considered a worker and thus to be entitled to the same benefits as British workers. In the Netherlands the condition of being employed is fulfilled if the income from employment exceeds 50% of the applicable national assistance standards or if the EU migrant citizen works at least 40% of the usual overall working time (Heeger/Pennings, 2014: 61). Other countries, such as Denmark and Sweden, have very restrictive registration procedures that have to be satisfied before EU migrant citizens are able to access certain social rights. By contrast there are no registration

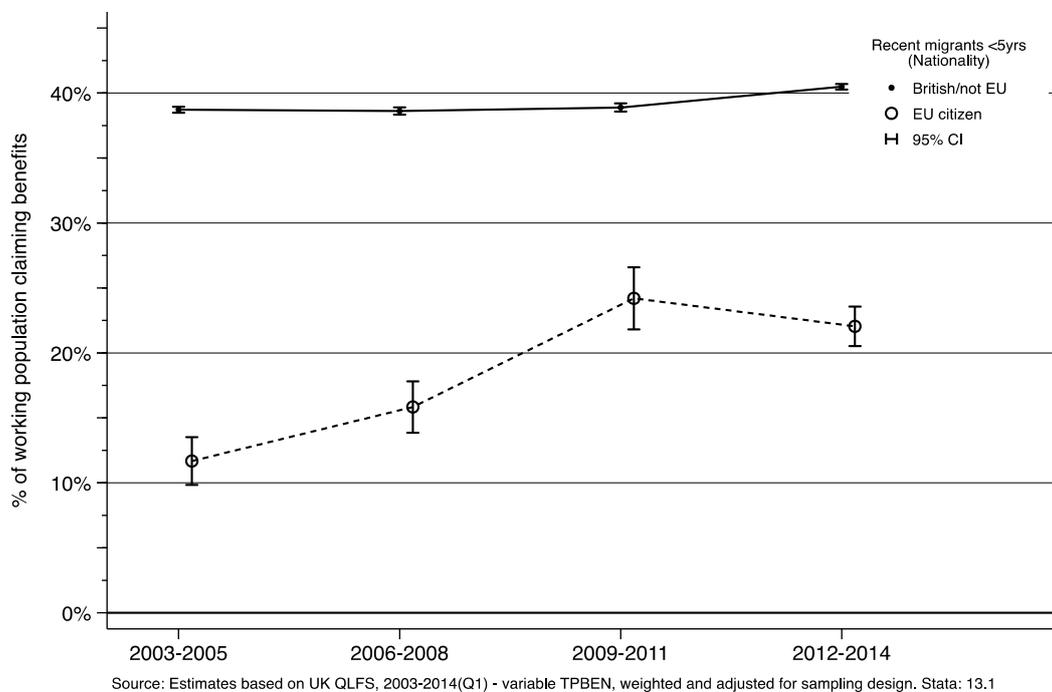


requirements in the UK and the obligation to register with a local authority in Germany is not directly related to access to welfare benefits.

EU CITIZENS' USE OF SOCIAL TRANSFERS

Data on EU migrant citizens making use of their social rights are quite limited. Statistics relating to benefit receipt among EU migrant citizens are often not available or quite difficult to access, despite political debates about so-called 'benefit tourism' in a number of countries. Based on analysis of the Labour Force Survey the proportion of benefit recipients among the British population of working age is significantly higher than among EU migrant citizens, as Figure 5 shows.

Figure 5: Per cent of the working age population claiming benefits in Britain



Data recently compiled by the House of Commons Library (2014) shows that 2.5 percent of working age benefit claimants are EU migrant citizens.⁷ A total of 6.8 percent of families receiving Child Tax Credit and/or Working Tax Credit are EU migrant citizens, of these 84 percent are working. By contrast, the rate of UK 'out-of-work families' receiving tax credits is 30 percent, that is, almost twice the rate of EU migrant citizens. In Germany 6.13 million residents received means-tested social

⁷ The figures provided here are very conservative estimates as they are based on data-matching exercises conducted by the Department of Works and Pensions (DWP). The data show the number of claimants of DWP-administered working-age benefits (encompassing out-of-work, disability, carer and bereavement benefits) who were non-UK-nationals when they first registered for a UK National Insurance number (NINo). This is not the same as those who are currently non-UK nationals, as some of these will have subsequently obtained British nationality.



assistance benefits for the unemployed (Hartz IV) in 2013, of which a total of 293.000 were EU migrant citizens – less than 5 per cent of the total. Among EU migrant citizens the highest numbers of claimants were Polish (70,000), Italian (63,000) and Greek (39,000) nationals. Many of these recipients are, however, working and receive the benefit to top up low-wage income to the subsistence level (BMI/BMAS 2014: 31). Taking all social transfers, including social insurance benefits, into account, EU migrant citizens are, in fact, much less likely to receive benefits compared to the resident population without a migration background in Germany. Given the demographic profile, it is likely that net migration from CEE will have a significant positive impact on the social insurance funds since migrant citizens from these countries on average are much younger than the domestic population and are more likely to be economically active (Brücker et al., 2013). In Sweden we witness a similar picture, leading Gerdes and Wadensjö (2013: 40) to suggest: “the social tourists did not arrive.” Whilst almost 39 percent of Swedish-born residents of working age receive an income transfer, 33 percent of EU migrant citizens from CEE and 36 percent of EU migrant citizens from old Europe receive one or more of the following transfers: social assistance, labour market programmes, unemployment insurance, disability pensions, sickness benefits (ibid.: 41).

The data available for Germany, Sweden and the UK seem to suggest that EU migrant citizens of working age are significantly less likely to receive benefits than the overall resident population. Whether this is the case due to higher labour market participation among EU migrant citizens, the socio-demographics or due to low take-up, possibly as a result of a lack of knowledge about social rights and entitlements, is an area for future research. Based on the data available the welfare magnet theory (cf. Peterson/Rom, 1990), whereby people migrate into the social security systems of jurisdictions with more generous benefits, cannot be substantiated.

THE RIGHT TO SOCIAL ASSISTANCE

Some observers argue that EU migrant citizens might have easier access to social rights in non-contributory, i.e. liberal or social-democratic, welfare states than in conservative welfare states, as the latter heavily rely on social insurance contributions for citizens/workers to qualify (cf. Economist 2013). These arguments however neglect the fact that most established welfare states have social safety nets or social assistance programmes that provide support solely based on need. Hence, until newly arrived migrants fulfil the contributory requirements for social insurance, they are most likely to be dependent on social assistance in times of need, should they fulfil the residency requirements, irrespective of welfare regime. Furthermore, universalist welfare states may also use residency registration as a way to control access to benefits and services, as it is the case in Denmark and Sweden. In other words, irrespective of the welfare state regime, for EU migrant citizens, who have no (or very low) income, social assistance is potentially the only form of social transfer they might be eligible for, if they do not have children.⁸

As has been suggested in the introduction, availability and access to social assistance or minimum income protection programmes can vary widely throughout the EU. This is a consequence of differences in their role within the overall institutional welfare state arrangement, eligibility criteria, benefit levels and coverage rates. Table 7 provides a brief overview of some structural data for all countries included in this study with the exception of Estonia, as no data were available.

⁸ Child benefits, as well as other family transfers and services, are available to EU migrant citizens from the point of their arrival in another Member State.



Table 7: Structural data of minimum income protection/social assistance programmes (2007/2009)

	Benefit Rate as Percentage of 50%-Poverty Line (single; 2009)	Benefit Rate as Percentage of Minimum Wage (single; 2009)	Claimants Rate (excluding dependents) in Per cent of Working-Age Population (20-64) (2007)
Denmark	122.84	n/a	3.4
Estonia	n/a	n/a	n/a
Germany	45.32	n/a	11.3
Netherlands	72.61	44.15	5.6
Poland	45.58	31.47	3.5
Spain	66.77	50.82	1.9
Sweden	42.39	n/a	2.3
United Kingdom	46.83	31.88	16.7*

Note: * Including working tax credit

Source: EUMin database (available at http://www.mzes.uni-mannheim.de/projekte/min_sicher/start_e.php); Bahle et al. 2011: 170.

These data clearly show the very high level of benefits in Denmark relative to a poverty line of 50 percent of median income and the relatively low benefits in Poland and the UK, if compared to the minimum wage. Moreover, the data also illustrate the relative overall importance of social assistance in Germany and the United Kingdom and the marginal relevance in Denmark, Poland, Spain and Sweden.

During the first three months after arrival, EU Member States have the right to categorically withhold these social assistance benefits, although in some countries, such as Germany, the constitution may require the state to provide for people who are in need irrespective of their immigration status. For the past decade, the UK has provided benefits to EU job seekers basically from the day of their arrival in the country, whereas other countries, such as the Netherlands have a complex system in place, whereby within the first three months EU migrant citizens would not be able to access the system at all, and would only incrementally 'earn' their rights within a period of 5 years (Heeger/Pennings, 2014). In Germany there have been a plethora of court cases with regard to accessing social assistance by EU migrant citizens, the most recent case 'adjudicated' by the ECJ being the Dano case, which highlighted the right of German authorities to withhold Hartz IV payments, which are defined as special non-contributory benefits, to a Romanian citizen, who came to Germany *with no intention to work*, and her son, as they did not have sufficient resources and thus cannot claim a right of residence in Germany under the Directive on free movement of EU citizens. Therefore, they also cannot invoke the principle of non-discrimination laid down by the Directive and by the regulation on



the coordination of social security systems (C-333/13).⁹ Two further cases (Alimanovic and Garcia-Nieto) relating to the principle of non-discrimination and the entitlement to Hartz IV as a jobseeker are still pending at the ECJ (C-67/14; Case C-299/14).

In 2014, the British government reformed its legislation and no longer provides the means-tested Job Seekers Allowance during the first three months after taking up residence in the UK. In Sweden the municipality is responsible for social assistance. If EU citizens have the right to residency in Sweden they are treated equally to Swedish citizens. However, EU migrant citizens might find it difficult to register or prove that they have a right to residency. Nevertheless, the municipality may provide emergency support for newly arrived EU migrant citizens in desperate need, which is likely to include support to travel back to the country of origin (Ismail, 2014). In Denmark the major barrier to accessing social assistance benefits is the difficulty in obtaining a Danish registration number/card (cpr). One has to document 'permanent' residence. Those EU migrant citizens, who cannot document permanent residence, are left at the margins of society. "No number, no rights, seems to be the attitude of the Danish authorities. As a consequence, 'undocumented' migrants are by definition excluded from access to public support - except from the help to get home" (Jacqueson, 2014: 26). Spain does not have a general national social assistance scheme; moreover, the Spanish minimum income support system is based on categorical programmes, which under special conditions provide support for people in need, who are disabled, a pensioner or unemployed. To access such support, an unemployed person below the age of 45, either needs to have exhausted, or not be entitled to, a contributory unemployment benefit, be in need and have dependents (European Commission, 2013b: 28-34).

Over the past decade countries like Germany and the United Kingdom have introduced or expanded their in-work benefits to 'smooth' the transition from 'welfare dependency' to work (Seeleib-Kaiser, 2008). Their policy of activation has primarily focused on getting social assistance recipients back into work and making work pay, by providing 'subsidies' (either as in-work social assistance benefits or tax credits to top up wages) to low-wage workers. In Germany these in-work benefits are part of the unemployment assistance benefits (Hartz IV) and in the UK they are paid by the authorities as tax credits (child tax credits and working tax credits). As these benefits are for 'workers', working EU migrant citizens, whether employed or self-employed, have access to them from the point of taking up residence. In the UK the potential EU migrant citizen claimant, however, needs to fulfil the minimum income threshold of £153 per week.¹⁰

The short overview provided here demonstrates that countries face different issues associated with the access of EU migrant citizens to social assistance. For instance, Spain does not provide a general social assistance programme at the national level, in the two Scandinavian welfare states, registering or proving residence might constitute a barrier. Furthermore, the German jobseekers assistance as well as income-related Jobseekers Allowance in the UK are defined as special non-contributory social security benefits. Although in general Member States have to follow the principle of non-

⁹ <http://curia.europa.eu/juris/documents.jsf?num=C-333/13>.

¹⁰ For details on the UK see Citizens Advice Bureau, *EEA nationals - claiming benefits while in work or self-employed*; http://www.adviceguide.org.uk/wales/benefits_w/benefits_coming_from_abroad_and_claiming_benefits_hrt/benefits_eea_nationals_and_the_habitual_residence_test/eea_nationals_in_work_or_self-employed_hrt.htm.



discrimination with regard to special non-contributory social security, the ECJ has made clear that EU migrant citizens must be able to demonstrate the right of residence in order to be entitled to them.

THE RIGHT TO HOUSING

Housing policies can differ substantially among Member States – historically, some countries have primarily relied on public/social housing to provide affordable housing for those in need, whilst others have used housing benefits or a combination of the two. Some countries also provide mortgage support (for an introduction into the complexity of this matter see Doling, 1999). Direct social housing provision is rather limited in most countries and often associated with relatively long waiting times, which makes it largely an unviable option for newcomers. Hence, EU migrant citizens tend to primarily rely on the private rental market when they arrive in another Member State. Subsequently, the quality of their housing will at least partially depend on the regulatory framework governing the private rental market within the host country (cf. Crook/Kemp, 2014).¹¹

Denmark, Germany, the Netherlands, Sweden and the UK operate housing benefit systems. Whilst in Germany the duration of residency of an EU migrant citizen is not relevant for the receipt of a housing allowance after having been in the country for three months (Absenger et al., 2014), the Netherlands require 'legal residence', i.e. the EU migrant citizen within the first five years of residence either needs to fulfil the requirements of being a worker or self-sufficient. The Dutch government sets clear requirements for the latter group – a single person needs to have an income of at least 70% of the minimum wage, whereas couples would be required to have an income of at least 150% of the minimum wage (Heeger/Pennings, 2014). In the UK housing benefit has recently been linked to 'worker status', i.e. should the EU migrant citizen not have recognised worker status, then the person will have no access to housing benefit or even shelter accommodation. In Denmark approximately 10,000 EU migrant citizens were in receipt of housing benefits in 2012, an increase of 32 percent since 2008 (Jacqueson, 2014: 34). In Spain social housing is linked to emergency situations and not something that newly arrived EU migrant citizens can easily access.

Similar to social assistance the countries not only have different systems, but also seem to apply rules vis-à-vis EU migrant citizens in different ways.

THE RIGHT TO HEALTHCARE

In Germany healthcare coverage is mandatory; this can be achieved through statutory health insurance (about 90 percent of the population is covered in this way) or private health insurance. All employees have access to statutory health insurance coverage paid through contribution to the sickness insurance funds. Health insurance coverage, however, can be a problem for the self-employed, who need to seek private medical insurance, should they have not been insured through a statutory health insurance scheme or similar in their country of origin. This can be quite costly, with monthly minimum premiums of around € 300. Health insurance for EU migrant citizens with access to jobseekers assistance (Hartz IV) is funded through the local social services. However, there is very likely a significant group without sufficient health insurance coverage, e.g. those EU migrant citizens

¹¹ In Estonia there is no right to housing; and for Poland there is no information available relating to housing of EU migrant citizens.



solely employed in so-called mini jobs, which lack automatic employer enrolment in social insurance, despite the legal obligation to take out health insurance. Depending on the circumstances, for example if an EU migrant citizen is not a resident in Germany, s/he is entitled to necessary medical treatment by making use of the European Health Insurance Card (EHIC). However, due to a lack of knowledge among healthcare professionals, EU migrant citizens are at times directly charged by healthcare providers with the suggestion that they can get reimbursed in their 'home' country – these procedures have been identified as unlawful. In medical emergencies treatment has to be provided by medical professionals, irrespective of insurance coverage; non-compliance being a felony (Diakonie, 2014: 40-45). Language barriers may impede access to health services in Germany, as health services do not normally provide access to interpreters, in contrast to other European Member States (Absenger et al., 2014: 50-51).

The Dutch healthcare service is more complex, as it is comprised of three insurance systems for basic medical needs (mandatory), exceptional medical expenses (compulsory national insurance) and less essential care (voluntary). Every resident is obliged to enrol in an insurance to cover their basic needs, which is strictly regulated, and is automatically enrolled in the insurance covering exceptional medical expenses. What seems to stand out in the Netherlands is that people without a residence permit have a right to essential medical care, including examination, treatment and routine care which are deemed necessary on medical grounds. Undocumented people are, however, obliged to pay for the treatment, while they, at the same time, are excluded from obtaining statutory health insurance. A government agency provides reasonable reimbursement of 'unpaid' diagnosis and treatment costs to health care professionals for the services they have provided to people without insurance or financial means to pay (Heeger/Pennings, 2014: 44).

Denmark, Spain, Sweden and the UK have National Health Services providing services for residents. Nevertheless, as has been already highlighted above, in Denmark and Sweden access to healthcare can be difficult for EU migrant citizens, as they have to have successfully registered. According to Swedish law every lawful resident is entitled to healthcare, regardless of citizenship or whether s/he is a worker. The tax authority assesses whether an EU migrant citizen fulfils the requirements needed for residence status in Sweden, according to the Population Registration Act by: a) assessing whether the person is likely to remain in Sweden for one year; and b) examining if the person has a right of residence. A person who wishes to be registered needs to be able to demonstrate that s/he will stay in the country for more than a year. Subsequently, there are two groups facing difficulties: a) EU migrant citizens without work, as they may be denied registration both because they do not meet the one-year requirement and because they might not have a right of residence; and b) EU citizens who have employment contracts for less than one year, who have a right of residence, but may be denied registration in Sweden for failing to meet the one-year requirement. Often homeless EU migrant citizens lack an EHIC or have not registered with the tax authorities and therefore face severe barriers in accessing healthcare in Sweden (Ismail, 2014: 17-19). In Denmark doctors and other health personnel can only treat persons covered by the Danish health system or those in need of emergency care. As a consequence, two private clinics have been established by the Red Cross in cooperation with the Danish Patients' Association and the Danish Refugee Council. EU migrant citizens with access to the Danish healthcare service are entitled to free interpreters (Jacqueson, 2014: 30-31).

In the UK and Spain access to the NHS would seem not to be restricted by the barriers of registration found in the Scandinavian countries. EU migrant citizens 'ordinarily resident' in the UK have free access to the NHS (House of Commons Library 2014b). Access is comparatively easy, as e.g. a utility bill is sufficient to demonstrate residence in a local area at the time of registration with the GP. The responsible Minister Simon Burns stated in 2012: "There is no formal requirement to provide documentation when registering with a GP. However, many GPs, when considering applications,



request proof of identity and confirmation of address, but in doing so they must not act in a discriminatory way” (HC Deb 23 April 2012 c702W). For both countries a main problem has been a lack of administrative capacity to assess whether someone is eligible for free service and to charge temporary visitors. A recent study commissioned by the Department of Health in England (Creative Research, 2013) highlights the lack of knowledge among healthcare professionals within the NHS regarding the eligibility for free medical treatment. This has significant implications for the public purse, as considerable amounts of money are seemingly not claimed back from EU citizens’ countries of origin, as should be the case under reciprocal arrangements for care across borders.

Barriers to access to health insurance for EU migrant citizens, in addition to those of language difficulties and cultural differences, do not seem to be an issue in Estonia and Poland (Tavits, 2014; Swiatkowski/Wurjczyk, 2014).

THE RIGHT TO EDUCATION

In all countries concerned, school education is not only a right, but also an obligation for all legally resident children from a specific age. Countries usually do not differentiate between nationals, EU migrant citizens or third country nationals regarding schooling. A lack of the local language can constitute a barrier, but especially Denmark and the Netherlands provide systematic language support in schools. Schools in England, Wales, Scotland and Northern Ireland have a strong commitment to international education. Since 2006 schools have a legal duty to promote social cohesion. Germany provides educational and language support for newly arrived EU migrant citizens, especially youth, funded through the European Social Fund and additional federal, state and local financial resources. Schools in local areas with high immigration of school-aged EU migrant citizens can be confronted with overcrowding and difficulties to accommodate children in a number of countries.

Although mobility of university students across the European Union has increased over the years, the overall mobility level continues to be relatively low, except for inbound mobility into the UK. Table 8 provides an overview of overall inbound mobility rates and the top 5 countries of origin. As a proportion of international students, only in Denmark and the Netherlands has the share of students coming from other EU Member States been quite high. The inbound rate of EU students to Estonia, Poland and Spain is negligible.

Table 8: Global flow of tertiary students: inbound mobility rates and top 5 countries of origin (2012)

Inbound Rate	Top 5 Countries of Origin
Denmark	8.1 Norway, Germany, Sweden, Lithuania, Romania
Estonia	2.3 Finland, Latvia, China, Georgia, Turkey
Germany	7.0 China, Turkey, Russia, Austria, Norway
Netherlands	7.2 Germany, China, Belgium, Bulgaria, Greece
Poland	1.2 Ukraine, Belarus, Norway, Sweden, US
Spain	2.8 Colombia, Italy, Ecuador, Peru, Morocco
Sweden	6.3 China, Iran, Pakistan, India, Finland
UK	17.1 China, India, Nigeria, Germany, Ireland

Source: UNESCO (2012) *Global Flow of Tertiary-Level Students*. Available at: <http://www.uis.unesco.org/Education/Pages/international-student-flow-viz.aspx>



Countries differ significantly with regard to financial support available for students attending university. Denmark and Sweden seem to have the most generous student support systems for EU students. Students of Danish nationality, EU citizens who work in Denmark, even if it is only part time (as confirmed by the ECJ [C-46/12]), and foreigners who have a permanent right of residence in Denmark are entitled to a maintenance grant *and* to export it for studies in other Member States. The number of Union citizens receiving the study maintenance grant rose from 5,077 (1,045 students came from the 10 East-European countries) in 2008 to 11,189 in 2013 (4,229 came from the 10 East-European countries). Union citizens receiving the Danish student grant in 2013 account for 2.5 % of the total number of recipients (Jacqueson 2014). Swedish universities do not charge tuition fees for EU students and study grants are available to EU migrant citizens, after two years of residence. In 2013, 3,989 EU students were in receipt of study grants (Ismail 2014).

Also Dutch and German universities do not charge tuition fees for EU students; EU students are eligible to student grants in the Netherlands or to means-tested support in Germany after 5 years of residency or if they are a worker or self-employed. The German means-tested student support can be exported (Heeger/Pennings 2014; Absenger et al. 2014).

UK universities can charge tuition fees of up to £9,000 per annum for home/EU students; for TCN the tuition fees can be much higher, reaching more than £30,000 per annum for some subjects at elite universities. In order to provide a more 'equitable' access, home/EU students can apply for tuition loans and do not have to pay the fees up front. EU students also have access to student tuition loans at the same rate as UK students provided they have lived in the European Economic Area for at least three years before applying for the student loan. EU students who have been resident in the UK or are workers also have access to the maintenance grant/loan, if they fulfil the respective income requirements.

As in the other policy domains educational policies and access to state support for university students differ significantly. High tuition fees and comparatively limited access to student grants and loans have not minimized the attractiveness of British universities for international students.

CONCLUSION

Access to social rights is core for the ability of all citizens irrespective of class to more fully enjoy political and civil rights. The development of EU citizenship over the past twenty years has made great progress in granting social rights not only to workers, but also to EU citizens, who fulfil certain minimum residency requirements. These developments are, however, not fully underpinned by the necessary political legitimacy in all Member States. Although across Member States one can detect a nascent solidarity that includes EU migrant citizens, in a number of countries the support for access to social rights by EU migrant citizens is fragile at best, or almost non-existent, as in the United Kingdom.

A larger proportion of EU citizens than ever before is making use of the freedom of movement and the right to reside in another Member State. For the overwhelming majority of these EU migrant citizens EU citizenship and associated social rights provide great opportunities. Unemployed workers, students and those more generally looking for new opportunities can move freely to another Member State. For many EU migrant citizens a move to another Member State proves beneficial for their individual life and should be considered a social right in itself. Moreover, it also benefits the receiving states; EU migrant citizens tend to be well educated and younger than the population in the 'host' Member State. Being aware of the fact that increased intra-EU mobility cannot solve the severe



labour market problems faced in a number of Member States; it can contribute to positive labour market adjustments within the Union. Irrespective of granting individual social rights, Member States could make wider use of financial resources available from the European Social Fund (ESF) to support EU migrant citizens' integration efforts in their new countries of residence and thereby further accelerate the overall positive outcomes of freedom of movement within the EU.

The specific welfare regime of a country does not seem to be of great importance for EU migrant citizens accessing social rights. In practice, access largely depends on meeting residency and/or registration requirements and on the propensity of individual Member States to implement rules limiting access of these rights for EU migrant citizens. The Netherlands and Germany are making use of various instruments to limit access to social rights for EU migrant citizens within their initial five-year period of residence. By contrast, whereas Denmark and Sweden also apply these measures to some extent, they seem to be relying more heavily on the system of registration to 'deter' EU migrant citizens from accessing their rights. Having greater uniformity and minimum standards relating to registration requirements across the EU could potentially remove barriers to accessing social rights in a number of countries, such as Denmark and Sweden.

By contrast the UK does not require any residence registration and until 2014 did not apply the possibility to exclude EU citizens from receipt of the means-tested Jobseekers Allowance and Housing Benefits during the first three months of residence. Furthermore, the British government is currently unwilling, and also administratively unable, to enforce possible residency requirements or the obligation to carry comprehensive health insurance by EU migrant citizens without worker status in compliance with the EU legal framework in accessing healthcare, thereby making it comparatively easy for EU migrant citizens to access care in the UK. At the same time, however, the British government is applying a 'right to reside test' for EU migrant citizens, which – according to the EU Commission – discriminates against EU migrant citizens and constitutes a violation of EU law. The availability of social assistance to residents of Estonia, Poland and Spain is quite limited and therefore of no great practical relevance for EU migrant citizens – hence, social rights in these countries are, overall, quite limited.

As so often in the history of the EU, the ECJ has played a major role in defining social rights by interpreting the Treaty and Directives, as clauses are often necessarily quite vague in order to accommodate the legal frameworks of 28 Member States. Core rulings have clarified the definition of 'worker', without setting minimum levels of hours or income, which has had an impact on the possibility of receiving in-work benefits or tax credits by 'marginally' employed workers in those countries that operate such benefits, e.g. Britain and Germany, as well as by EU students accessing study grants.

Systematic evidence regarding the extent to which EU migrant citizens have been able to access their social rights in EU Member States as well as about the social conditions under which EU migrant citizens live is largely lacking, as the data commonly available for such analyses, e.g. the British Household Panel Survey (BHPS or the more recent UK Household Longitudinal Survey) or the German Socio-Economic Panel (GSOEP) do not include sufficient numbers of respondents who are EU migrant citizens.¹² Nevertheless, investigative newspaper reporting suggests that in some countries a significant proportion of EU migrant citizens live and work in conditions that are exploitative and in

¹² Although the Labour Force Survey does provide some data, this can be quite limited as well, as the numbers can get very small (cf. Rutter/Latorre 2009).



violation of law; the conditions in German slaughterhouses is a particular case in point (Kunze, 2014; also see Gerdes/Wadensjö, 2013: 47). The availability of decent and affordable housing for a significant proportion of EU migrant citizens constitutes a social problem in all destination countries, perhaps with the exception of Spain (Heeger/Pennings, 2014; Jacqueson, 2014; Chase/Seeleib-Kaiser, 2014; Ismail, 2014). In Sweden homelessness among certain disadvantaged groups among EU migrant citizens has been identified as a significant social problem (Ismail, 2014). Irrespective of formal access to social rights by EU migrant citizens these situations could be mitigated by the enforcement of existing laws and regulations through *national* governments.

The freedom of movement and the complex nature of social rights within the EU have created severe social policy issues for people on the margin. Although the overwhelming majority of EU migrant citizens have greatly benefited from EU citizenship and associated social rights, EU migrant citizens with few or no financial resources and no employment contract in the Member State they are moving to, are at times exploited and live under inhumane conditions which violate their right to human dignity. These EU migrant citizens can largely not benefit from their right to export national unemployment insurance benefits for the initial period of three months, as either the unemployment insurance systems in the country of origin are quite limited or because the benefit amount would be insufficient to support a decent level of subsistence in the destination country. In order to support these EU migrant citizens some countries, for instance Germany and Sweden, use the Fund for European Aid to the Most Deprived (FEAD). However, these measures, although overall very laudable, are insufficient, as poor EU migrant citizens face a structural disadvantage to make use of their freedom of movement within the EU. In order to mitigate this injustice the EU might want to consider a union-wide minimum benefit for mobile jobseekers set at 45 percent of the national poverty threshold of the respective 'host' Member State (a level used by a number of Member States for social assistance) payable for a maximum duration of six months. Such a benefit could be subsequently expanded to all EU citizens in the form of an EU-wide Basic Income Guarantee, which might constitute a cornerstone of future EU citizenship.



REFERENCES

Absenger, Nadine; Blank, Florian; Höhne, Julia; Schulz, Susanne. (2014) *Assessing Social Rights: German Country Report*. bEUcitizen, Task 6.1., WSI, Düsseldorf.

Altorjai, Szilvia (2013) *Over-qualification of immigrants in the UK*, ISER Working Paper Series, 2013-11; available at <https://www.iser.essex.ac.uk/research/publications/working-papers/iser/2013-11>.

Alvarez, Alejandra Boto, et al. (2014) *Assessing Social Rights in Spain*. bEUcitizen, Task 6.1, University of Oviedo.

Bahle, Thomas; Hubl Vanessa; Pfeiffer, Michaela (2011) *The Last Safety Net – A handbook of minimum income protection in Europe*. Bristol: Policy Press.

BBC (2014a) EU migrants would wait two years for jobless benefits, Labour says. November 18, 2014; available at <http://www.bbc.co.uk/news/uk-politics-30102310>.

BBC (2014b) David Cameron urges EU support for migration plans. November 28, 2014; available at <http://www.bbc.co.uk/news/uk-politics-30224493>.

Blitz, Brad K. (2014) *Migration and Freedom. Mobility, Citizenship and Exclusion*. Cheltenham: Edward Elgar.

BMI/BAMS (2014) *Abschlussbericht des Staatssekretärsausschusses zu "Rechtsfragen und Herausforderungen bei der Inanspruchnahme der sozialen Sicherungssysteme durch Angehörige der EU-Mitgliedstaaten"*. Berlin.

Brücker, Herbert et al. (2013) *Zuwanderer aus Bulgarien und Rumänien Arbeitsmigration oder Armutsmigration? IAB-Kurzbericht 2013*.

Bruzelius, Cecilia; Chase, Elaine; Seeleib-Kaiser, Martin (2014) [The Social Construction of European Citizenship and Associated Social Rights](#). Barnett Papers in Social Research, No. 7.

Chase, Elaine; Seeleib-Kaiser, Martin (2014) *EU Citizens' Access to Social Rights in Britain: Country Report*. bEUcitizen, Task 6.1, University of Oxford.

Creative Research (2013) *Qualitative Assessment of Visitor and Migrant use of the NHS in England. Observations from the Front Line*. London.

Crook, Tony; Kemp, Peter A. (eds) (2014) *Private Rental Housing: Comparative Perspectives*. Cheltenham: Edward Elgar.

Diakonie (2014) *Unionsbürgerinnen und Unionsbürger in Deutschland: Freizügigkeitsrecht und Anspruch auf Sozialleistungen*. Berlin: Diakonie Deutschland.

Doling, John (1999) *Comparative Housing Policy*, in: Jochen Clasen (ed.) *Comparative Social Policy. Concepts, Theories and Methods*. Oxford: Blackwell, 59-79.

Economist (2013) *Migrant benefits. Once more unto the breach*, *Economist*, March 9, 2013.

Eigmüller, Monika (2013) *Europeanization from Below. The Influence of Individual Actors on the EU Integration of Social Policies*, *Journal of European Social Policy*, 23(4), 363-375.



Engbersen, G.; Ilies, M.; Leerkes, A.; Snel, E.; Van der Meij, R. (2011) *Arbeidsmigratie in vieren. Bulgaren en Roemenen vergeleken met Polen*. EUR: Rotterdam.

European Commission (2013a) *Press Release – Social security benefits: Commission refers UK to Court for incorrect application of EU social security safeguards*, Brussels [30 May 2013].

European Commission (2013b) *Your Social Security Rights in Spain*. Brussels; available at http://ec.europa.eu/employment_social/empl_portal/SSRinEU/Your%20social%20security%20rights%20in%20Spain_en.pdf.

Ferragina, Emanuele; Seeleib-Kaiser, Martin (2011) Thematic Review: Welfare regime debate: past, present, futures?, *Policy and Politics* 39: 4 583-611

Ferragina, Emanuele; Seeleib-Kaiser, Martin; Spreckelsen, Thees (2015) The Four Worlds of 'Welfare Reality': Social Risks and Outcomes in Europe, *Social Policy and Society* 14(2): 287-307.

Gerdes, C.; Wadensjö, E. (2013) *Immigration to Sweden from the new EU member states*. University of Stockholm: Swedish Institute for European Policy Studies.

Gerhards, Jürgen; Lengfeld, Holger (2014) *Wir, ein europäisches Volk? Sozialintegration Europas und die Idee der Gleichheit aller europäischen Bürger*. Wiesbaden: VS/Springer.

Gijsberts, M.; Lubbers., G. (2013). *Nieuw in Nederland*. The Hague: Sociaal en Cultureel Planbureau.

Hantrais, Linda (2007) *Social Policy in the European Union*, Basingstoke: Palgrave, 3rd edition.

Heeger, Susanne; Pennings, Frans (2014) Assessing Social Rights for EU citizens: Dutch country report. bEUcitizen, Task 6.1, University of Utrecht.

House of Commons Library (2014) Statistics on Migrants and Benefits, SN 06955.

House of Commons Library (2014b) NHS charges for overseas visitors. SN/SP/3051.

Ismail, Zuzan (2014) EU citizens in Sweden and their access to social rights. bEUcitizen, Task 6.1, University of Gothenburg.

Jacqueson, Catherine (2014) Assessing Social Rights in the EU. Report on Denmark. bEUcitizen, Task 6.1, University of Copenhagen.

Joppke, Christian (2010) *Citizenship and Immigration*. Cambridge: Polity Press.

Koning, Edward Anthony (2013) *Selective Solidarity: The politics of immigrants' social rights in Western welfare states*. PhD Thesis, Queen's University, Kingston, Ontario, Canada.

Kunze, Anne (2014) Die Schlachtordnung. *Die Zeit*, No 51, December 17, 2014.

Leibfried, Stephan (1992) Towards a European welfare state? On integrating poverty regimes into the European Community, in: Z. Ferge and J. Kolberg (eds) *Social Policy in a changing Europe*. Frankfurt/Boulder: Campus/Westview Press, 245-279.

Leibfried, Stephan; Pierson, Paul (1995) Semisovereign Welfare States: Social Policy in a Multitiered Europe, in Stephan Leibfried and Paul Pierson (eds) *European Social Policy – Between Fragmentation and Integration*. Washington, DC: Brookings, 43-77.



Marshall, T.H. (1950) Citizenship and social class. In, Marshall T.H. (ed.) *Citizenship and social class: And other essays*. London: Pluto, 3-51.

Massey, Douglas S.; Arango, Joaquin; Hugo, Graeme; Kouaouci, Ali; Pellegrino, Adela; Taylor, Edward (1993) Theories of International Migration: A Review and Appraisal. *Population and Development Review*. 19(3): 431-466.

Pennings, Frans (2012) EU Citizenship: Access to Social Benefits in Other EU Member States, *The International Journal of Comparative Labour Law and Industrial Relation*, 28(3): 307–334.

Potůček, Martin (2008) Metamorphoses of Welfare States in Central and Eastern Europe, in Martin Seeleib-Kaiser (ed.) *Welfare State Transformations: Comparative Perspectives*. Basingstoke: Palgrave, 79-95.

Rutter, Jill; Latorre, Maria (2009) Migration, Migrants and Inequality, in: John Hills, Tom Sefton and Kitty Stewart (eds.) *Towards a More Equal Society? Poverty, Inequality and Policy since 1997*. Bristol: Policy Press, 201-220.

Seeleib-Kaiser, Martin (2008) Social Democratic Reforms of the Welfare State: Germany and the UK Compared, in Martin Powell (ed.) *Modernising the Welfare State*. Bristol: Policy Press, 235-254.

Sert, Deniz. (2014) Mapping and analysis of types of EU migrants from CEE countries. *Imagination Comparative project report 1*.

SVR (2013) *Erfolgsfall Europa? Folgen und Herausforderungen der EU-Freizügigkeit für Deutschland*. Jahresgutachten 2013 mit Migrationsbarometer. Sachverständigenrat deutscher Stiftungen für Integration und Migration.

Swiatkowski, Andrzej M.; Wujczyk, Marcin (2014) Assessing Social Rights for EU citizens: Polish Country Report. bEUcitizen, Task 6.1, Jagiellonian University

Tavits, Gaabriel (2014) EU Nationals and their right to social services and benefits: Estonia. bEUcitizen, Task 6.1, University of Tartu.

Van Oorshot, Wim (2006) Making the difference in social Europe: deservingness perceptions among citizens of European welfare states, *Journal of European Social Policy*, 16 (1): 23-42.

Verschuren, Stephan; Ruben van Gaalen; en Han Nicolaas (2011) Arbeidsmigratie, volgmigratie en retourmigratie in de periode 2000-2006, *Bevolkingstrends*. Central Bureau voor de Statistiek, 2nd quarter: 68-78, pp. 70

Weltevrede, A.; De Boom, J.; Rezai, S.; Zuiderwijk, L.; Engbersen, G. (2009). *Arbeidsmigranten uit Midden- en Oost-Europa. Een profielschets van recente arbeidsmigranten uit de MOE-landen*, Rotterdam: Risbo.

Zelano, Karin, Bucken-Knapp, Gregg, Hinnfors, Jonas; Spehar, Andrea (2014) Mapping and analysis of types of migration from CEE countries: Country report Sweden. *Gothenburg University*.

