REPORT

DECEMBER 2021

VULNERABILITIES OF STOCKHOLM'S DESTITUTE EU CITIZENS

Stockholms Stadsmission

FEANTSA

European Federation of National Organisations Working with the Homeless

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Contents

Introduction

Stockholms Stadsmission is a not-for-profit organisation that works in various ways to contribute to a more just society, by advancing the social inclusion and self-improvement of individuals. Since its beginnings, *Stockholms Stadsmission* has often intervened through a variety of different initiatives, where society's efforts have fallen short of alleviating poverty and vulnerability. Over the years, different initiatives have been started and completed in the city to meet individuals' needs. Among the new groups experiencing vulnerability in Stockholm today are high numbers of destitute mobile European Union (EU) citizens.

Crossroads is a department of *Stockholms Stadsmission* that works with two target groups: European citizens and third country nationals experiencing social or economic vulnerability. Crossroads provides these individuals with services to meet their basic needs, general assistance, and legal advice to help them secure their status in Sweden and access their rights in Swedish society.[1]

As part of its work with FEANTSA, Crossroads has taken part in the data collection effort for the PRODEC (Protecting the Rights of Destitute EU mobile Citizens) project, with the aim of investigating the difficulties experienced by and the needs of destitute mobile European citizens in Stockholm.

In accordance with the objectives of the PRODEC project, data have been collected with the aim of raising the awareness of service providers and local authorities and increasing their capacity to meet the needs of disadvantaged mobile EU citizens. To this end, we collected data on the living conditions of mobile EU citizens using Crossroads' services, the reasons behind their vulnerabilities, their expectations and opportunities in Sweden, as well as data on nationality, sex and age.

1 During 2020, Crossroads' services were accessed almost 20,000 times. If the same individual makes three visits in one year, Crossroads counts this as three "visitors" for that year. Because every unique visitor accessed Crossroads' services several times during the year, this was counted as almost 20,000 visitors.

Executive Summary

Data regarding mobile EU citizens living in destitution in Sweden are not collected by the Swedish authorities and are therefore limited. The most recent survey conducted in Sweden by the National Board of Health and Welfare, in 2017, counted a total of 5935 individuals who were experiencing acute homelessness.[2] The survey did not include destitute EU citizens; however, the National Board also estimated the presence in Sweden of several thousand EU citizens experiencing acute homelessness. This report, on the vulnerability of Stockholm's destitute EU citizens, aims to shed light on the situation of mobile EU citizens with experiences of homelessness and destitution in Sweden, analysing data collected by Crossroads between December 2020 and March 2021.

To collect the data, Crossroads staff interviewed 51 European citizens who were using their services and who were destitute. Most of the interviewees have had frequent contact with the organisation, but several were interviewed the first time they came into contact with Crossroads and nevertheless agreed to take part in the survey. The results of our survey show that 69% (n: 35) of the respondents were roofless or had inadequate housing, while the remaining 31% needed the support of services such as those provided by Crossroads because they were living in insecure housing, meaning those who rented a house or a room and were at greater risk of losing their accommodation because they did not have a contract – which was the case for the majority of renters in the survey. This was often because of their low income level, which forced them to turn to landlords outside the regulated market.

The most common nationalities among the survey respondents were Romanian, Polish and Italian.[3] The Romanian individuals were the most vulnerable, given that the vast majority of them did not have a regular income, aside from collecting bottles and begging. Access to the formal labour market seemed particularly difficult for the Romanian respondents, probably because of a lack of specific professional skills and the necessary language skills among this group.

Nearly all the respondents had experienced a significant deterioration in their living conditions since arriving in Sweden, evidenced by the fact that that 69% of the respondents were roofless or had inadequate housing. They had difficulty finding their own accommodation because of a lack of income. As a result of poor housing conditions and lack of income, mobile EU citizens coming from Romania experienced severe destitution, and this is a far cry from what the respondents had hoped for when they came to Sweden: the vast majority of the respondents had moved to Sweden as jobseekers with a view to improving their living conditions.

Those who had a regular income were not significantly better off, considering that a majority still reported receiving an income below the "risk of poverty" threshold.[4] Despite this situation, 86% of the participants had never claimed any welfare benefits. This may be because of the pervasive lack of awareness about their rights as European citizens in Sweden among the respondents. In this regard, it must be highlighted that the vast majority of the respondents had no way of obtaining regular

2 National Board of Health and Welfare, *Hemlöshet 2017 – omfattning och karaktär*, 2017, p.19. https://www.socialstyrelsen.se/globalassets/sharepoint-dokument/artikelkatalog/ovrigt/2017-11-15.pdf

3 In general, the two most common nationalities among the destitute European citizens using Crossroads' services are Romanian and Polish.

4 EU-SILC definition: https://ec.europa.eu/eurostat/databrowser/view/t2020_50/default/table?lang=en

immigration status, for reasons that we explain in the chapter on the rights of EU citizens in Sweden.

Despite the pervasive social exclusion as a result of the respondents' immigration status, no particular obstacles to accessing healthcare were cited, and many of the respondents reported being in good health. Nevertheless, it is doubtful whether this data offers a realistic picture as, for the purposes of this report, no medical records were consulted; the information collected representing the perceived, self-reported health of the respondents. Furthermore, from the answers given, it seems that it is common among the respondents to minimise mental health problems, which could be a result of social stigma around mental health needs.

Regarding the gender distribution among the participants, it emerged that 22% of the respondents were women, with the caveat that this data may not give an accurate picture of the distribution of genders among the destitute European citizens in Stockholm. Female Roma[5] respondents were the most represented in absolute terms as well as the most affected in terms of social exclusion. None of the Roma women interviewed for this report possessed a certificate of registration in Sweden, their access to the labour market was very limited and they were mainly engaged in informal work, and were sleeping rough.

Survey respondents showed a worrying lack of knowledge of their rights as European citizens, which is a cause for concern. The need for systemic interventions in this regard is evident. More readily available and effective information from both national and European institutions would be very useful in order to make citizens more aware of the rights they have and those they can invoke even outside their country of origin.

It should also be acknowledged that, although most of the respondents came to Sweden to improve their living conditions, the majority did not have formal employment in Sweden and had experienced a worsening of their living conditions. The promotion of more effective local, national and European policies to include vulnerable European citizens in the labour market is of the utmost urgency.

It should also be recognised that, in order to fully enjoy their rights, European citizens must have regular immigration status within the host country. In this sense, it would be desirable for countries such as Sweden to take the necessary steps to fully implement the European law.[6] This report and previous analysis bring evidence to support this request and to illustrate how individuals' living conditions are affected by the impossibility of registering as jobseekers and thus accessing regular immigration status.

5 *"The Roma are Europe's largest ethnic minority. Out of an estimated 10 to 12 million Roma living in Europe, approximately six million are citizens or residents of the EU. The umbrella-term 'Roma' encompasses diverse groups, including Roma, Sinti, Kale, Romanichels, Boyash/Rudari, Ashkali, Egyptians, Yenish, Dom, Lom, Rom and Abdal, as well as Traveller populations (gens du voyage, Gypsies, Camminanti, etc.)"*. For more information, consult the European Commission page https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combatting-discrimination/roma-eu/roma-equality-inclusion-and-participation-eu_en.

6 For more information, you can read the *Fitness Check Report for Sweden: A review of the state of compliance of Sweden's implementation of Directive 2004/38 on residence rights of EU citizens and their family members*. https://www.feantsa.org/public/user/Resources/reports/Prodec_Legal_Fitness_Check_Sweden_rev_.pdf

Methodology

Data collection began in December 2020 and ended in March 2021. Because of the Covid-19 pandemic, the number of EU citizens contacting *Stockholms Stadsmission* decreased over this time, but 51 EU citizens nonetheless agreed to take part in the survey conducted for this report. The vast majority of the survey respondents have had frequent contact with the organisation, although there were also respondents who took part in the survey who had recently arrived in Sweden and were looking for help when starting out. Therefore, some of the respondents represent unique contacts. In light of the drastically decreased number of users accessing Crossroads' services because of Covid-19, we tried to find potential respondents by contacting other service providers and organisations.

However, as a result of the Covid-19 restrictions, it was not always possible to visit other organisations. Consequently, one limitation of the survey is that the number of respondents that could be reached was lower than initially planned, and this may have affected the content of the data collected as well.

First, the nature of the questionnaire was explained to the interviewees, underlining that it would take place anonymously and that the goal was to collect as much information as possible on the conditions, difficulties, and needs of vulnerable European citizens.

The interviews were conducted by Crossroads staff, who maintained a completely neutral attitude during the interview process and gave respondents the time they needed to answer the questions.

Wherever possible, the interviews were conducted in the interviewee's preferred language, with the aim of facilitating communication. When this was not possible, we tried to communicate with the respondents using a language known to both the interviewer and the interviewee.[7] 45% (n: 23) of the interviews were conducted in the respondent's first language. Moreover, all the questions were formulated and explained in a clear and understandable manner. Each respondent was asked whether it was easy to understand the questions, and 86% (n: 44) of the total respondents said they had understood the interview questions easily.

7 The most used languages in this sense were English and Italian.

Covid-19 and Vulnerability

Covid-19 has certainly represented (and still represents) a challenge for the entire European population and the difficulties associated with this terrible pandemic have affected destitute mobile EU citizens significantly.

Over the course of this data collection exercise, we noticed the drastic decrease in the number of mobile European citizens present in both of our Crossroads services and in the city of Stockholm. Several explanations could be formulated for this situation using the information collected. Because of the travel restrictions, destitute mobile EU citizens experienced more difficulties in entering and leaving both Sweden and the country of origin, so many preferred to stay at home to avoid being stranded in Sweden or in another European transit country.[8]

At the same time, because of the restrictions introduced in Sweden, some not-for-profit organisations had temporarily discontinued some of the services normally provided to destitute people, while others – including Crossroads – had limited access to their services to a maximum number of participants. The consequence was that access to some services, even for basic needs, generally became more difficult for the destitute mobile EU citizens who had remained in Sweden.

It is also important to note that, regarding the spread of the virus among destitute mobile EU citizens, only one case of infection was identified among the service users who accessed Crossroads' and other services. The limited spread of the virus among destitute mobile EU citizens is also confirmed in the data collected by the *Pentru Tine - För dig* project.[9]

The main possible reason for the limited spread of the virus among destitute mobile EU citizens has been traced back to the greater number of hours that they spent outdoors, resulting therefore in less exposure to contagion.

Although Covid-19 had not directly affected the respondents' health, one of the main effects the pandemic had was on their economic situation. As highlighted, collecting bottles or begging was the main (or even only) source of income for many respondents. Although the restrictions imposed in Sweden were not as strict as those in other European countries, many aspects of everyday life changed because of the virus. People were encouraged to work from home, therefore reducing the number of people in the streets, which had an impact on begging. The pandemic also affected the possibility of collecting empty jars or bottles from the rubbish bins in the city centre, which were previously easy to find.

The same applies to those who had more professional skills and more chances of finding employment, since the partial or total closure of offices and commercial activities because of Covid-19 made it extremely difficult to find a job. Two of the most important sectors for the respondents in our target group, namely hospitality and cleaning, suffered a dramatic decline in available positions.

8 This information was collected by talking to the interviewees.

9 Carolina Mikaelsdotter, *Handbook - Working Methods & Health and Social Information for Working with Vulnerable EU Citizens (Metodhandbok, Arbetsmetoder & Hälso och Samhällsinformation för Arbete med EU-Medborgare i Utsatthet*), p.24. This handbook was written as an output of the project. The aim of the project was to promote the social inclusion and health status of destitute mobile EU citizens by providing information about healthcare in Sweden, and Swedish society. During the project, the outreach worker met 1546 destitute EU citizens. The vast majority of people who came into contact with the project were Bulgarian or Romanian of Roma ethnic origin. Of the total number of people met during the project, 51% were women.

Demographic Data

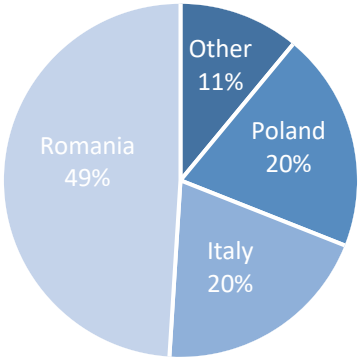
According to the answers given by the respondents about their nationality, the vast majority of the respondents (49%) came from Romania. The large presence of Romanian citizens among destitute Europeans is similar to the situation in the city of Brussels, where a high percentage of Polish (46%) and Romanian (33%) citizens living in destitution and homelessness was recorded.[10]

Regarding gender among mobile EU citizens, although almost 80% of our survey respondents were male, this data may not reflect the real distribution of genders among the destitute European citizens in Stockholm. Indeed, the data collected in Sweden by the *Pentru Tine - För dig* project (although the project was not limited to the city of Stockholm), showed that women made up 51% of the respondents.[11] This leads us to conclude that the data collected by Crossroads on the gender of the respondents do not fully reflect the general picture of EU citizens residing in Sweden. It does, however, confirm the theory that women's homelessness is more hidden.[12]

NATIONALITY

Analysis of the data shows that 49% (n: 25) of the total respondents came from Romania, 20% (n: 10) came from Italy,[13] another 20% (n: 10) came from Poland, and the remaining 11% from other countries (two from Latvia, two from Lithuania and two from Spain). Among the 51 respondents, 16 (or 31% of the total) were of Roma origin.

NATIONALITY OF THE RESPONDENTS



It must also be highlighted that, while the Italian and Polish nationals reported that they lived in Sweden almost continuously, all the Romanian respondents said that they returned to Romania regularly and stayed there for longer or shorter periods of time. This means that the percentage of Romanian nationals living in Stockholm could be subject to significant variation.

10 Striano, M., *Factors Contributing to Vulnerability Among Destitute Mobile EU Citizens in Brussels, General Picture.*

11 Carolina Mikaelsdotter, *Handbook - Working Methods & Health and Social Information for Working with Vulnerable EU Citizens (Metodhandbok, Arbetsmetoder & Hälso och Samhällsinformation för Arbete med EU-Medborgare i Utsatthet)*, p.3.

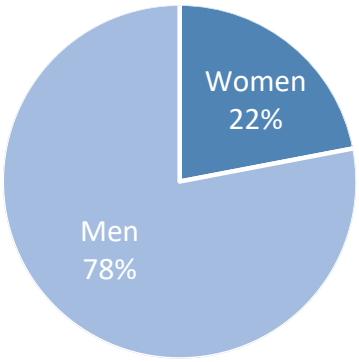
12 Women who are homeless seem to be more stigmatised than men, which can lead them to reduce contact with service providers. With this knowledge, and with the aim of creating a safe place for women experiencing vulnerability, Crossroads runs a specific service to which only women have access. In 2020, female service users accessed Crossroads services 2297 times.

13 70% (n: 7) of the Italian nationals explained that they had acquired Italian citizenship after having moved to Italy from a third country.

GENDER

78% (n: 40) of the total respondents were men and 22% (n: 11) were women, with a high number of Romanian women (eight out of 11 women). All the women with Romanian citizenship were part of groups linked together by family or other relationships, and all of them were roofless or had inadequate housing. The only source of income they had was collecting bottles or begging. As stated above, the data collected by Crossroads on the gender of respondents do not fully reflect the general picture of EU citizens residing in Sweden in terms of gender. By comparison, the situation reported in 2013 by the Commission Staff Working Document is more similar to the data collected by Crossroads. This document states that, "homelessness is an example of a gendered phenomenon where the majority of the disadvantaged are men, even if the number of women exposed to homelessness is growing. Women are more likely to be found in insecure accommodation or in inadequate housing than roofless. They also tend to spend shorter periods in shelters or specialist centres than men. A survey on women's homelessness estimated that women make up 11-17% of the street homeless and 25-30% of all homeless people in Europe".[14]

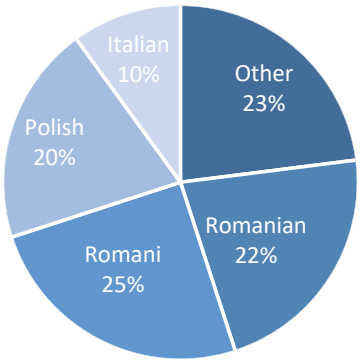
GENDER OF THE RESPONDENTS



LANGUAGE

25% (n: 13) of the respondents were native Romani speakers, 22% (n: 11) were native Romanian speakers, 20% (n: 10) were native Polish speakers, 10% (n: 5) were native Italian speakers,[15] and the remaining 23% spoke other languages as their first language (Russian n: 4, Igbo n: 1, Twi n: 1, Wolof n: 1, Lithuanian n: 1, English n: 1, French n: 1, Spanish n: 1, Arabic n: 1). It is also interesting to note that many Romanian nationals were able to communicate in Italian, as they reported having lived in Italy previously. Worsening economic conditions in Italy in recent years had led them to seek new opportunities in Sweden.

LANGUAGE OF THE RESPONDENTS



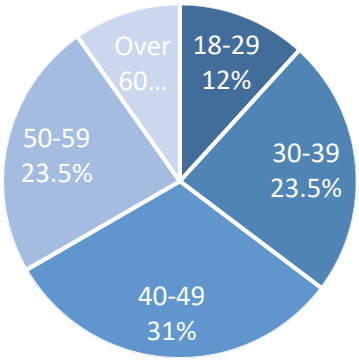
14 *Commission Staff Working Document, Confronting Homelessness in the European Union*: https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A52013SC0042, p.9.

15 Two respondents originally from Nigeria who had recently obtained Italian citizenship wanted to indicate Italian as their mother tongue, although they had learned Italian in adulthood.

AGE

The average age of the 51 survey respondents was 44.7 for men and 42.4 for women respectively. 31% (n: 16) were 40-49 years old, 23.5% (n: 12) 50-59 years old, 23.5% (n: 12) 30-39 years old, 12% (n: 6) 18-29 years old, and 10% (n: 5) were over 60 years old. The majority of the respondents were therefore in the 40-59 age group, at 55% (n: 28). This data confirms the trend already highlighted in the report *Factors Contributing to Vulnerability Among Destitute Mobile EU Citizens in Brussels,* where the majority of Diogenes' service users were aged "between 40 and 59 years old (55.5%)".[16]

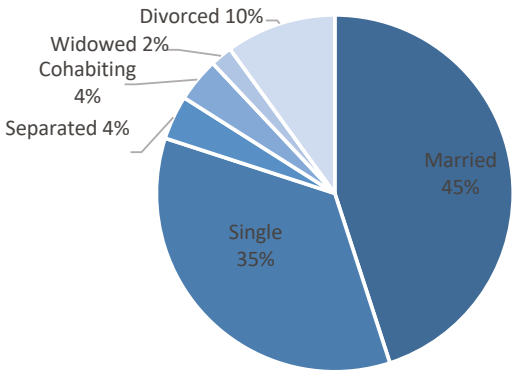
AGE OF THE RESPONDENTS



MARITAL STATUS

The answers given by the respondents showed that as many as 45% (n: 23) of them were married, while 35% (n: 18) were single. Only 4% (n: 2) were separated, 4% (n: 2) cohabiting, 2% (n: 1) widowed, and 10% (n: 5) were divorced. The results regarding the relationship between living conditions and marital status are different from those in Brussels.[17] While service users in Brussels who were married tended to have better living conditions, many of the respondents in Stockholm who were married were exposed to greater social exclusion than the other respondents, probably because of their Roma ethnic origin.

MARITAL STATUS OF THE RESPONDENTS



16 Striano, M., *Factors Contributing to Vulnerability Among Destitute Mobile EU Citizens in Brussels*, p.9.

17 Striano, M., *Factors Contributing to Vulnerability Among Destitute Mobile EU Citizens in Brussels*, p.5.

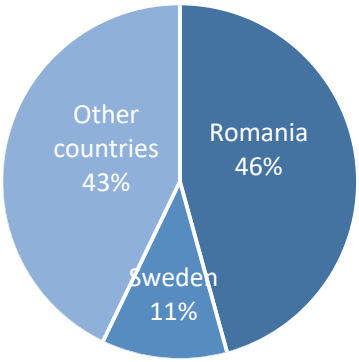
CHILDREN

While 69% (n: 35) of the respondents had children, 31% (n: 16) did not. Of the respondents who had children, 77% (n: 27) said their children were living in their country of origin (16 in Romania, 11 in other countries). Almost all the Romanian nationals who had children (n: 16) explained that their children were living in Romania, and that they periodically sent money to Romania, in order to provide financial support to their families. 43% (n: 15) of the respondents who had children said their children were living in other EU countries or outside the EU, and only 11% of those who had children (n: 4) answered that their children lived in Sweden.

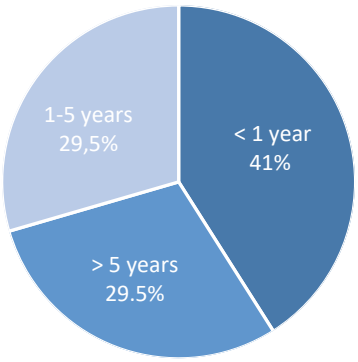
LENGTH OF STAY

41% (n: 21) of the respondents had arrived in Sweden less than a year before the survey, while 29.5% (n: 15) had been in Sweden for over five years. The remaining 29.5% (n: 15) had been in Sweden for over a year but less than five years. However, it must be borne in mind that a high percentage of the Romanian nationals explained that they did not stay in Sweden continuously, as they alternated between spending time in Romania and time in Sweden.

LOCATION OF RESPONDENTS' CHILDREN



LENGTH OF STAY



Housing Conditions

According to the responses on housing conditions, 90% (n: 46) of the respondents said they had accommodation before moving to Sweden. Nearly all the Romanian nationals answered that they owned a home in Romania or, when in Romania, lived with their parents. Since they did not have a regular income in Sweden, they were forced to live in tents, makeshift shelters or public shelters.

LIVING CONDITIONS BEFORE MOVING TO SWEDEN

47% (n: 24) of the respondents answered that they owned a house in their homeland, and none reported having lost it before moving to Sweden, while 25% (n: 13) of the respondents had rented an apartment in their country of origin. 11% (n: 6) reported having lived with family, 4% (n: 2) had rented a room, one person had been living with a friend and another had lived in social housing. Of the respondents who did not have accommodation before moving to Sweden, three individuals (6%) had been sleeping in state-provided temporary accommodation, while one respondent had lived in a makeshift shelter.

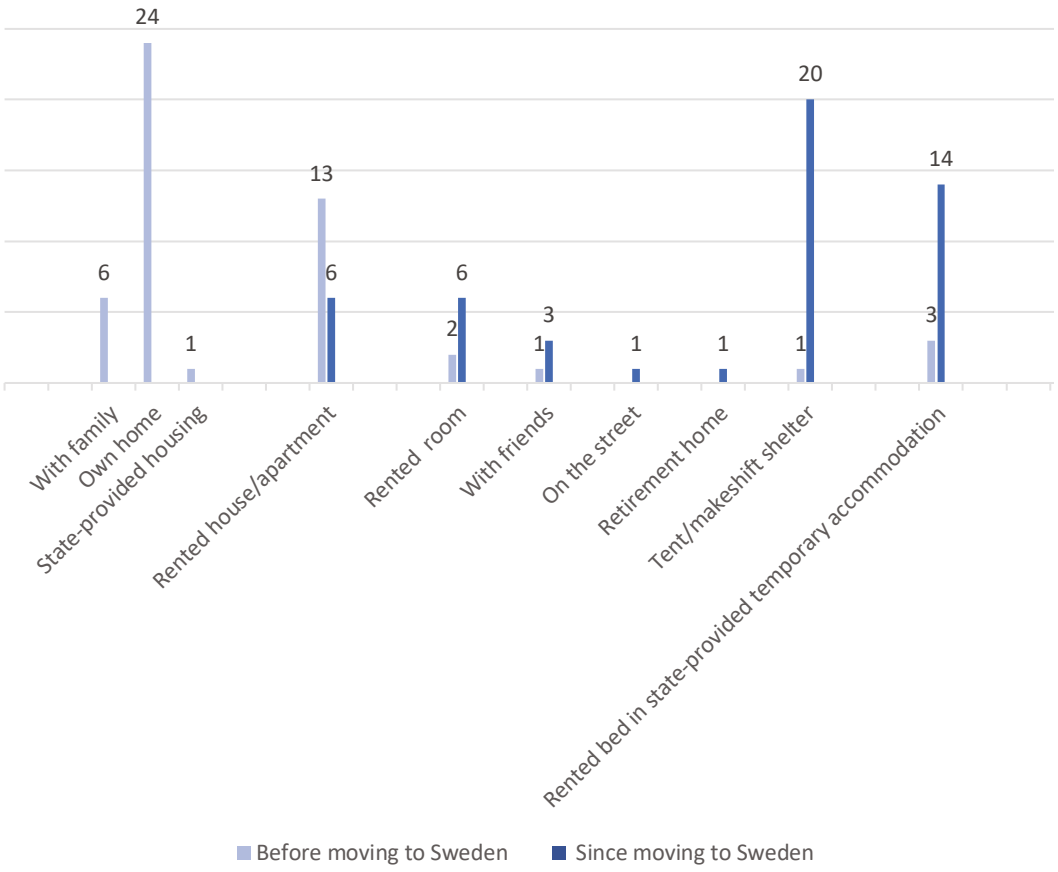
LIVING CONDITIONS SINCE MOVING TO SWEDEN

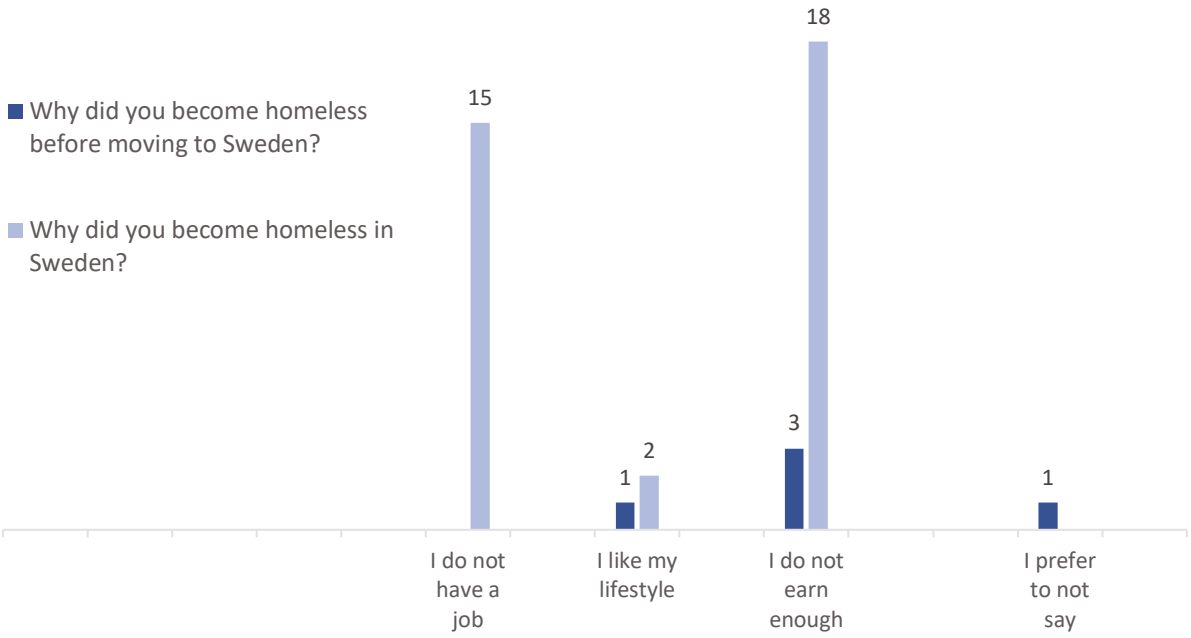
None of the respondents owned a home in Sweden. 27% (n: 14) of the respondents slept in a night shelter[18] and 39% (n: 20) slept in tents or makeshift shelters in the woods. Only 12% (n: 6) of the respondents rented a room and 12% (n: 6) an apartment, while 6% (n: 3) were living with friends. One said they lived in a retirement home, and another said they slept on the street.

In this regard, it must be noted that conditions for accessing accommodation in Stockholm are far from ideal, because people who sleep in night shelters must respect an "exclusion period" of at least two days per week, which means that they are required to leave every fifth day. Accommodation solutions on the two days of exclusion can mean sleeping in a tent, at the Central railway Station, on the street, etc.

The reasons why 69% (n: 35) of the respondents were roofless or had inadequate housing in Sweden were: 15 individuals had no income, two stated that they preferred to live in a tent rather than in a house and 18 did not earn enough to pay for accommodation. Regarding those respondents who said they did not have a job or did not earn enough, the main reasons for this were a lack of specific professional training, and/or a limited ability to communicate in English or Swedish.

18 *Stockholms Stadsmission* is part of a Voluntary Sector Organisation Public Partnership with the City of Stockholm. Through this partnership, the City of Stockholm funds three public shelters, one of which is run by *Stockholms Stadsmission*. The aim of the shelters is to help people who are destitute, helping them meet their basic needs as well as giving them the option to rent a bed. To access the shelters, people have to buy a ticket for 10 Swedish Kronor. If the demand exceeds the number of available beds, service users draw lots to decide who can buy a ticket. In the shelter, in addition to showers, dinner and breakfast are provided.


24
20
14
13
6
6
6
3
2
1
1
1
1
3
With family
Own home
State-provided housing
Rented house/apartment
Rented room
With friends
On the street
Retirement home
Tent/makeshift shelter
Rented bed in state-provided temporary accommodation
Before moving to Sweden
Since moving to Sweden

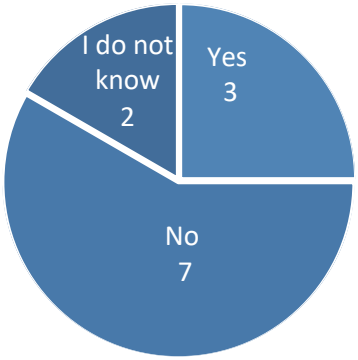

Why did you become homeless before moving to Sweden?
Why did you become homeless in Sweden?
15
18
3
2
1
1
I do not have a job
I like my lifestyle
I do not earn enough
I prefer to not say

RENTAL CONTRACTS

Of the 24% (n: 12) of respondents who rented an apartment or a room in Stockholm, only three individuals had a rental contract, while seven had no contract and two were unsure whether or not they had a contract. Among those who rented an apartment or a room, seven were Italian, three were Polish, one was Romanian[19] and one was Spanish.

Not having a rental contract can be explained by the low income levels of the respondents, which forces them to turn to landlords outside the regulated market who offer accommodation for lower rent. This comes with the consequence that they have less legal protection, and they are at greater risk of losing their accommodation.

DO YOU HAVE A RENTAL CONTRACT?



Only 10% of the respondents were homeless before they moved to Sweden, but 69% were living in homelessness when participating in the survey. This is clearly a result of not having an adequate income to meet the high costs of renting in Sweden. The general worsening of living conditions contrasts with what the respondents had hoped for when moving to Sweden: the interviewed mobile EU citizens' primary reason for moving to Sweden had been to improve their living conditions. At the same time, it goes to show that destitute mobile EU citizens are prepared to face poor living conditions in order to ensure an income for their families, particularly their children who are left with family in their countries of origin. Despite the difficulties in accessing housing and employment in Sweden, the chances of economic gain are still higher compared to the opportunities that individuals have in the sending countries. This is further explained in the next chapter on migration and work.

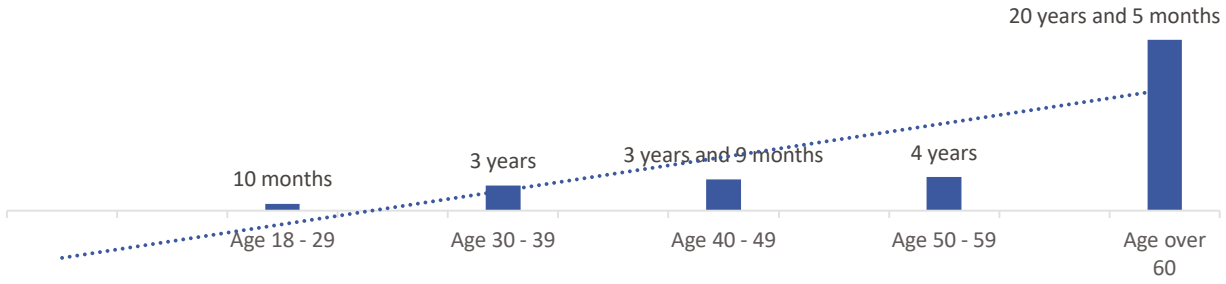
LIVING CONDITIONS IN RELATION TO AGE

Similarly to the situation in Brussels,[20] the older the respondents, the more time they had spent in Sweden. Indeed, the respondents aged between 18 and 29 had been residing in Sweden on average for ten months; those aged between 30 and 39 had been there on average for three years; those aged between 40 and 49 years for three years and 9 months on average; those aged between 50 and 59 on average for four years and those over 60 having been residing in Sweden on average for 20 years and five months.[21]

19 The Romanian national who answered that he rented an apartment could not explain how he was able to pay for it, given that he was unemployed. Moreover, given his general level of destitution when he accessed Crossroads' services in order to satisfy his basic needs (e.g. showering), this answer cannot reflect reality.

20 Striano, M., *Factors Contributing to Vulnerability Among Destitute Mobile EU Citizens in Brussels*, p.20.

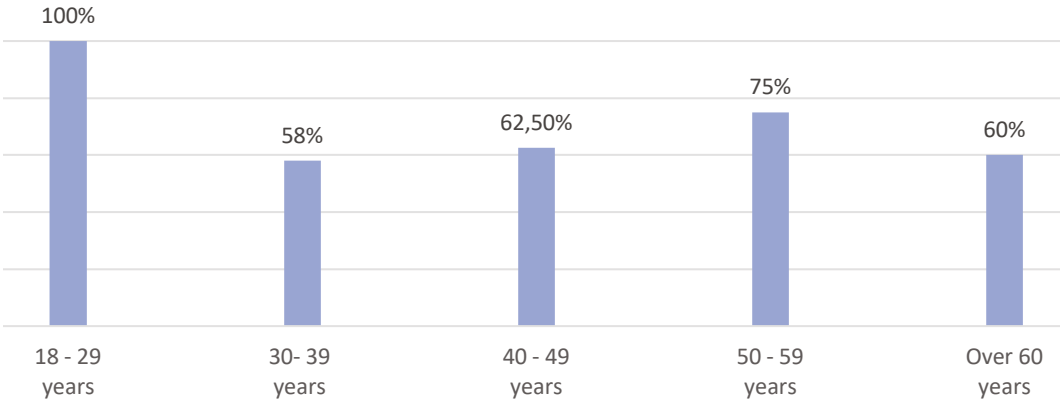
21 However, these data must also be interpreted in light of the fact that all the Romanian nationals explained that they were not staying in Sweden continuously, as they alternated periods of time in Sweden with periods of time in Romania.



Regarding living conditions, no respondents between 18 and 29 years old had their own accommodation, while this problem affected 58% of the respondents between 30 and 39, 62.5% of the respondents aged between 40 and 49, 75% of those aged between 50 and 59 and 60% of the respondents over 60 years old.

It is therefore possible to conclude that housing conditions improve after an initial period but tend to deteriorate for those individuals who have experienced destitution for many years.

PERCENTAGE OF RESPONDENTS WHO WERE ROOFLESS OR HAD INADEQUATE HOUSING BY AGE



Migration and Work

IMPORTANCE OF THE CONCEPT OF "JOBSEEKER" – BACKGROUND

According to European law, a European citizen who moves to another Member State in search of work has the right to residence for the first six months, after which s/he will keep the right to residence if s/he has a "genuine chance" of finding a job. Conversely, the Swedish Aliens Act rules that a European "jobseeker" has the right to residence only if he or she has a real chance of finding a job (*verklig möjlighet att få en anställning*).[22] In short, while the European Court grants jobseekers an unconditional right to residence for the first six months, the Swedish Aliens Act conditions this right on the real possibility of finding work.

A jobseeker, especially if experiencing social exclusion, will very rarely be able to demonstrate that he or she has a real possibility of finding a job in Sweden during the first six months. Without a right to residence, it will be impossible to obtain registration as a resident and obtain the social security number necessary for accessing most rights in Sweden. The Swedish Aliens Act has been found to be in breach of the principle of free movement of persons enshrined in Directive 2004/38[23] in several ways, which have already been thoroughly analysed and criticised in the *Fitness Check Report for Sweden.*[24] The report brought to the fore the fact that the Swedish Aliens Act does not seem to implement correctly the principles as stated by the Court of Justice of the European Union (CJEU) regarding the criteria that must be fulfilled for an EU citizen to obtain a right to residence as a jobseeker within the first six months of stay.[25]

This incompatible implementation of the principles affects destitute EU citizens' ability to invoke their rights as jobseekers under EU law and can exacerbate the obstacles destitute EU citizens already face when trying to access the labour market in Sweden. Difficulties in obtaining a social security number could also affect even European citizens who apply for worker status. As reported in the *Fitness Check,* the Tax Agency requires applicants to prove the right to residence for one year from the date of application when assessing whether the applicant can legally reside in Sweden.[26] The duration of a work contract plays a decisive role in proving whether a person will have the right to residence for one year. This is a challenge for destitute mobile EU citizens, who face specific difficulties when accessing the Swedish labour market (see below). These difficulties often stem from the fact that individuals may lack specific professional skills, higher education, and/or the necessary language skills. The consequence is that they can

22 Chapter 3a, Section 3.2 of the Aliens Act.

23 Directive 2004/38/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

24 Vittoria and Källgren, *Fitness Check Report for Sweden*, 2020 https://www.feantsa.org/public/user/Resources/reports/Prodec_Legal_Fitness_Check_Sweden_rev_.pdf

25 Vittoria and Källgren, *Fitness Check Report for Sweden*, 2020 https://www.feantsa.org/public/user/Resources/reports/Prodec_Legal_Fitness_Check_Sweden_rev_.pd. The Fitness Check says, "However, the Aliens Act does not seem to be compatible with the principles as stated by the CJEU in Antonissen." p.9.

26 Vittoria and Källgren, *Fitness Check Report for Sweden*, 2020 https://www.feantsa.org/public/user/Resources/reports/Prodec_Legal_Fitness_Check_Sweden_rev_.pdf, p.21.

often only obtain employment contracts that do not satisfy the one-year requirement, such as zero-hour contracts or too-short, fixed-term contracts.[27]

ACCESS TO THE LABOUR MARKET

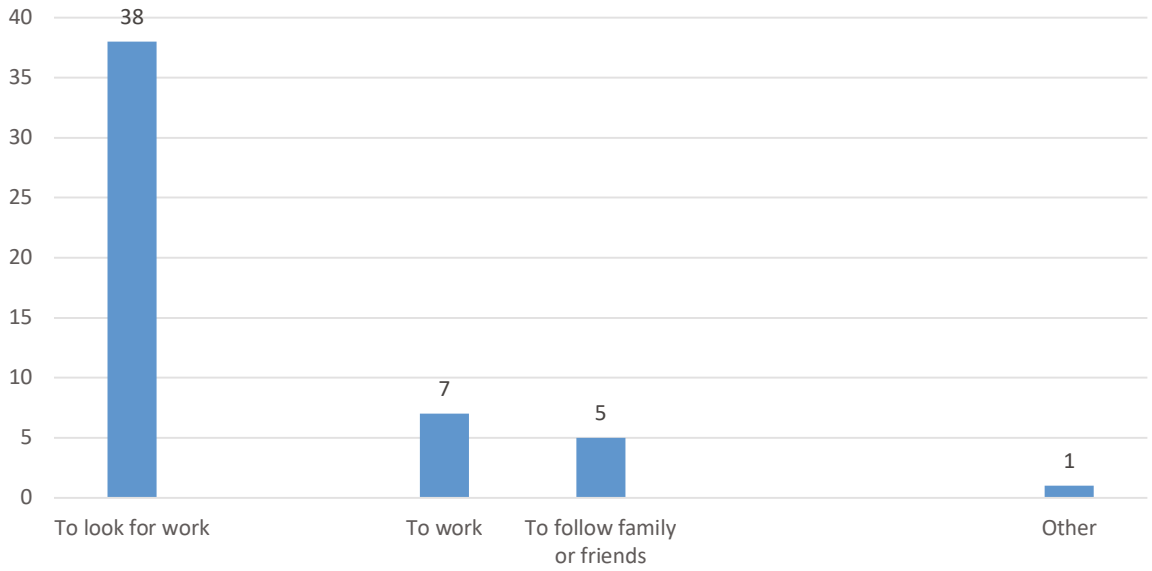
The survey respondents gave three different reasons for moving to Sweden: 14% (n: 7) of the respondents moved to Sweden for work, 75% (n: 38) to look for work and 10% (n: 5) to visit family or friends. One respondent answered "other" as the reason for moving to Sweden. Based on the data, it is quite clear that the vast majority of the responding EU citizens moved to Sweden for work-related reasons, primarily as jobseekers but also because of already established work. This is a finding similar to that in the report prepared as part of the PRODEC project on the situation in Brussels.[28]

Looking at the duration of stay, 22% (n: 11) of the respondents had been in Sweden for six months or less, 20% (n: 10) had been there for a year or less, while 58% (n: 30) had been there for two years or more.

Bearing in mind the high percentage of jobseekers, by contrast, only 4% (n: 2) were formally employed, 4% (n: 2) were self-employed and 6% (n: 3) were retired. Consequently, 86% (n: 44) were either supporting themselves with informal employment or were still looking for work. 39% (n: 20) of the respondents were jobseekers, 14% (n: 7) were in informal employment, and 33% (n: 17) got their income from collecting bottles or from combining begging on the street with collecting bottles.

By way of conclusion, it is evident that, even though the majority (78% (n: 40)) of the respondents had lived in Sweden for more than six months, the respondents still struggled to overcome the obstacles to accessing the formal Swedish labour market.

WHY DID YOU MOVE TO SWEDEN?



27 A zero-hour contract is a type of contract that is used by employers to cope with sudden and temporary increases in work or to cover a temporary shortage of staff. This type of contract does not guarantee a minimum salary, as the working hours vary. It could be virtually impossible to prove the right to residence required by the Tax Agency in assessing whether the one-year rule is met with a contract like this, especially if the contract does not have a specific duration.
Another type of contract that is relatively common among low-skilled workers is fixed-term contracts. An individual who has a fixed-term contract with a duration of six months may, under certain conditions, retain the right to residence for another six months after the contract expires. In such cases, the Tax Agency may conclude that the individual fulfils the one-year rule.

28 Striano, M., *Factors Contributing to Vulnerability Among Destitute Mobile EU Citizens in Brussels*, p.10.

Financial Resources, Welfare Benefits and Immigration Status

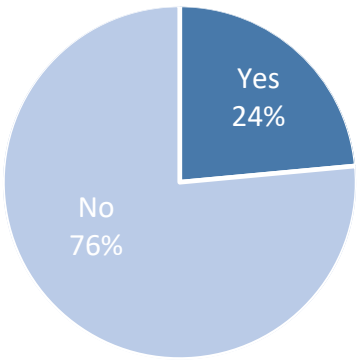
INCOME LEVEL

Given that only 8% of the respondents were established within the formal labour market, either as employees or self-employed people, many had an intermittent and insufficient income. Only 24% (n: 12) of the respondents answered that they had a regular income. Of those 24%, 83% (n: 10) reported that their actual income level was below the *at risk of poverty* threshold.[29]

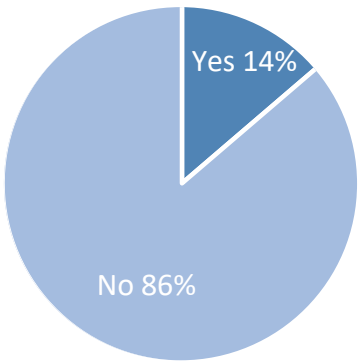
WELFARE BENEFITS

However, despite the low-income level among the respondents, the data show that only a few of them have sought support from the Swedish social welfare system. 86% (n: 44) of the respondents answered that they have never applied for welfare benefits in Sweden. 14% (n: 7) of respondents had applied but only 12% (n: 6) had received any type of welfare benefit[30] (social assistance (n: 1), employment-related benefits (n: 3), pension (n: 2)).

DO YOU HAVE A REGULAR INCOME?



HAVE YOU EVER APPLIED FOR WELFARE BENEFITS IN SWEDEN?



29 EU-SILC definition: https://ec.europa.eu/eurostat/databrowser/view/t2020_50/default/table?lang=en

30 One respondent answered that his application had been rejected but could not report the reason.

This might be because of the inconsistencies regarding the implementation of the concept of "jobseeker" within the Swedish Aliens Act as discussed above, but it could also be related to local authorities' uncertainties about the application of the concept of "jobseeker" as grounds for the right to welfare assistance.

Sweden has never implemented the exception to the equal treatment principle for jobseekers in Article 24 p.2. of Directive 2004/38/EC.[31] However, the application of the right to equal treatment as regards welfare assistance for jobseekers tends to vary at local level.[32] The CJEU established, in its decision on the C-22/08 Vatsouras case,[33] that jobseekers do have a right to benefits intended to facilitate access to the labour market. It is therefore striking that the respondents have not applied for such benefits, and indicates that more information about EU citizens' rights needs to be provided to destitute EU citizens.

IMMIGRATION STATUS

There is no registration requirement for EU citizens who move to Sweden, wherefore an assessment of the right to residence is performed every time an EU citizen asserts the right to equal treatment from a governmental agency. However, it is possible to register with the Swedish Tax Agency and obtain either a "coordination number" or a "personal number" (social security number).

EU citizens who register as jobseekers with the Job Centre or register to pay income tax with the Tax Agency will obtain a "coordination number". A "coordination number" cannot prove a person's right to residence and does not grant any rights under the free movement Directive, rather it is proof of administrative registration for the purposes of being able to pay income tax in Sweden. A "personal number", on the other hand, provides access to a substantial number of welfare rights, such as healthcare, social security, and welfare benefits. To obtain a "personal number", an EU citizen must be able to prove that they will have the right to residence for at least a year from the date of registration. In FEANTSA's *Fitness Check Report for Sweden*, it is argued that this one-year requirement in many cases impedes the enforcement of the equal treatment principle, since it contains additional conditions beyond what is laid down in EU law.

"PERSONAL NUMBER" OR "COORDINATION NUMBER"

According to the data collected from the respondents, 59% (n: 30) had neither a "coordination number" nor a "personal number", 20% (n: 10) had a "coordination number" and 21% (n: 11) had a "personal number". The respondents who did not have either a "coordination number" or a "personal number" were also asked whether they had made an application for one and 86% (n: 26) said they had not applied for either a "coordination number" or a "personal number".

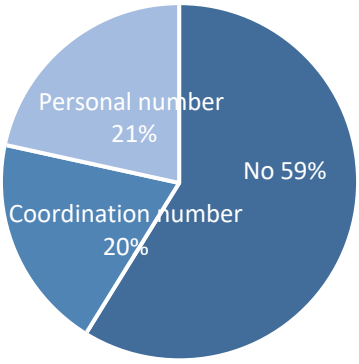
Bearing in mind that it is only the "personal number" that gives access to rights within Swedish society, it is worrying that, even though 57% of the

31 The article states that "*By way of derogation from paragraph 1, the host Member State shall not be obliged to confer entitlement to social assistance during the first three months of residence or, where appropriate, the longer period provided for in Article 14(4)(b), nor shall it be obliged, prior to acquisition of the right of permanent residence, to grant maintenance aid for studies, including vocational training, consisting in student grants or student loans to persons other than workers, self-employed persons, persons who retain such status and members of their families.*"

32 Vittoria and Källgren, *Fitness Check Report for Sweden*, 2020 https://www.feantsa.org/public/user/Resources/reports/Prodec_Legal_Fitness_Check_Sweden_rev_.pdf, p. 17; see for example the case summary of Case no 3177-09 at the Administrative Court of Appeal, Gothenburg, 2010-06-11.

33 Court of Justice of the European Union, Joined cases Athanasios Vatsouras (C-22/08) and Josif Koupatantze (C-23/08) v Arbeitsgemeinschaft (ARGE) Nürnberg 900, ECLI:EU:C:2009:344, p.40., where it is specified that "*It follows that nationals of the Member States seeking employment in another Member State who have established real links with the labour market of that State can rely on Article 39(2) EC in order to receive a benefit of a financial nature intended to facilitate access to the labour market.*"

DO YOU HAVE A "COORDINATION NUMBER" OR A "PERSONAL NUMBER"?



respondents had been in Sweden for more than two years, only 21% had a "personal number". Nevertheless, even without a "personal number", an EU citizen can make claims to rights in accordance with the equal treatment principle, but such claims must then (as briefly discussed above) be based on an assessment of the right to residence every time such a claim is made. Indeed, this often leads to a situation where, in many cases, it is EU citizens without a "personal number" who have to assert their free movement rights to make a governmental agency accountable under EU law. For example, we can take the case of a European citizen who approaches the social welfare office to apply for welfare benefits. A European citizen who fulfils the "resident criteria" does not need to be formally registered on the resident population register to receive welfare benefits. However, as the municipality of residence is the main provider of social assistance, not being registered could create further obstacles for the applicant. In order to decide whether or not the applicant qualifies for benefits, the social welfare office will preliminarily assess whether he or she has a right to residence in Sweden. It should be mentioned that the assessment made by the social welfare office will not be binding for another public authority.

IMMIGRATION STATUS IN RELATION TO AGE

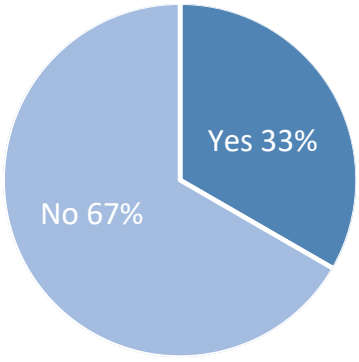
In terms of immigration status, none of the respondents aged between 20 and 29 years old had a "personal number" or a "coordination number", while only 25% (n: 3) of the respondents aged between 30 and 39 years old had a "personal number" and 25% (n: 3) had a "coordination number". 19% (n: 3) of the respondents aged between 40 and 49 years old had a "personal number" and 25% (n: 4) had a "coordination number". Among the respondents aged between 50 and 59 years old, 25% (n: 3) had a "personal number" and 17% (n: 2) had a "coordination number", while among the respondents aged over 60 years old, 40% (n: 2) had a "personal number" and 20% (n: 1) had a "coordination number".

EU citizenship rights

AWARENESS OF RIGHTS

The respondents were asked whether they were aware of their rights as EU citizens living in Sweden and whether they had experienced any obstacles to enforcing them. 33% (n: 17) of the respondents answered that they knew their rights and 67% (n: 34) answered that they did not know their rights as EU citizens in Sweden. Of the 33% who replied that they were aware of their rights, when asked which rights they had, the majority said that they had the right to work and to stay in Sweden for up to three months. Some answered that they had the right to study and the right to healthcare, while one answered that there is a right to stay for up to six months as a jobseeker. None of the respondents answered that they had the right to register with the Job Centre and, if applicable under national law, receive employment-related benefits connected to accessing the labour market. Likewise, none of the respondents mentioned the right to equal treatment.

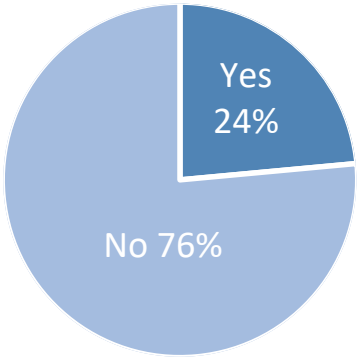
DO YOU KNOW YOUR RIGHTS AS AN EU CITIZEN IN SWEDEN?



OBSTACLES TO ENFORCING THE RIGHTS OF EU CITIZENS

Among the 17 respondents who considered themselves to have knowledge about their rights under EU law, 76% (n: 13) declared not having experienced any obstacles to enforcing those rights, while 24% (n: 4) had experienced obstacles. The respondents that had experienced obstacles cited problems with fulfilling conditions for the right to residence because of unemployment, civil servants not knowing the legislation and giving incorrect information, and problems with discrimination, even from public bodies, because of not speaking Swedish.

HAVE YOU EXPERIENCED ANY OBSTACLES TO ENFORCING YOUR RIGHTS AS AN EU CITIZEN?

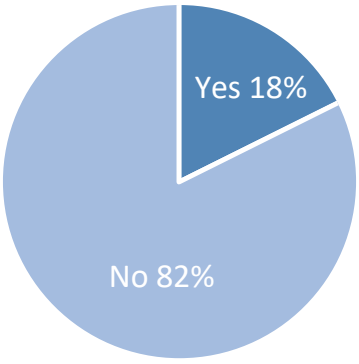


LEGAL ADVICE IN SWEDEN

The respondents were also asked whether they had needed legal advice to help them enforce their rights as EU citizens. Since not many respondents had declared experiencing obstacles in that regard, similarly, 82% (n: 14) of those who considered themselves to have knowledge about their rights under EU law (n: 17), answered that they had not needed legal advice. The reasons mentioned by the three individuals who had been in need of legal advice were, among others, a need for information about their rights as jobseekers and help with obtaining a "personal number" from the Swedish Tax Agency.

During the interviews, the respondents were also asked what they experienced as the biggest problem as an EU citizen in Sweden. 51% (n: 26) considered finding work and accommodation to be the biggest problem, 20% (n: 10) said discrimination based on nationality, 18% (n: 9) said language issues and 6% (n: 3) felt it was the complexity of the legal framework.

HAVE YOU EVER NEEDED LEGAL ADVICE?



Health

ACCESS TO HEALTHCARE

FEANTSA's *Fitness Check Report for Sweden* describes how access to healthcare is regulated in Sweden: an individual must be "registered as resident at the Tax Agency" in order to have access to the healthcare system. If they are not registered, emergency healthcare will be provided but not subsidised for EU citizens without health insurance and who do not fulfil the residence criteria.[34]

As reported in the *Handbook - Working Methods & Health and Social Information for Working with Vulnerable EU Citizens,*[35] the Swedish Social Board has established that EU citizens who have resided in Sweden for more than three months without a right to residence can, on rare occasions, be offered the same health treatment as that reserved for undocumented migrants, i.e. urgent healthcare. This means that medical staff will evaluate each patient to determine when treatment cannot be put off. Furthermore, EU citizens who reside in Sweden without the right to residence can, at the first contact with the care, see medical staff without incurring any expenses to have their condition assessed and to have it determined whether any treatment is necessary.[36] However, there is no legal obligation to provide healthcare to EU citizens under this framework and it is applied differently in every region of Sweden. In contrast, an EU citizen with a valid European Health Insurance Card is entitled to receive medical treatment under the same conditions and costs as a Swedish citizen.[37]

Despite the fact that many respondents were in Sweden without the right to reside or a valid European Health Insurance Card, among those (n: 27) who had received medical care, 41% (n: 11) had received free medical care, while 59% (n: 16) had paid for medical treatment. The respondents were also asked whether they had ever experienced any obstacles to accessing healthcare and, although 59% (n: 30) had neither a "coordination number" nor a "personal number", 39% of those interviewed (n: 20) had never experienced any obstacles to accessing healthcare, while 47% (n: 24) had not needed healthcare and only 14% (n: 7) had experienced obstacles.[38]

Among the problems respondents encountered when accessing healthcare, one said he had had to wait too long, one said he had had difficulty communicating with the medical staff because of the language barrier (lack of translation), and another said that he did not have proof of identification. Three respondents said that healthcare costs were too high and one had experienced difficulties because he did not have a social security number.

34 Vittoria and Källgren, *Fitness Check Report for Sweden*, 2020 https://www.feantsa.org/public/user/Resources/reports/Prodec_Legal_Fitness_Check_Sweden_rev_.pdf, pp.30-31.

35 Carolina Mikaelsdotter, *Handbook - Working Methods & Health and Social Information for Working with Vulnerable EU Citizens (Metodhandbok, Arbetsmetoder & Hälso och Samhällsinformation för Arbete med EU-Medborgare i Utsatthet*), pp.17-18.

36 This health examination is conducted by a nurse who asks the person about their health and takes any necessary samples to check whether the individual has any illnesses that need to be treated. If necessary, a physical examination can be performed by a doctor.

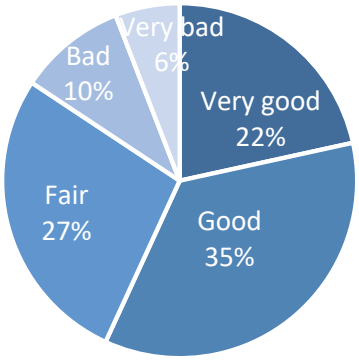
37 When a certain level of medical expenses is reached, payment will not be required for the remainder of the year.

38 The information in this report seems to suggest that EU citizens in Stockholm encounter fewer difficulties than those in Brussels when it comes to accessing healthcare. This can be explained in light of the fact that, in Sweden, even European citizens without a European Health Insurance Card and who are irregularly residing in the country can obtain some form of medical treatment.

GENERAL HEALTH STATUS

Among the questions asked of the respondents, some aimed to determine their general health status, whether they were suffering from recurrent illnesses or disorders, and whether they were experiencing addiction to alcohol or drugs. Nevertheless, the questions were conducted by non-medical personnel without access to the official clinical history of the respondents, and it is likely that some of the respondents were reluctant to recognise, or minimised, certain illnesses or even alcoholism. Therefore, the data presents people's perceived health status. Moreover, while some European citizens with serious mental health problems have used Crossroads' services in the recent past, none of them were able to participate in the survey, which limited our access to information on mental health issues.

HOW IS YOUR HEALTH IN GENERAL?



Speaking about their general health, 22% of respondents (n: 11) said they considered their general health to be very good, 35% (n: 18) good, 27% (n: 14) fair, 10% (n: 5) bad and 6% (n: 3) very bad. The respondents who considered their general health to be "very good" did so believing that they "did not have particular problems", just like those who answered that their general health was "good". Those who, on the other hand, considered their general health to be "fair" replied that they had experienced physical problems, while more than half of those who considered their health to be "bad" or "very bad", reported feeling ill because they were unemployed and worried about the future.

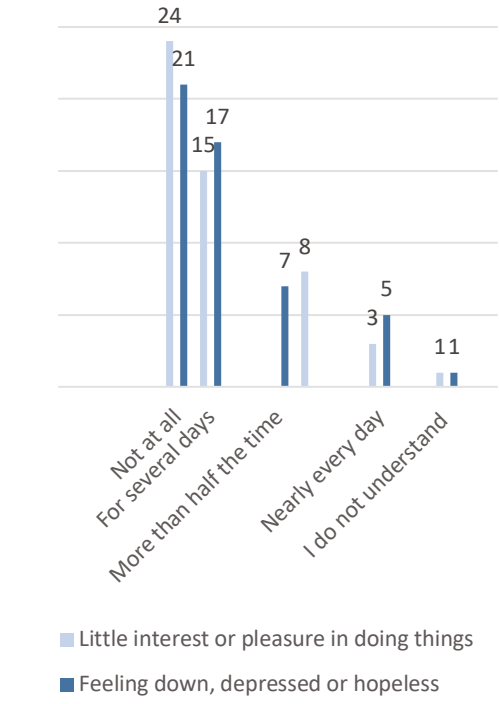
23% (n: 12) of the respondents stated that their health had deteriorated since they had arrived in Sweden, while 76% (n: 39) stated that their health had not deteriorated. Those who noticed a deterioration in their health attributed this to the cold climate or to living conditions that were more difficult (e.g. lack of rest) and fears for the future.

13% (n: 7) of the respondents answered that their most recurrent health problems were dental problems, while other problems that were reported by at least two respondents were stomach ulcers, back pain and knee pain.

MENTAL HEALTH

The respondents frequently mentioned psychological distress in the form of depression or a lack of motivation and/or enjoyment of life. Although 41% (n: 21) of the participants had not felt depressed in the two months prior to the interview, 33% (n: 17) reported having experienced depression "for several days", while 23.5% (n: 12) reported feeling depressed "more than half the time" or "nearly every day".

HAVE YOU BEEN AFFECTED BY ANY OF THE FOLLOWING PROBLEMS IN THE LAST TWO MONTHS?



Many respondents who initially stated that they were fine when talking about their general health, later explained that they were somewhat depressed.[39] Respondents seemed to understand their general health status to mean their physical health status, without taking psychological problems or depression into consideration. The reason behind this attitude is not clear. One explanation might be the existence of cultural taboos or social stigmas around mental distress.

ALCOHOL AND DRUG MISUSE

Over half (51%) the respondents said that they consumed alcohol but only three reported having alcohol-related problems (tremors, liver problems), while 23 answered that they were casual drinkers or able to control their alcohol consumption without becoming addicted. None of the survey respondents reported using any drugs at that time.

HEALTH INSURANCE

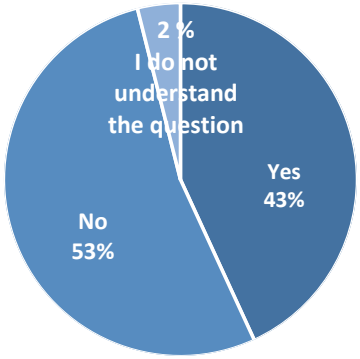
While 43% (n: 22) of the respondents answered that they had health insurance, 53% (n: 27) said they did not have health insurance, while 4% (n: 2) were not able to answer the question.

Among the respondents who did not have health insurance, seven were unable to explain why they did not have it, two said they did not need it, and five said they were insured in their home country but did not have a European Health Insurance Card. Eight respondents stated that they could not afford any medical expenses.

In general, the participants showed little understanding of the Swedish and European healthcare systems, so it is possible that the answers may have been distorted by their inability to understand how the healthcare system works.

In conclusion, although 62% of the respondents stated that they had good general health, 57% reported having moments of mental distress. This could lead to the conclusion that experiencing vulnerable and socially excluded living conditions affects the psychological health of individuals. In the meantime, it is worrying that, despite the fact that 59% of the respondents reported having experienced mental distress, 47% reported that they had never needed medical attention. Treatment for mental distress is vital for preventing a possible worsening of the symptoms and, more generally, for facilitating social inclusion. This is all the more worrying within the context of the pandemic, which has affected people's mental health and has brought changes and more uncertainty to people's lives everywhere, but in particular to those who were already in vulnerable situations.

DO YOU HAVE HEALTH INSURANCE?



39 With regards to health, the first question the respondents were asked was "how is your health in general?" and the second question was whether they had been affected by either of the following problems in the past two months: 1) little interest in doing things 2) feeling down, depressed or hopeless.

Polish and Romanian Citizens: An Overview

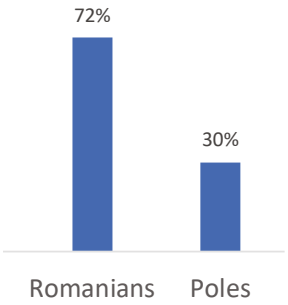
GENERAL PICTURE

Because 49% (n: 25) of the respondents came from Romania and 20% (n: 10) came from Poland, we found it relevant to examine these two groups in more detail, highlighting any similarities or differences. Among these groups, some individuals were of Roma origin, and we will also look at their situation more closely.

Significant differences appeared between the Romanian and Polish citizens as regards marital status and family relationships. 68% of the Romanians, but none of the Poles, were married. Moreover, 72% (n: 18) of the Romanian nationals had children, while only 30% (n: 3) of the Polish respondents did. It is also significant that 16 Romanian respondents who answered that they had children reported that their children were living in Romania,[40] while only one Polish respondent's children were with him in Sweden and two respondents said their children were in Poland.

When analysing the age of Romanian and Polish citizens, there were similar numbers of respondents aged between 40 and 59, as 50% of the Poles and 48% of the Romanians were in this age group. In contrast, significantly different numbers were recorded for the two groups aged between 60 and 69, (respectively 30% of the Poles and 4% of the Romanians) and those who were aged between 30 and 39 (respectively 10% of the Poles and 28% of the Romanians).

DO YOU HAVE CHILDREN?



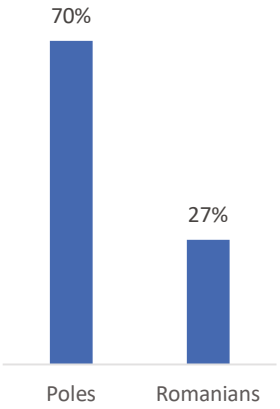
Clear differences can also be observed in terms of regular income: 50% of the Poles did not have this, while the percentage of Romanians without a regular income was as high as 80%. Of the Romanian nationals who had an income, four had informal work (one for a removal company, two as house painters and another one in a shop) while one was retired and had a pension from Romania, but still needed to supplement his income and contribute to the family finances back home. Moreover, the Poles who said that they did not have a regular income explained that they were looking for a job and none of them declared that they were begging or collecting bottles. On the contrary, all the Romanians who did not have a regular income answered that they did collect bottles and begged; moreover they thought that that was a better source of income than what they would have had access to in Romania.

40 Two respondents from Romania did not want to say where their children were living but said the children were not living in Romania.

Another clear difference between the two groups involved in the survey can be seen regarding housing conditions, as 70% of the Poles, compared to 96% of the Romanians, were roofless or had inadequate housing.[41] It is also interesting to consider that, before moving to Sweden, all the Polish nationals had had accommodation and only 8% (n: 2) of the Romanian nationals were homeless.

76% of the Romanians (n: 19) and 50% of the Polish nationals (n: 5) declared that they did not have health insurance; only a few of the respondents reported having experienced obstacles when accessing healthcare. The Romanian nationals seemed to suffer from more acute social exclusion, considering that none of them had a "personal number" and only 12% (n: 3) had a "coordination number", while among the Poles, 30% (n: 3) had a "personal number" and 20% (n: 2) had a "coordination number". As previously mentioned, Polish nationals spent on average more time in Sweden, and this could at least partially explain this difference. Indeed, if we consider the length of stay in Sweden, it emerges that 70% of the Polish respondents, but only 27% of the Romanian nationals, had been living in Sweden for more than five years. Moreover, it should be noted that all the Romanian nationals reported that they periodically returned to Romania, for shorter or longer periods.

IN SWEDEN FOR MORE THAN FIVE YEARS



ROMA

Among the citizens of Romanian nationality, 64% declared that they were of Roma ethnic origin. The main difference between this group and the rest of the respondents is noticeable in the percentage of women that were encountered. 50% of the Roma respondents were women. They also made up 73% of the total number of women who participated in the survey. The main factor in this difference can be explained by the role that Roma women play within the family, as well as by the high percentage of families among the Romanian citizens included in the survey, as seen above. From the daily contact that the Crossroads support workers have with service users of Roma origin, our staff observed that women were often the ones to take care of practicalities, for instance using the basic services offered at the shelter (for example, washing clothes for other family members).

According to the report published in November 2018 by Amnesty International, *A cold welcome: Human rights of Roma and other 'vulnerable EU citizens' at risk*,[42] the vulnerability of Roma mobile EU citizens in Sweden is of great concern. The report highlights how, in parallel with the absence of adequate support for this vulnerable group, "anti-Roma" sentiment is growing in Sweden. According to the above report, the rights of European citizens of Roma origin are not adequately protected and there are legal – but above all social – barriers that hinder these individuals in their attempt to improve their living conditions. Amnesty's analysis of the extreme vulnerability of this group is confirmed by our data collection.

Regarding their residence status in Sweden, only one Roma respondent had applied for a "coordination number" (the application was rejected) and none of the Roma respondents had either a "coordination number" or a "personal number". In terms of access to employment, 25% (n: 4) had informal employment, while 75% (n: 12) answered that they resorted to activities such as begging

41 One Romanian answered that he rented an apartment, but it was unclear how he could pay for it. Please see footnote 19 for more information.

42 Amnesty International, *Sweden: A cold welcome: Human rights of Roma and other 'vulnerable EU citizens' at risk*, https://www.amnesty.org/en/documents/eur42/9403/2018/en/

and collecting bottles to get by. As stated in the report *Roma National Minority, Stockholm City's strategy for Roma inclusion 2018-2022*, the possible reasons as to why citizens of Roma origin experience more difficulty in gaining access to the Swedish labour market than other EU citizens is because of a history of discrimination and racism as well as a prevalent low level of educational background. While this report concerns the Roma minority in Sweden, the same considerations can be applied to destitute European citizens of Roma ethnic origin while they reside in the host Member State, in this case, Sweden.[43] Regarding health and addictions, of the three respondents who reported problems with alcohol addiction, two are of Roma ethnic origin.

Unlike the situation in Brussels,[44] it emerged from our data collection that the general conditions experienced by citizens of Roma origin are, on average, worse than those of the other respondents. This is the case in several aspects of life: as our data show, this applies to opportunities for work and immigration status, but also access to housing. Moreover, unlike the data collected in Brussels, our data collection shows that the respondents who are married do not necessarily have better living conditions. On the contrary, it should be noted that the greatest presence of married people is found among Romanian Roma citizens, who are exposed to greater social exclusion.

GENDER

Of the 51 people interviewed, 22% (n: 11) were women and 78% (n: 40) were men (this data may not reflect the true distribution of genders among the destitute European citizens in Stockholm).

73% (n: 8) of the female respondents were Romanian citizens of Roma ethnicity and 27% (n: 3) were Italian citizens who were originally third-country nationals who had acquired Italian citizenship before moving to Sweden. While none of the female Italian respondents were roofless, all the female Romanian Roma respondents were more exposed to rooflessness or inadequate housing. Another difference between the female Italian and Romanian Roma respondents was marital status, given that seven Romanian Roma women were married and one was a widow, while one Italian female respondent was cohabiting, one was separated and only one was married. The Romanian Roma respondents usually had stronger family ties and were accompanied by members of close and extended family when migrating to Sweden.

While all the women answered that they had moved to Sweden to look for work, none of the Romanian female respondents had a "coordination number" or a "personal number". One female Italian respondent had a "personal number" and two said they had a "coordination number". The respondents were also asked whether they had applied for either a "coordination number" or a "personal number", and it was worrying that none of the female Romanian Roma respondents had applied for a "coordination number" or a "personal number". A possible reason for this could be that the vast majority of the Romanian respondents were unaware of the meaning and importance of having a "personal number".

As previously mentioned, the percentage of women recorded in our survey does not reflect the real picture of women among the destitute EU citizens in Sweden. Moreover, it should be said that there are normally also female service users among the Polish nationals who access Crossroads' services but who were not using the service when the survey was conducted, therefore they could not be included in the data. The reason they stopped coming is still unknown.

43 *Nationella Minoriteten Romer, Stockholms stads strategi för romsk inkludering 2018–2022*: https://start.stockholm/globalassets/start/om-stockholms-stad/politik-och-demokrati/styrdokument/stadens-strategi-for-romsk-inkludering-2018-2022.pdf., p.5.

44 Striano, M., *Factors Contributing to Vulnerability Among Destitute Mobile EU Citizens in Brussels*, pp.18-19.

Conclusion

The Covid-19 pandemic has meant that the number of destitute European citizens present in Stockholm was significantly lower than usual at the time of data collection for this report. This was owing to the restrictions on travel and to the temporary suspension and/or reduction of the services available for vulnerable individuals, which forced many individuals to move back to their country of origin. Given the limited number of respondents within this study, the report cannot therefore be said to give a full picture of the situation of destitute mobile EU citizens residing in Stockholm. However, the study does reflect the experiences of the respondents and does indicate some general patterns regarding the level of destitution and the available pathways to settling in Sweden. The findings are also illustrative of the experiences of mobile EU citizens at *Stockholms Stadsmission*.

Despite there being a pandemic and the general vulnerable situation of the respondents, their self-perceived state of health was on average fair or good. This finding seems consistent with the reason that motivated respondents to move to Sweden, because most of the respondents moved to Sweden to find work, almost always aiming for unskilled jobs where physical labour (and so good physical health) is important. Conversely, the data showed that the respondents did not always have good mental health and it has yet to be determined whether this is a cause or a consequence of their vulnerability, as more data were not available. Regarding access to medical care, it is quite surprising that most of the respondents had not encountered particular obstacles. This circumstance may be related to the fact that, in rare cases, medical care that cannot be put off can be offered to European citizens even if they have irregular immigration status.

Notwithstanding the fact that a majority of the respondents moved to Sweden with the ambition of finding work, only a small minority of the respondents were working after having resided in Sweden for six months or more. Even without the difficulties created by the pandemic, access to the labour market seemed particularly difficult for many of the respondents. Among them, most are adults with limited professional skills, a low level of education and very often limited language skills in Swedish. Because so many of the respondents do not have access to the labour market, this has affected their income levels, which in turn increases the likelihood of destitution of the target group, demonstrated by the fact that more than two thirds of the respondents were roofless or had inadequate housing in Stockholm. The data showed that most of the respondents were not experiencing homelessness and were not living in the same level of destitution before they came to Sweden. However, their economic opportunities in their countries of origin were significantly lower compared to those they could access while in Sweden (though in most cases these were informal jobs or activities such as collecting bottles), which made people decide to travel abroad.

Regarding the nationality of the respondents, Romanians are the most represented group, who in turn showed the highest levels of vulnerability in terms of access to adequate housing solutions, access to the formal labour market and securing their immigration status.

Considering that most of the respondents moved to Sweden with the ambition of finding a job, it is unfortunate that they have not been able to exercise their free movement rights, being as none of the respondents who are jobseekers have received

support to access the labour market in Sweden, according to the principle stated in the C-22/08 (Vatsouras case), while only few received other type of employment-related benefits.[45] The right of jobseekers to receive *"a benefit of a financial nature intended to facilitate access to employment in the labour market"* is established through CJEU case law. Even though this report does not show the reason for the respondents have not applied for such benefits, it does indicate that the legal provisions are not well implemented with regard to destitute EU citizens residing in Sweden.

It is notable that only a few of the respondents have been able to assert their rights as EU citizens under the free movement acquis. This may correspond to the respondents' knowledge about EU citizens' rights, but it does also raise concerns about the de facto possibility for destitute EU citizens to invoke their rights in Sweden. Bearing in mind that only a minority of the respondents had either a "coordination number" or a "personal number", quite a substantial proportion of the respondents are residing in Sweden without any type of registration. Even though, formally, EU citizen's rights can be invoked without them having to register, it is likely that destitute EU citizens have little means of accessing their rights. Given that 94% of the respondents were at risk of poverty when residing in Sweden,[46] the systematic obstacles that that they encounter when trying to enforce their rights as EU citizens could be a factor contributing to their destitution.

According to the data collected, and as already highlighted in the *Fitness Check Report for Sweden*,[47] the way the concept of "jobseeker" is applied is crucial for destitute EU citizens who move to Sweden. According to EU law, European citizens have the right to reside legally within the territory of another Member State for six months when looking for a job and this term is not subject to any formalities. Even after this six-month period, any European citizen who continues to look for work actively and has a real chance of finding a job retains the right to residence. The *Fitness Check Report for Sweden* reported that these principles do not seem to have been transposed into the Swedish Aliens Act, where it is stated that a "jobseeker" only enjoys the right to residence if he or she already has a real chance of finding a job before the six-month rule. In addition, according to Articles 3 and 4 of the Swedish Population Registration Act, a European applicant can be registered as resident in Sweden only if he or she can prove that he or she will have the right to residence for at least a year hence (the one-year rule). The result is that the combined provisions of the rules referred to in the Aliens Act and the Swedish Population Registration Act make it virtually impossible for a European "jobseeker" to secure their status in Sweden.

It is also necessary to note that, again in connection with the one-year rule, even a European citizen who works could face obstacles in terms of registration if his/her employment contract is not long enough (the duration of the right to residence depends on the duration of the job). While a permanent contract should – as a rule – entail the right to residence for one year, the same cannot be said in relation to a too-short, fixed-term contract or a zero-hour contract.[48]

At the same time, to be entitled to a social security number, an EU citizen must register in the national population register. As this is clearly hard to obtain for the reasons presented above, Sweden is failing to apply the principle of free movement (and free residence) within the territory of the Member States.

45 N.B. Such employment-related benefits have not been granted in the framework of the principle stated in the Vatsouras case.

46 Only 24% (n: 12) of the respondents answered that they had a regular income. Of those 24%, 83% (n: 10) reported that their actual income level was below the at risk of poverty threshold. 86% (n: 38) did not have a regular income. We conclude that, because 38 individuals had no income and 10 were below the at risk of poverty threshold, 48 individuals (94%) are at risk of poverty.

47 Vittoria and Källgren, *Fitness Check Report for Sweden*, 2020 https://www.feantsa.org/public/user/Resources/reports/Prodec_Legal_Fitness_Check_Sweden_rev_.pdf, p.9.

48 For more information, please see note 27.

As already reported in the *Fitness Check Report for Sweden*, the one year-rule leads to the failure to apply another founding principle of EU law: the principle of equal treatment. Any European citizen who applies to be registered must prove that they will have the right to residence for one year, while a Swedish citizen returning home after living abroad for a few years will simply need to demonstrate that they want to live in Sweden for at least one year. However, it should also be emphasised that before the regulatory change that affected the Population Register Act in 2014, European citizens applying to be registered were not required to demonstrate the "one-year" condition, thus enjoying the same prerogatives as Swedish citizens.

The violation of the EU law appears evident *ictu oculi* and a reform of this provision should take place as soon as possible, because of the systematic violation of two founding principles: the principle of free movement as stated in Article 45 of the Treaty on the Functioning of the European Union (TFEU)[49] and the principle of equal treatment as stated in Article 24 of Directive 2004/38/EC.[50] In relation to the above, the EU Rights Clinic and Crossroads Gothenburg presented a complaint to the European Commission "*against Sweden for the refusal of the Swedish tax authorities to issue a personal identification number - 'personnummer' - to EU citizens* (...)", as long ago as 2017.[51] To this

day, the Swedish Tax Agency continues to use the one-year rule in relation to EU citizens. The legislative process for amending the Swedish Population Registration Act has continued through October 2021 but, according to the proposed changes, it is unlikely that it will lead to a repeal of the one-year rule. The conclusion of this report is that, in order to continue promoting the European integration process and the links between the member states, it would be desirable for Sweden to take the necessary steps to fully implement the European law.

49 Article 45 pp.1. and 2. TFEU: "1. Freedom of movement for workers shall be secured within the Union. 2. Such freedom of movement shall entail the abolition of any discrimination based on nationality between workers of the Member States as regards employment, remuneration and other conditions of work and employment."

50 Directive 2004/38/EC, Article 24 p.1.: "1. All Union citizens residing on the basis of this Directive in the territory of the host Member State shall enjoy equal treatment with the nationals of that Member State within the scope of the Treaty."

51 *Complaint to the European Commission concerning a failure to comply with EU law by Sweden in respect of 1) The refusal of the Skatteverket (Swedish Tax Agency) to issue personal identification numbers (personnummer) to EU citizens and their family members residing in Sweden and 2) Its restrictive administrative policy on comprehensive sickness insurance.* https://ecas.b-cdn.net/wp-content/uploads/2017/11/Complaint-executive-summary-FINAL-14.11.17.pdf, p.1.

SHORT LIFE STORIES FROM DESTITUTE MOBILE EU CITIZENS

LIVING IN THE SHADOWS

Mario has lived in Sweden for about four years. He collects bottles, begs and often returns to Romania. In Sweden, Mario lives in a camp in the forest with a few friends from Romania. A few months ago, a group of strangers approached the camp and threatened Mario and his friends, asking them for money. Mario and his friends told the strangers to go away, but they were afraid. Mario thought it might be necessary to contact the police, but he did not do so because he was afraid that the police would dismantle his camp instead of helping him.

Mario does not have the right to residence and therefore he considers contacting the police to be more dangerous than becoming the victim of crime.

COVID-19 AND VULNERABILITY

Maria is a Romanian citizen. Before moving to Sweden, she lived in Italy with relatives. Maria worked informally at a riding school and had a regular rental contract in Italy. Because of the Covid-19 pandemic, she lost her job and moved to Sweden, where she started living in the forest with other compatriots. Because of the severe restrictions introduced in Italy, Maria said that she would not have been able look for other jobs there. She cannot find work in Sweden because she does not speak English or Swedish, therefore she is forced to beg.

Maria said she has children in Romania and, as difficult as begging might be, she still manages to send money to her family.

AM I A EUROPEAN CITIZEN?

Valentino is a Romanian citizen who worked legally in Italy as a bricklayer. After the 2008 crisis, he began spending long periods of time in Sweden, begging, and working informally as a bricklayer or house painter. When he is in Sweden, Valentino lives in a tent or sleeps in a shelter. Valentino believes that, although he is a Romanian citizen, he needs a work permit to have the right to work in Sweden. Valentino believes that as a homeless Romanian citizen he is not entitled to a work permit.

Because of this situation, he works without a contract and receives a very low salary.

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