MINISTERUL MUNCII, FAMILIEI ŞI PROTECŢIEI SOCIALE

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According to your request - according to which you ask for our comments on the *2007 National and European consolidated reports on free movement of workers* – we propose the following ammendments:

1. National Report on the free movement of workers

- **At page 18, the last paragraph** *" Also, EU citizen... to be employed"* should be reformulated as follows:

  „Also, EU citizen and their family members ***can not be removed*** *from Romanian territory if the EU citizen can prove by any means that he/she is looking for a job and there are real possibilities to be employed."*

- **At page 36, the first paragraph** *"Romania has a National Strategy on Migration...d) social integration of aliens"* should be reformulated and extended as follows:

  "With the aim of streamlining the immigration management on the national territory, in full accordance with the EU policies, as well as for establishing concrete action guidelines within this field, in 2007, through the Government Decision no 1122, the Romanian Government adopted ***The National Strategy on Immigration for 2007-2010****, a document which represents our country's official position towards the migration phenomenon and a follow-up of our country's efforts to fall in line with international standards.*

  In comparison with the last Strategy, adopted in 2004, the National Strategy on Immigration for 2007-2010 endorses a defined period of implementation (4 years) and draws a new national policy in the field which contains both the obligations that Romania undertook as an EU Member State as well as the necessary measures for an effective management of the phenomenon, seeing it as our country is gradually transforming from a transit area into a destination state for immigrants.

Among the new elements brought forth by the current strategic document, are:

- *promoting the third country nationals' admission for work purposes in compliance with the identified national labour market needs, with a view to filling the eventual gaps on the Romanian labour market (due to the migration of its own citizens to other countries for work purposes) with qualified personnel from third country states (migrant workers) and, thus, to further sustaining the economic development of our country;*
- *taking the necessary measures for a better informing of the population on the immigration phenomenon, which will lead to keeping the laws in force and an easier acceptance of the foreigners by the Romanian society;*
- *efficient information of possible immigrants on legal channels of admission and the measures taken by the Romanian state to fight illegal immigration;*
- *decreasing illegal migration by preventing the immigration of the categories of persons that do not fulfill the conditions laid down by law as well as fighting illegal residence, work on the irregular market and workers traffic;*
- *increasing internal and international cooperation for controlling illegal migration and work on the irregular market;*
- *intensification of the measures aiming at removing the foreigners who illegally entered Romania, or who legally entered but their residence here became illegal;*
- *providing for and maintaining Romania's capacity for assuming its responsibilities and obligations as an EU Member State in the asylum field".*

- **At page 37, the 5th paragraph** *"On the other side, about the...in order to work on the Romanian Territory"* should be rephrased and extended as follows:

  " The transitional arrangements regulate the right of each Member State to establish its accession policy regarding the employment of EU Member State workers according to the situation of the national labour market in such a way that it doesn't bring economical prejudice and to the social security system. For Romania was established, through the European Union accession treaty from April 2005, the possibility of enforcing transitional measures to the free movement of workers. In this respect, Romania didn't impose transitional measures, concerning the free movement of workers, to Member States of the European Union.

- **At page 45, the last table title** ” *Situaţia statistică... dupa criteriul sex”,* should be translated into english as follows:

  ”The statistical situation of the EU/EEA member states citizens that owned registration certificates valid at 31.03.2007, divided on gender”.

- **The last Chapter - Statistics, should be completed at page 52**, with the following statistical information:

  ”In what concerns the EU/EEA member states nationals, statistical data for 2007 show that in the reference period have been registered – 11,250 persons having for more than 3 months residence on the Romania territory, the most of them coming form Italy (2,390), Germany (2,224) and France (1,653). As in the “third country citizens” case, the UE/EEA nationals established their residence in the developed areas of the country – Bucharest (3,337), Ilfov (792) and Sibiu (668).

  The qualitative analysis of EU/EEA member states citizens registered on the territory of Romania points out that 63.6% of them did not have a right of stay in Romania.

  With respect to short-term, respectively long-term visas, in 2007, the Romanian Office for Immigration (ROI) received for approval a number of ***24,518*** *visa applications* ***(20%*** *more compared to the previous year), by which* ***10,262*** *were for short-term stay* ***(+9%)*** *and* ***14,256*** *for long-term stay* ***(+28%).***

  After 5 years of temporary residence on the Romanian territory, the competent authorities issue permanent residence permits to the foreigners. We present a situation regarding the number of permanent residence permits issued in 2007:

Citizenship	**EU permanent residence**
Austria	8
Belgium	8
Bulgaria	19
Cyprus	1
France	24
Germany	44
Greece	27
Ireland	3

Italy	149
Great Britain	23
Netherlands	20
Poland	7
Portugal	2
Slovakia	2
Spain	6
Sweden	4
Hungary	8
Total	**355**

Source: Romanian Office for Immigration

Concerning the registration certificates issued to the EU member states nationals who came in Romania for work, according to the Romanian Office for Immigration database detailed on: citizenship, carried out activity, means of maintenance, studies and family members of the EU nationals, the situation is as follows:

Citizenship	**Activity (employment/ self-employment)**	**Means of maintenance**	**Studies**	**EU citizen family member**	**Total**
Austria	394	322	15	78	809
Belgium	87	66	6	38	197
Bulgaria	478	56	103	29	666
Czech Republic	42	13	1	16	72
Cyprus	37	19	8	8	72
Denmark	22	22	2	11	57
Estonia	2	1	0	0	3
Finland	8	14	2	0	24
France	787	328	58	481	1,654
Germany	834	1,129	87	173	2,223
Greece	280	95	60	34	469
Ireland	30	25	0	4	59
Italy	1,028	1,243	69	49	2,389
Latvia	3	1	0	1	5
Lithuania	4	10	0	0	14
Luxembourg	1	6	0	0	7

Malta	6	2	0	0	8
Great Britain	326	244	20	86	676
Netherlands	164	198	3	55	420
Poland	144	38	4	23	209
Portugal	91	34	7	13	145
Slovakia	42	19	1	4	66
Slovenia	13	7	1	7	28
Spain	89	122	26	19	256
Sweden	59	83	8	12	162
Hungary	288	166	8	40	502
Total	**5,259**	**4,263**	**489**	**1,181**	**11,192**

Source: Romanian Office for Immigration

- **At page 54, section „relevant web-sites",** should be mentioned the new Romanian Office for Immigration official website address, respectively http://ori.mira.gov.ro;.
  This list should contain also the official website address of the Ministry of Labour, Family and Social Protection from Romania, body with competences on free movement of workers – www.mmuncii.ro

2. ***European consolidated report on the free movement of workers***

- **At page 75, line 7, the paragraph** *"Romania: transitional arrangements...when they were lifted"* should be reformulated as follows:

" *Romania: no transitional arrangements on a reciprocal basis as permitted in the accession treaty have been adopted."*