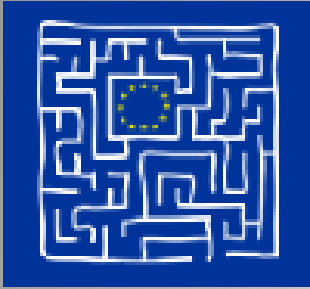


The AIRE Centre

Mission: to promote awareness of European law rights and assist marginalised individuals and those in vulnerable circumstances to assert those rights



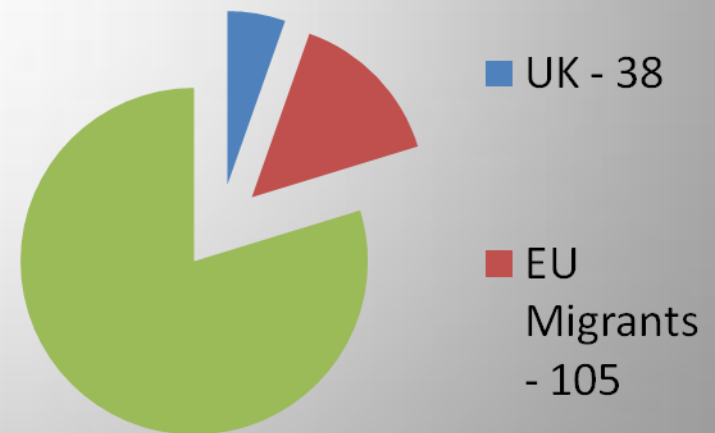
AIRE Centre Activities

- Litigation before the European Court of Human Rights
- Reports, books, third-party interventions
- Trainings
- Free, expert written legal advice on European Union law and other legal services (applications, appeals)

Free Movement Issues at AIRE

- Homeless and otherwise destitute EU migrants
- Domestic Violence
- EU migrants of minority ethnicity
- Victims of trafficking

UK Recorded Trafficking
Victims 2009-10



Three Topics

1. Different ways the prohibition on nationality discrimination is incorporated (or not) into national legislation.
2. Some remedies that exist in the Member States for discrimination based on nationality.
3. Some recommendations and concluding remarks.

Portuguese Constitution, Article 15

Article 15 Aliens and Stateless Persons

(1) Aliens and stateless persons staying or residing in Portugal enjoy the same rights and are subject to the same duties as Portuguese citizens.

(2) The foregoing paragraph does not apply to political rights, to the performance of public duties that are not predominantly technical, or to rights and duties restricted to Portuguese citizens under the Constitution and by law.

(3) Citizens of Portuguese speaking countries may, by international convention and subject to reciprocity, be granted rights not otherwise conferred to aliens, except the right of access to membership of the organs of supreme authority and the organs of self-government of the autonomous regions, service in the armed forces, and access to the diplomatic service.

(4) Subject to reciprocity, the law may confer upon aliens residing on the national territory the right to vote and to stand for election with respect to the election of members of organs of local authority.

Full prohibition in national legislation

- Portugal
- Ireland
- Slovenia
- Poland
- Lithuania
- Finland

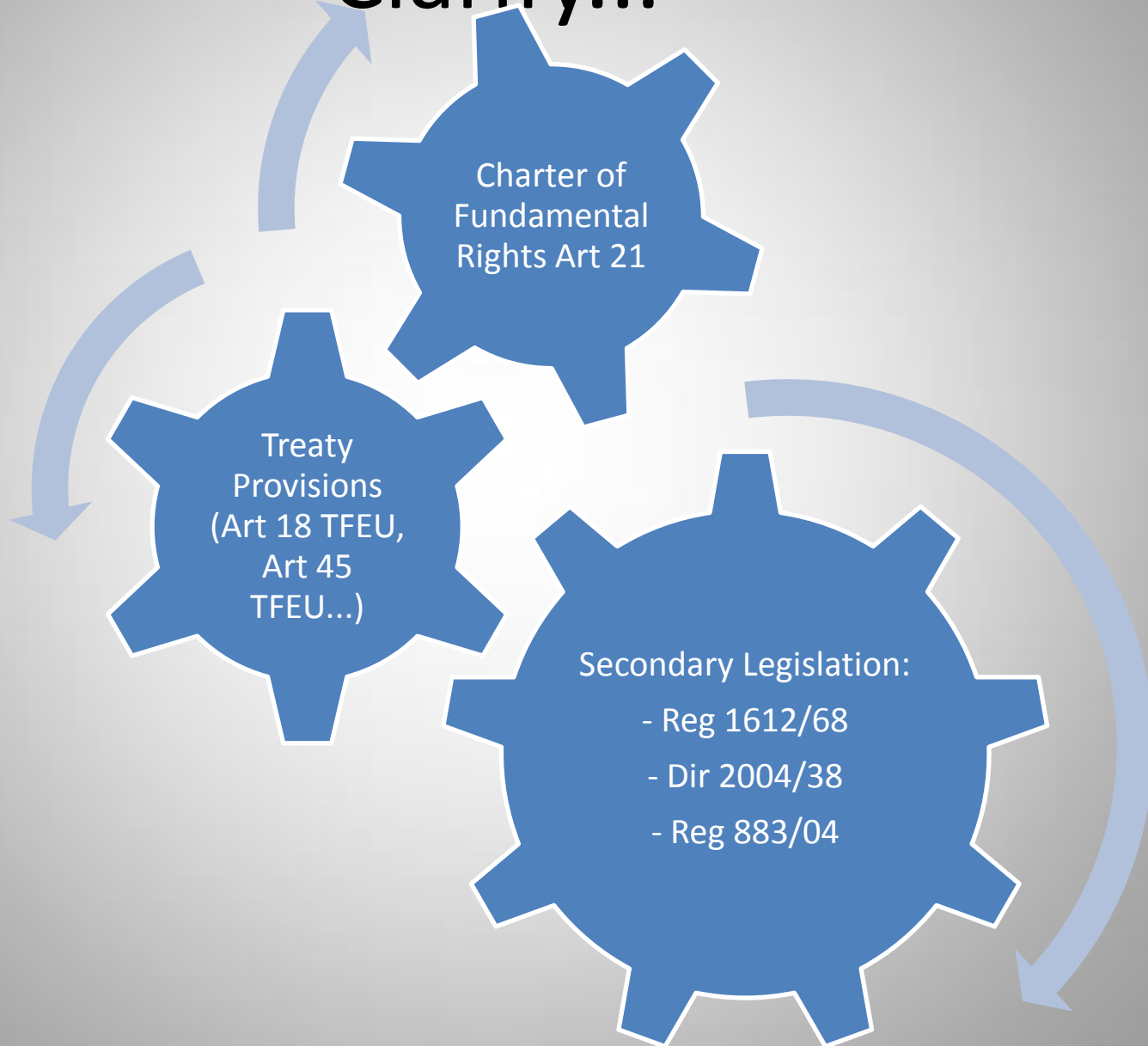
Something in between

- United Kingdom (?)
- Czech Republic
- Slovakia
- Sweden
- Romania
- Belgium

Not included in national legislation

- Germany
- Greece
- Denmark
- Cyprus

Clarify...



Charter of
Fundamental
Rights Art 21

Treaty
Provisions
(Art 18 TFEU,
Art 45
TFEU...)

Secondary Legislation:

- Reg 1612/68
- Dir 2004/38
- Reg 883/04



EU Anti-Discrimination Law (adopted under what is now Art 19 TFEU), including:

- Directive 2000/43
- Directive 2000/78

- EU Law on the Free Movement of Workers (and Persons Generally)
- Regulation 1612/68
 - Directive 2004/38
 - Regulation 883/04
 - Treaty Provisions
 - CFR