

Brussels, 24 June 2010

Free movement of workers: EU requests Italy to end discriminatory access to student accomodation

The European Commission has requested Italy to put and end to discriminatory conditions in competitions for university students to access low rent apartments in Milan. The Commission considers the discriminatory rules to be in breach of EU law on free movement of workers. The Italian provisions require students to have resided in Italy in the preceding five years. The Commission considers that this places foreign students at a disadvantage and that the rules amount to indirect discrimination against migrant workers and their families. The request takes the form of a 'reasoned opinion' under EU infringement procedures. In the absence of a satisfactory response within two months, the Commission may decide to refer Italy to the EU's Court of Justice.

The public notices of competitions published by Sondrio Province ('Bando di concorso per il conferimento di alloggi a Milano per studenti universitari della provincia di Sondrio') concern access by students to low rent apartments owned by the Sondrio province in Milan, the closest city providing university courses. One of the requirements to participate in the competition is to have resided in the province in the preceding five years.

According to EU law on free movement of workers, migrant workers and their family members should enjoy the same social advantages as citizens of the host country. Therefore, children of migrant workers should be treated equally in the granting of students' benefits.

The residence requirement is prohibited by EU law as it amounts to indirect discrimination by making it more difficult for students from families of migrant workers to win the competition, since non-residents are in the majority of cases foreigners.

Further information

Free movement – EU nationals:

<http://ec.europa.eu/social/main.jsp?catId=457&langId=en>

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