

Romanian migration to Germany and Italy from COVID-19 to nowadays: A perspective on human rights and social innovation

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Abstract: *The article examines Romanian migration to Germany and Italy in the COVID-19 to today context, highlighting the gap between formal EU citizenship rights and migrants lived experiences. Through comparative analysis, it explores how different national government frameworks influence the effectiveness of social innovation in promoting social inclusion. Based on a capacity-based approach, the study highlights how institutional capacity and policy coherence determine whether social innovation can act as a transformative mechanism for the realisation of rights. While Germany demonstrates a coordinated and institutionalized approach, Italy highlights the limits of fragmented and bottom-up initiatives. The study supports creating a rights based system of migration at the level of Europe; social innovation should become integrated into rationalized and effective governance mechanisms to create substantive equality and inclusion among all participants within such systems.*

Keywords: *Migration, Social innovation, Romania, EU, Human rights.*

Introduction

Although the COVID-19 pandemic has caused structural weaknesses in migration governance systems across Europe, it has also made apparent the fault lines existing between the formally enshrined guarantees of EU citizenship and the lived experiences of mobile individuals. Data provided by the Organisation for Economic Cooperation and Development (OECD) indicate that approximately 169,000 permanent migrants were welcomed into Italy in 2024, with intra-EU mobility being a large proportion of this number; notably, many of those migrating to Italy are Romanians. The 2019 outbreak of the pandemic did not merely

result in a global health emergency, but also exacerbated inequality in employment, welfare provision, healthcare infrastructure and access to social participation. Due to job insecurity, marginalization at the system level and lack of institutional recognition, although they possess free movement rights as EU citizens, Romanian migrants, numbering over 5.7 million people globally and representing one of the largest diaspora communities internationally, have been disproportionately affected. Systematic comparative analysis of migration trajectories in two key EU destination countries, Germany and Italy, examines how divergence between national institutional frameworks shapes the capacity for social

innovation to translate formal citizenship rights into substantive social integration. Therefore, social innovation must be considered as mechanism developing new practices, policy tools, collaborative frameworks addressing unmet needs and reducing structural barriers¹. Of great importance, the conceptualization of migration beyond technocratic systems as a dynamic process that reconfigures the relationships between state institutions, civil society organizations and migrant communities themselves is essential. COVID-19 has caused an exacerbation of existing disparities in working conditions, social assistance rights, access to healthcare and opportunities for social participation creates a fundamental empirical context to analyse whether and how social innovation can perform as a transformative mechanism for inclusion rather than a simple response to governance failures.

The analytical framework used is based on capacity-based approaches, specifically the fundamental research of Amartya Sen, which shifts the focus from narrow concerns about migration management towards the broader improvement of migrants' real freedoms, agency and substantial opportunities². Instead of viewing social innovation as a way to attain hard-to-reach legal rights, this theoretical model views social innovation as an end unto itself. To understand the effects of inclusive policies on marginalized groups, one must go beyond the management of programs

and the effectiveness of program delivery. One must evaluate inclusion policies based on their ability to reduce structural vulnerabilities at the level of individual or group; promote legitimate social acknowledgment and acceptance and create opportunities for all people to exercise universal human dignity and freedom. Using a multi-faceted approach to analyse post-COVID governance regarding migrant mobility within the European Union, the study demonstrates that whether internal EU mobility will lead to "true" social citizenship will depend on the institutional capacity; policy coherence/integration; and strategic use of social innovation.

Given the disparate nature of the governance structures used by Germany and Italy to manage international migration and socially integrate migrants into these respective countries, the comparative methodological approach used was also necessary. The two country-specific approaches to managing international migration and integrating migrants into each society provide a natural experimental setting within which the role of institutional structures can be examined as they relate to social innovation initiatives, and actual inclusion outcomes. Germany has an established system of social welfare institutions, coupled with a robust system of multi-level government coordination. Conversely, Italy lacks a comprehensive and cohesive national integration system. As a consequence, many civil society organizations in Italy functionally serve as

"gap-fillers" when there are no integrated systems of national integration available to address the needs of migrant populations³. The attention on Romanian migrants, as EU citizens with the right to free movement and equal treatment, sharpens the analytical focus on the gap between *de jure* rights and *de facto* access, highlighting how national implementation of EU Framework can facilitate or hinder the realisation of fundamental freedoms and social rights.

The German model

Germany's approach to Romanian migration governance shows how social innovation can be strategically embedded within coordinated institutional frameworks to have substantial inclusion outcomes that go beyond formal citizenship status. The German model stands out for the systematic integration of innovative practices into established governance structures, creating synergies between federal agencies, municipal authorities, welfare organizations, trade unions and migrant associations. This multi-level coordination represents a deviation from ad hoc and reactive policy responses, highlighting social innovation as a central pillar of global integration strategies. Post-COVID policy developments have particularly emphasized collaborative governance mechanisms that bring together different stakeholders to address vulnerabilities exposed by the pandemic, including employment instability, barriers to access to healthcare, and

social isolation among EU mobile workers⁴.

Concrete manifestations of Germany's institutionalised approach to social innovation include targeted skills recognition programmes designed to translate foreign qualifications into nationally recognised credentials, facilitating labour market integration and reducing de-skilling among Romanian migrants. Digital access to healthcare initiatives have been expanded to ensure mobile workers can navigate complex insurance systems and access preventive and acute medical services, filling critical gaps that became acutely visible during pandemic-related health crises⁵.

Comprehensive counselling services, designed for mobile workers in the EU, provide guidance on how to navigate social security rights, understand labour rights and access family reunification pathways. These initiatives are systematically integrated components of the broader architecture of German inclusion, supported by dedicated funding streams, cross-sectoral coordination mechanisms and accountability frameworks that ensure sustained implementation rather than episodic intervention.

In Germany, A number of positive outcomes also resulted from the multi-faceted approach used to include Romanians in many areas of German society. Many migrants were able to migrate from informal or precarious employment status to formal employment status with associated protection and benefit provisions, via

skill recognition programs. Coordinated efforts regarding job placement and processes for documenting previous work experience have facilitated the ability of migrants to increase their labor mobility while decreasing exploitation and increasing wages. In addition to enhancing access to Social Security, the information campaigns and streamlined processes for accessing the same have made it easier for migrant workers to obtain their entitlements to Unemployment Benefits, Health Insurance, Pension Contributions, etc. This is perhaps the most important aspect of how the social innovations create stable and secure conditions for Romanian immigrants to make long term plans for themselves and their families instead of being "temporary"⁶. The German method provides an important insight into both how social innovation functions as a bridge between formal legal rights and actual accessibility to substantive engagement. It recognizes that the implementation of rights is contingent upon institutional support for implementing rights, coordinating services, adapting to changing needs or obstacles, etc., rather than treating citizenship rights as autonomous assurances regarding their own effectiveness. The German model strengthens policies designed for increasing inclusion by creating institutional memory and policy continuity through the integration of social innovation into established governance structures; therefore, providing growable models based on different municipalities and sectors which are less

fragile than bottom-up or project-based initiatives.

The German approach also demonstrates how social innovation can change power dynamics in migration governance by legitimizing migrant associations and civil society organizations as actors in designing and implementing policies. The participatory dimension reinforces responsiveness to real-world needs and experiences of migrants while strengthening organizational capacity within migrant communities. The pandemic period has highlighted both the resilience of this coordinated system and areas where further strengthening is needed including digital access to healthcare settings, language access to healthcare settings, and protection from job discrimination during the pandemic.

The Italian context

The Italian Migration Governance System is decentralized therefore most of the social innovation has been undertaken through civil society organizations and religious community solidary networks. As opposed to a formalized national integration process as there is in Germany and France, Italy has no national level coordination strategy or systemic method for integrating local government into its migration governance. The Italian Model of migrating demonstrates substantial organizational challenges within its public administration. Regional variation in the implementation of immigration

policy, low administrative capacity in the welfare state and large amounts of ambiguity within immigration policy making at the national level all contribute to problems in developing nationally coordinated immigration policy to meet the needs of immigrant population. Therefore, Romanian migrant workers (as well as numerous mobile EU citizen and non-EU migrants) have had high levels of vulnerability during the COVID-19 pandemic. Vulnerability among migrant workers is due to their employment status. Many Romanian migrant workers are employed in informal labor. This results in them being exposed to poor living conditions and limited access to healthcare services. Also, there are barriers such as bureaucracy when trying to use their entitled social assistance programs to mitigate crisis.

Despite of the structural constraints mentioned above, Italian bottom-up social innovation has shown an exceptional ability to be creative and adaptable to overcome some of those constraints. Some examples include non-profit organizations and faith-based organizations establishing mobile health clinics that provide primary care, preventative services, COVID-19 testing and vaccinations, maternal health services, and referrals to migrant agricultural workers working in remote areas of Italy that do not have access to adequate healthcare⁷. Informal labour mediation services have emerged to connect Romanian workers and other migrant workers with employers,

while providing basic information on labour rights, although these services often lack the regulatory authority to effectively combat exploitation or enforce labour standards. Community-based care networks and mutual aid systems have provided emergency assistance, food security, housing support, and childcare during pandemic lockdowns and economic disruptions, drawing on the principles of solidarity and reciprocity rather than formal social assistance rights.

The initiative of Bottom-up has been an important component for protecting elementary rights and meeting basic subsistence needs in areas where there are institutional gaps, bureaucratic complexities and large-scale job informality. They show the rapid capability of civil society to respond to emerging needs and involve marginalized populations that other forms of institutions are unable to include. However, the lack of a coherent and stable national framework for inclusion constrains the potential for scalability, sustainability, and system-wide effectivity of these innovations. Many Romanian immigrants in Italy have obtained employment, yet they continue to be unable to gain steady access to public welfare services that differ greatly from one area to another. Also, most Romanian immigrants are restricted to the informal economy, and since they do not enjoy protections for workers under labor law; wages may be stolen from them; their working conditions will likely be precarious; and their employers will probably not

contribute to their unemployment insurance.

In Italy, opportunities for political and social participation for Romanian migrants are limited by structural barriers such as language access difficulties, reduced information on civic engagement pathways, and socio-economic marginalization that limits time and resources to engage the community. Electoral data reveal an important involvement of the diaspora in Romanian national elections, with important electoral blocs in both Italy and Germany⁸, but this transnational political participation does not automatically turn into a significant voice within Italian local government structures. The limits of bottom-up social innovation, without institutional support, are particularly evident in issues of financial sustainability and organizational capacity. Various civil society initiatives have sprung from precarious project-based funding, voluntary work and charitable giving, creating cycles of expansion and contraction that harm the continuity of services and the erosion of organisational skills. In addition, the weight of bearing the burden of providing essential services is placed upon civil society organizations that are lacking in the capacity to regulate; financially and politically to contest the structural inequality and ensure accountability from public institutions for failure to protect rights⁹.

The European Union has recently proposed policies designed to reduce disparities among member states by developing frameworks that include

the renewed approach to returns within the context of the Pact on Migration and Asylum. This renewed approach emphasizes compliance with human rights and proportionality. Furthermore, multinational consultations have been undertaken to accelerate migration management amongst all member states whilst ensuring compliance with the European Convention on Human Rights¹⁰, and multinational consultations aimed at accelerating coordinated migration management while respecting the European Convention on Human Rights¹¹. The implementation of the new frameworks in each member state may be different with high probability that they focus on the issues of borders and returns of mobile European Union Citizens instead of their integration and inclusion. In this regard, the Italian case represents how small-scale social innovation has great potential but also demonstrates its limits. Basic social innovation can serve as a source of critical support and protection to individuals while the public sector does not offer sufficient services. However, if there is no basic structure (institutional), enough money or an understanding that migration is a common societal obligation rather than a merely technical operation, then nothing will be changed.

Towards a rights-based European migration model

In Romania, Social Innovation will never create the necessary sustainable transformation of Migration

Policy. However, if institutional capacity exists to implement consistent policies at all levels of government and if there is a clear expectation that migration is a societal issue that requires shared responsibility among stakeholders, then Social Innovation can assist in creating rights for migrants and increasing their inclusion.

Without such institutional infrastructure supporting Social Innovation, Social Innovations will always result in hierarchical access to services and resources based on location/organization. When Social Innovations are implemented within governance systems that include multi-level collaboration, resource allocation and citizen participation; Social Innovations become mechanisms for establishing migrant rights, reducing structural vulnerabilities and promoting meaningful social cohesion. Comparing Romania's Migration Governance with other countries besides Germany and Italy could be useful¹².

The German Method illustrated that an institutionally based social innovation model could help to close this gap by developing enabling conditions such as the acknowledgment of individual skills, specific support services, streamlined processes, and coordinated provision of services. Additionally, through innovative practices of government, the German Model illustrates how a system of government may create enhanced social citizenship opportunities that extend beyond economic engagement. The Italian Case demonstrated the ability of non-profit organizations

to engage in creative forms of social citizenship responses at time when there was crisis and inequality. However, it also exemplifies the limitations imposed upon these types of "bottom-up" innovations by inadequate institutional supports and structural weaknesses to achieve adequate replacements for sustainable national policies, regulatory authorities, and political accountability about addressing deep-seated inequalities and holding governments and other institutions accountable for violations of rights and failures to deliver public services¹³.

From this theoretical aspect, this analysis emphasizes the importance of thinking about social innovation as a way to enforce people's rights and extend their capabilities as opposed to viewing social innovation solely as a technical solution to improve service delivery efficiency. Inspired by capacity-based approaches developed by Amartya Sen and deepened by critical scholars of social policy, the research shifts the analytical focus from migration management schemes to a comprehensive improvement of migrants' real freedoms, agency, and substantial opportunities to pursue lives they have reason to value. Such an approach necessarily foregrounds human rights as core normative commitments rather than as optional policy additions, positioning non-discrimination, equal access, and participatory governance as essential rather than aspirational elements of migration policy frameworks.

At the European level, the post-pandemic has intensified debates on

the integration of human rights principles into innovative and inclusive migration policies, reflected in frameworks such as the European Pillar of Social Rights and the Action Plan on Integration and Inclusion (2021-2027), which highlight the same access to essential services, fair working conditions and meaningful social participation for all residents, encompassing mobile EU citizens¹⁴. However, the implementation of these frameworks continues to show important variations between Member States, perpetuating diversity in migrants' lived experiences in terms of citizenship and inclusion. There is a need to strengthen monitoring and enforcement mechanisms at EU level, the development of binding minimum standards for social protection and labour rights applicable to all mobile workers, and the creation of financial instruments that incentivise Member States to invest in comprehensive inclusion infrastructures rather than minimum compliance.

In the future, Member States should institutionalise social innovation within multi-level coordinated governance frameworks, rather than relying on ad hoc civil society initiatives. This institutionalisation requires dedicated funding flows, cross-sectoral coordination mechanisms, participatory policy design processes that meaningfully involve migrant communities, and accountability systems that ensure continuity and quality of implementation. The German model shows a guideline regarding the organizational infrastructure and political commitment

necessary for such institutionalization, although it must be adapted to different national contexts and political economies.

European and national frameworks need to overcome narrow labour market integration schemes and include comprehensive approaches to social inclusion that address health, education, housing, political participation, cultural recognition and family life. The pandemic has starkly revealed how labour market-centred approaches, which treat migrants primarily as economic inputs, do not protect fundamental rights or ensure resilience during crises. A capacity-based model will be better suited to create policies that enhance freedom and substantive opportunity. The focus should shift from current measures, toward multiple indicators that measure well-being, social participation and the actual enjoyment of rights. Informal labor practices and exploitation of workers need to take centre stage, especially in areas where migrant labor is predominant. The need for enhanced inspection capabilities clear avenues for reporting violations without the risk of immigration ramifications, severe penalties against employers violating labor laws and an effort to proactively educate all workers about their rights in accessible language and format, are all essential. Germany's relatively successful integration of trade unions into migration governance provides a model of collective organisation and representation, although adaptation is necessary in contexts such as Italy, where labour

market informality is more entrenched and union density has declined. Technological innovations such as mobile applications to report violations, access to multilingual legal information, and connection with support services could complement traditional regulatory approaches, although digital tools need to be designed to address, rather than replicate, existing inequalities in terms of access and digital literacy. Particular attention should be paid to domestic and care workers, whose private workplaces present unique application challenges¹⁵.

In addition, access to healthcare has to be ensured as an elementary right for all people instead of being made dependent on their employment status or bureaucratic regulation processes. As seen during pandemics, individuals excluded from the health system pose risks to overall public health. Such models include; regional health cards available to residents with varying immigration statuses (regardless of where they reside), mobile health unit services providing care to residents who are geographically isolated, multilingual health information systems, and culturally sensitive delivery of healthcare. Examples of these models need to be expanded upon within European contexts. Documentation by the World Health Organization regarding the inequities in health experienced by populations due to the COVID-19 pandemic provide significant examples of why equitable access to healthcare is beneficial to both individual rights, and overall population welfare¹⁶.

It is necessary to develop meaningful pathways of political and social participation to allow migrants to exercise their voice and autonomy in shaping the policies that affect their lives. This includes extending the right to vote locally to long-term residents regardless of citizenship status, creating formal consultation mechanisms within policy development processes, supporting organisational capacity building among migrant associations, ensuring language access in civic institutions, and combating discrimination in civic and political life. The significant electoral participation of the communities of the Romanian diaspora in the national elections demonstrate a political commitment that should be channelled into local government structures in the destination countries¹⁷. Participatory budgeting processes, advisory councils on migrants, and designated representation in municipal planning could transform migrants from political objects to active actors shaping institutional responses to migration.

Beginning with the current situation, many recent innovations are still being utilized solely by their originating regions. Therefore, these present numerous missed opportunities to increase the number of people impacted by such innovation. Establishing platforms across Europe for sharing successful approaches to migration, comparative analysis of performance (and thus effectiveness) of each approach, and peer-to-peer networking would undoubtedly facilitate the quicker diffusion of effective models as well as reduce the likeli-

hood of policymakers adopting inappropriate policies due to a lack of consideration of the unique characteristics/conditions associated with different geographic locations¹⁸.

It is crucial to formulate short-term migration inclusion policies to ensure the rights and dignities of today's migrant population but there is also a need for longer-term strategic frameworks to account for why so many countries, as Romania, continue to systematically emigrate at such a high rate. In this respect, the European Union must invest jointly in economic growth, reform and/ or create new education systems, enhance the capacities of all regional institutions impacted historically by migration, and implement migration policies that avoid exacerbating existing regional inequities by preventing additional "brain drain".

Migration, development and social integration must evolve from being individual country obligations (i.e., obligations/bilateral relationships between countries of origin and destination), to becoming a collective responsibility for the EU. As post-pandemic regulatory measures illustrate with regard to both German and Italian policy-making toward Romanian migrants, while it is true that migration policy can no longer solely focus on technical adjustments to the labor market or solely on economic recovery; that regulatory, structural reforms based on human rights principles and social innovation as a facilitator; and inclusive public policies

that acknowledge that migration is fundamentally connected to people's aspirations, dignity, and lives; rather than merely an issue of an economic flow or an administrative problem¹⁹. The EU will require an innovative migration model which meets the requirements of a very interconnected yet fundamentally inequitable post-COVID Europe. To achieve this, it will be necessary for the EU to implement policies with peoples' best interests at hand versus national self-interests. The need to invest in physically, economically, and socially inclusive community-based infrastructure and services also remains. It will also be important to provide opportunities for migrants to influence decision-making processes on policy affecting them. And finally, creating a common sense of identity (solidarity) among citizens will promote social cohesion, rather than divide citizens into separate groups based on their level of citizenship.

This reality demonstrates the necessity for the establishment of publicly funded entities, using social innovation methods to address the gap that exists between what has formally been provided to individuals through their designation as an EU citizen and how they live their daily life. Many Romanians are formally designated as EU citizens and therefore have full access to all rights available due to that designation. However, the same elected officials who designated them as such continue to marginalize them.

Notes

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