A SOCIAL PLATFORM FACT SHEET

MIGRATION - POVERTY AND SOCIAL EXCLUSION

Guarantee migrants their social, economic and cultural rights

This fact sheet outlines Social Platform's position on migration in relation to poverty and social exclusion. It is based on Social Platform's position paper on migration, which includes the human rights concerns of regular and irregular migrants, asylum seekers and beneficiaries of international protection.

It is essential to stress the link between migration, discrimination and poverty and social exclusion. This is all the more necessary as recent policy developments, both at EU and at national level, appears to represent a denial of some of the most fundamental human rights of migrants and is likely to further increase the number of migrants living in poverty. The social inclusion of migrants is closely linked to their ability to access quality employment, education, further training and other services. Social inclusion strategies in many countries give comparatively little consideration to preventing and fighting (the risk of) poverty and social exclusion among migrants. This is especially evident when it comes to undocumented migrants and asylum seekers, where most national action plans lack appropriate strategies and measures. Moreover, some countries have even reduced welfare provisions and access for migrants. This is all the more concerning in the context of the economic crisis and harsh austerity measures, especially in countries receiving external financial assistance, where migrants have been particularly affected by the financial cuts to social protection mechanisms and social services due to their initial vulnerable status.

The share of migrants in a situation of poverty or social exclusion remains distinctly higher than that of nationals. In 2011, the risk of poverty and social exclusion among migrants surged to 46.7%, corresponding to a year-on-year increase of almost 5 percentage points.

POLICY RECOMMENDATIONS TO EU INSTITUTIONS

Legislative measures:

- Ensure the implementation of the International Covenant on Economic, Social and Cultural Rights and develop incentive mechanisms to reinforce its implementation at national level.
- Adopt a new Directive ensuring a common set of rights within a member state based on equal treatment with nationals, beyond the scope of the Single Permit Directive (2011/98/EU). This should include among others access to: social security and social protection, goods and services, working conditions, education and vocational training, decision-making etc.

Non-legislative measures:

- Monitor how member states include migrants and their families in the implementation of Active Inclusion Strategies with a comprehensive and integrated approach towards the three mutually reinforcing and equally important strands of the strategy (adequate income support, access to inclusive labour markets and universal access to quality services); to this aim provide specific recommendations to member states in the Country Specific Recommendations.

- Include migrants and their families within social inclusion and anti-poverty strategies, including the implementation of the policies and recommendations drawn from the European Platform Against Poverty and Social Exclusion as well as the Social Investment Package.
- Invest in integration policies. Attention should be paid to the Commission's Common Agenda for Integration, the principles of which should be taken into account when mainstreaming migration concerns into the inclusion strategies.
- Base mobility partnership on rights-based legal and social provisions for migrants, including international human rights and international labour standards. It should be accompanied by measures for practical implementation of the portability of social security and pension rights.
- Support efforts of EU candidate countries as well as civil society organisations in these countries in achieving sustainable reintegration of their citizens whose asylum application or temporary protection in EU countries have been rejected or withdrawn.

POLICY RECOMMENDATIONS TO MEMBER STATES

Legislative measures:

- Implement the Council of Europe's European Social Charter (1961). The Social Charter is a source of inspiration for the social objectives of the EU and includes social rights that are not foreseen in the Charter of Fundamental Rights of the EU. Member states should respect the Charter, even if it does not have the same legal ground for sanctions as a decision of the European Court of Human Rights.
- Implement the Single Permit Directive (2011/98/EU) in particular the section on a "common set of rights to third-country nationals legally residing in a member State, irrespective of the purposes for which they were initially admitted to the territory of that member state, based on equal treatment with nationals of that member state".
- Remove existing national legislations that criminalise solidarity actions by EU citizens or human right defenders who advocate for the rights of migrants, including in particular undocumented migrants, i.e. in the areas of hosting, advising and assisting, providing material support, food and shelter (the so called 'Solidarity Crime' which is present in several countries).

Non-legislative measures:

- Invest in good universal social policy systems to create better living conditions also for migrants. The lack of good universal social policy systems as well as the failure of consistent and multiplayer integration policies all over Europe causes divisions amongst people experiencing poverty. This can create feelings of 'competition' (for jobs, housing etc.) and fear among people experiencing poverty. Further it can contribute to fostering a general and political climate of resentment, resulting in racism and discrimination and therefore directly contribute to the weakening social cohesion.
- Include migrants within social inclusion and anti-poverty strategies and social investment strategies, and invest in integration policies. Attention should be paid to the Commission's Common Agenda for Integration, the principles of which should be taken into account when mainstreaming migration concerns into inclusion strategies.

For more information on our position and other fact sheets on migration (including Human Rights, Employment, Services of General Interest and Civil Dialogue) visit www.socialplatform.org/migration