



REPORT

Eurodiaconia Seminar co-organised with PICUM: 'Inclusion or Exclusion? What role for social services for migrants in the EU?'

27 November 2013, European Parliament, hosted by MEP Nadja Hirsch

Eurodiaconia and PICUM jointly organised a seminar to discuss the role social services play for the integration and inclusion of migrants in the EU. This event was hosted by MEP Nadja Hirsch in the European Parliament and brought together a range of stakeholders from international organisations, social NGOs and representatives of the European Parliament.

The introduction to the seminar was given by MEP Nadja Hirsch. She pointed out integrating other EU citizens and third-country nationals with a migration background will be the social issue of our time. However, it is precisely in this area that the problems are still felt she stressed. For too long, the Member States have simply let immigration happen without any clear strategy. This has been frustrating for the host country and above all for immigrants themselves. Immigrants are now far more likely to be affected by unemployment, skills mismatch, low-wage jobs or school dropout than nationals she said. Ms Hirsch also pointed out that as the Vice-Chair of the Committee of Employment and Social Affairs she initiated the Initiative-Report on the integration of migrants, its effects on the labour market and the external dimension of social security coordination.

Heather Roy, Secretary General of Eurodiaconia, co-chaired the first half of the event and highlighted the fact that a migrant is first of all a person and while migration is being handled predominately as a political issue, it is also a practical one that should have the protection of fundamental rights at its core. She called on the stakeholders to identify what barriers prevent migrants from accessing social services and to make investments in order to ensure that undocumented and documented migrants can practise their rights to life, health, education and non-discrimination.

Eurodiaconia and PICUM member inputs: recommendations from the ground

Erika Feenstra presented the first project "Stap Verder" which is funded by **Kerk in Actie in the Netherlands**, one of Eurodiaconia's members, and which was awarded the 2013 Eurodiaconia Award. "Stap Verder" is a cooperation between the Society of African Missions (SMA) and Pastoral-Diaconal Centre Bijlmermeer (SPDCB). As a Christian organisation, they want to contribute to the well-being of the people living in Amsterdam South-East. They develop activities and projects to bring the inhabitants of South-East 'a step further' (= Stap Verder) to understanding their new environment (destination country) via: Dutch rules and laws, rights, access to vital information and care activities. Most inhabitants of Amsterdam South-East are first or second generation migrants. The aim of the project is to integrate migrants through the provision of quality services, such as language training, social, legal and medical counselling. As access to information was identified as one of the most important aspects for migrant integration, "Step Verder" also provides translation services, computer as well as job trainings and seeks to help migrants to develop their talents.





Sylvia Koniecki, the president of PICUM's member organisation **Andalucía Acoge**, spoke about the criminalisation of assistance to migrants in Spain and the advocacy work her organisation is doing in this field. A change in an article of the draft penal code foresees a fine or imprisonment for anyone helping undocumented migrants to stay in the country. This has the potential to violate a number of human rights, for example the right to health care, if provision of services is seen as assisting irregular stay. As a response, the "Salvemos la Hospitalidad - Let's save hospitality" campaign has developed as a citizen's initiative, and been supported by the association. Andalucía Acoge developed a website to provide templates of motions and other documents to empower individuals to take action themselves. Finally, 127 motions were presented at regional parliaments and city councils across the country, of which 87 were approved. The Spanish Minister of Justice has responded to the campaign by stating that all humanitarian aid offered to undocumented migrants will be protected. Sylvia Koniecki urged the EU to ensure that EU member states respect the fundamental rights of all persons residing on EU territory, regardless of their administrative status.

Following Sylvia Koniecki's presentation, **PICUM** showed a short documentary on access to health care for undocumented migrants, part of its web-documentary "[Undocumentary](#)", featuring daily life experiences of migrants living in Europe.

The session on member inputs ended with a contribution made by Eurodiaconia's member the **Reformed Church in Hungary**, presented by a beneficiary of the Refugee Education Program **Tukale**, a young refugee from Somalia who came to Hungary in 2009. Tukale shared with the audience his experience as a migrant ([watch the YouTube video](#) about the Refugee Education Programme and Tukale's experience). He is working on the first Somali-Hungarian dictionary together with the Reformed Church in Hungary and has just received his Hungarian citizenship after going through a hard and lengthy process.

After the three presentations, participants discussed the necessity to do advocacy at the policy level, while at the same time working on the ground. According to a representative of Kerk in Actie, it is very difficult to combine the two elements due to a lack of funding, staff and expertise. One participant raised a question about aiding undocumented migrants who are victims of violence, or children who are badly treated, etc. when you can't refer people to the police or authorities. Erika informed participants that it is possible for undocumented migrants to report a crime to the police safely in Amsterdam. She also noted that health care is available in the Netherlands, when it is deemed 'necessary', and that there is no obligation on health professionals to report undocumented migrants to the immigration authorities. Erika also explained that they have good cooperation with Doctors of the World who do effective advocacy work.

What does the evidence say? A research based perspective

Senior fellow at the Centre of Migration Policy and Society (COMPAS) of Oxford University, Dr Sarah Spencer gave a presentation on migrant integration in European welfare states. She stressed the crucial role of social services to support migrants' integration, and to provide practical support to empower people to take control of their lives. She pointed out however that when you put social services in context, most migrants do not depend on social services; they are young, mobile and highly motivated, and want to be independent. She also underlined the huge contribution that migrants make to the provision of services as staff and volunteers, making up more than 40% in the long term care workforce in Italy, 30% in Spain and one in five in the UK.

Dr Spencer explained that integration is a process, which occurs in different domains; labour, social, cultural, etc. and migrants can be integrated in one domain but not necessarily in others. Integration in all domains can be important, as well as the engagement of migrants and the whole society in integration processes. Integration processes can also backwards as well as forwards. Dr Spencer underlined that in some areas people are highly vulnerable due to lack of rights (e.g. labour, housing), and that restrictions on rights are for the most part in violation of international law.



Dr Spencer also stressed the power of social service providers. While some providers use that power to restrict access to services, others strive to be more inclusive. In that way they have power to help an individual's life. Social service providers are also powerful advocates, particularly if they use their evidence to change the law.

Reactions from stakeholders and debate

MEP Jean Lambert

In her intervention Jean Lambert highlighted how the negative discourse on migration affects EU citizens as well as migrants from outside the EU. There are currently discussions on restricting free movement within the EU, particularly in UK, Germany, Austria and the Netherlands, and even on introducing re-entry bans which would affect Roma people in particular. She stressed that putting together evidence on grassroots level is important to have an influence on policy. The EU Victims' Rights Directive represents a small success for the European Parliament, as they managed to introduce an amendment so that the legislation states that your rights as a victim do not depend on your residence status. Access to justice is an important issue for migrants. Ms Lambert recalled that a lot of services are a national competence, but that we can have more and more of a European influence on social policies through the National Reform Programmes and Country Specific Recommendations. She added that children's rights and family values are powerful advocacy topics.

Shannon Pfohman (ENAR)

Shannon Pfohman, deputy director of ENAR stressed the need to contextualise the discussion. She explained that people feel threatened by migrants, and multiculturalism is not necessarily perceived as something positive. She noted the increase in "scape-goating" at the political level, worsened by the financial crisis and austerity measures, which are blamed partly on migrants although this is not the case. For example, refugees often rely on welfare because they are denied the right to work, and undocumented migrants cannot access social welfare. Social service providers need to provide a positive narrative and data to debunk myths and stereotypes, and highlight the positive contributions migrants make (e.g. taxes, education fees, job creation) in order to be convincing at a policy level. Ms Pfohman clarified that ENAR's goal is not to prioritize the economic profile of migrants' contributions to destination societies, but that economics seem to be the only argument that conservatives will listen to when advocating for migrants, and migrants do make significant contributions to destination country economies. It is also important to promote gender equality among migrants and to influence media and politicians as NGOs, she added.

Anna Platonova, IOM

Anna Platonova, IOM regional specialist for the EEA, EU and NATO highlighted that in some cases restrictive immigration legislation and policy are damaging the economy and contradicting humanitarian principles and obligations. She criticised how every area of public policy is becoming a tool for immigration control and that economic considerations are often the only ones taken into account.

She agreed that civil society organisations play an important role, but that it is important to get a society-wide engagement. Civil society organisations have to make sure community, and service providers etc. are engaged. Migrants need to be recognised as a vulnerable group she said. Capacity building of governments and service providers is important to support active outreach to migrant populations. Social services, she explained, are the first step to community cohesion and trust and the "establishment of trust" is an important step in integration.

She highlighted that in this time of austerity measures, immigration is often matched with social tensions, but successful societies go beyond this. She also pointed out that there are new ways to be recruited directly from an EU country to work in another EU country through regular channels, but often people have to migrate first and find a job later.



Discussion with participants

Chair and Secretary General of CCME, Doris Peschke asked why we have evidence that is not taken into consideration when policies are shaped. She emphasised the need to use the evidence in a way that policy makers cannot overlook. Everybody is stating the need for data but it is not only a problem of lack of data, but how to use the available data.

A question was also raised about whether the situations discussed related to child or adult migrants, and whether there is a difference. Sarah Spencer pointed out that human rights arguments can be more persuasive for children.

Shannon Pfohman pointed out that it is difficult to find some relevant data, as this is not information policy makers want to make public as it would show how much money is actually spent on restrictive policies. Anna Platonova stressed the “Eurocentricity” in this kind of discussion in Europe, as many of the gulf countries remain attractive destinations for migrants. Resource centres for migrants providing services, she said are a unique opportunity to collect data, while the quality of services is the most important, data can be collected on the way.

Sarah Spencer recommended collecting evidence which funding bodies could financially support, and then using the evidence to try to shift policies. Various participants agreed that documenting the work is important in order to have a dialogue with politicians. Ms Pfohman stressed there are different forms of data collection and interpretation, that we should demand that governments collect information. It could also be useful if all organisations use the same form to collect data, identify how the data is going to be interpreted, raise awareness of need for data collection, and show that it is beneficial for equality.

Conclusions

Michele LeVoy, Director of PICUM drew conclusions from the seminar, highlighting 6 key concepts and issues raised.

1. **Fundamental rights:** When we talk about migration, we are talking about persons, and we cannot separate a person from fundamental rights. Illustratively, the European Committee on Social Rights has found in several cases that some articles of the European Social Charter apply to undocumented migrants, although they were formally excluded, and the consensus on this issue has considerably increased within the Committee over the years. Human rights cannot be denied to anyone.
2. **Perception of migrants:** At a hearing on the rights of undocumented children, one of the shadow rapporteurs of the European Parliament report on unaccompanied children said, ‘We have the change the story, we have to change the public perception. We have to make people understand that migrants and their children are not a burden but a contribution to our societies. How perceptions of migrants impact the delivery of services has been clearly raised throughout the discussions. Myths are commonplace, for example that undocumented migrants enter the EU irregularly, while the majority of them enter regularly but become undocumented when their status expires or is lost due to loss of employment or relationship breakdown. Proper terminology is also key- we should not use the word ‘illegal’. PICUM is launching lexicon of proper terminology – ‘undocumented’ or ‘irregular’ - in different languages.
3. **Access to services:** It is essential to remove the legislative and practical barriers and create a firewall between the provision of services and immigration control. The EU Fundamental Rights Agency has issued guidelines on apprehension practices – urging that they are not carried in in or near services in order to safeguard migrants’ access. PICUM also developed ethical guidelines for service providers a number of years ago, addressing some of the ethical tensions that service providers may face, particularly in the face of increasing criminalisation of assistance to migrants.



4. **Evidence:** How can we effectively use evidence for advocacy? A key policy development is the post-Stockholm process, which will lay out the next few years of EU migration policy. This should be informed by evidence and be coherent with social policy objectives. Issues facing migrants are not only a migration policy issues but social policy issues.
5. **Resources and funding:** The lack of resources for social service provision as well as data collection and advocacy, has been evident throughout the discussions. While there are, nevertheless, numerous examples of good practice, service providers need more support to carry out the work. Currently, the majority of funds at EU level are limited to regularly residing people, and this gap should be addressed with the new Asylum and Migration Fund.
6. **Empowerment:** Efforts to empower migrants so they feel secure to refer themselves to social service providers and speak for themselves are vital.

Heather Roy closed the event thanking all the speakers for their interventions and participants for their active engagement in the discussions. Heather invited participants to the reception on the balcony space where Eurodiaconia would present their 2013 Award and exhibition of good practices.

For the content of the speeches, please see the page for the event on the website www.eurodiaconia.org