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# Immigration and Homelessness



FEANTSA's  
European  
Report on  
Homelessness  
and Immigration

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# HOMELESS *in Europe*

Winter 2002



Being a homeless immigrant is difficult. There are so many different reasons why some immigrants are not able to fully integrate into their new host society and poverty is one of the foremost. For immigrants, with legal status to remain or work in the country, and especially for undocumented migrants, it is often very hard, if not impossible to access the services they need. It would appear that more immigrants are turning to the services for the homeless out of desperation and a lack of available assistance for their own needs.

Once immigrants begin to use the services for the homeless, a number of complex issues arise. Can and should these services try to respond to the needs of immigrants? What are the legal and financial implications of assisting undocumented migrants? How can cultural and language barriers be overcome? Is this phenomenon increasing?

**FEANTSA** has been working on the issue of immigration and homelessness over the past year. At EU and national level, immigration is a vast subject that spawns hundreds of separate issues, publications and debates. Most Europeans have an opinion on immigration. Many Europeans see some implications of immigration, or perhaps of the lack of an adequate integration system. Many services for the homeless are now faced with new and different needs, as immigrants seek out their help.

Following the European Conference on Immigration and Homelessness hosted by **FEANTSA** and BAG Wohnungslosenhilfe at the beginning of November 2002, this edition of *Homeless in Europe*, explores some of the issues surrounding immigration and homelessness. The conference brought social workers, researchers, NGOs and policy-makers together to discuss this topic for the first time in a European context. The experience was valuable for all that attended, and you will find some of the most important points highlighted in the conference report on page 3.

**FEANTSA's** work over the past year, along with the discussions and debates at the conference made it very clear that at present there are no adequate or appropriate policies in place to foster integration of immigrants. At EU level, it remains quite difficult to compare the situation in different countries, as some Member States have developed national integration policies, whereas others do not even recognise the need to create measures to deal with immigration. **FEANTSA** drafted a European Report on Immigration and Homelessness, which is now available in French and English, a short review can be found on page 5. Furthermore, **FEANTSA's** European Observatory on Homelessness also focused their research on immigration and homelessness this past year. All national correspondents examined the issue in their countries and drafted national reports which are now online at [www.feantsa.org](http://www.feantsa.org). The coordinators of the Observatory have also completed a review of both the statistics and research available across the EU. To read about this research, go to page 5.

Because immigration is not **FEANTSA's** area of expertise, we sought the help of other NGOs and international organisations to help understand the complexities of the issue. The Council of Europe has long been recognised as a champion of human rights across Europe and an expert on immigration. The Parliamentary Assembly has recently been working on the topic of clandestine migrants and their rights, and on page 6 you will find an article that explains their approach. The organisations in PICUM, the Platform for International Cooperation on Undocumented Migrants, work daily with the difficult questions surrounding undocumented migrations. They strive to help these immigrants become aware of their own rights, and work to raise awareness of the extreme vulnerability of this group. Dragana Avramov's paper on the Social Exclusion of Immigrants provides an

important insight into this vulnerability and explores the dynamics of immigration and its links to poverty in Europe.

Each Member State experiences immigration in a different way. Some countries have been attracting and integrating immigrants for decades thanks to a colonial legacy or a history of labour migration. For others immigration is an entirely new experience, and is often difficult to accept in a country that is more accustomed to sending its citizens abroad, than welcoming new arrivals. Dr. Aristides Sapounakis, Greek national correspondent for the European Observatory on Homelessness, provides us with an insight into immigration in Greece, and in particular, the housing problems faced by many immigrants. Joseph Labrunie, member of Fnars' Commission on Immigration, gives readers his perspective on the issue of immigration in France and how various organisations try to deal with increasingly difficult questions, with reduced resources.

Over the past year **FEANTSA** has learned a great deal about immigration and its impact on services for the homeless, but our investigations have prompted more questions than they have answered. **FEANTSA** will continue to follow this issue closely, just as the European Observatory on Homelessness will now analyse the 15 national reports on immigration (which are available at [www.feantsa.org/observatory.htm](http://www.feantsa.org/observatory.htm) or from the **FEANTSA** office: [office@feantsa.org](mailto:office@feantsa.org)) and assess trends and patterns across the EU. This is clearly a subject that will remain on the agenda of politicians (populist and otherwise), and will continue to be a reality for NGOs and social workers.

Please enjoy your reading, and do not hesitate to send us your comments. •



## European Conference on Immigration and Homelessness



On November 7 and 8, 2002 FEANTSA and its German member organisation BAG Wohnungslosenhilfe hosted a European conference on Immigration and Homelessness. This conference brought together over 85 participants from across the European Union and culminated FEANTSA's year-long look at the impact of immigration on services for the homeless.

Over the past year, FEANTSA's member organisations have been working closely with the secretariat to draft a European report on immigration and homelessness. The member organisations in each country responded to a questionnaire that sought to examine the extent to which services for homeless people find themselves increasingly implicated in the escalation of immigration in Europe. Rounding out this information with a careful study of existing and proposed European legislation pertaining to immigration, the European Report was drafted. The report was presented at the conference and set the tone for the other presentations as well as the workshops that followed in the afternoon. (The report and other background material for the conference are available at [www.feantsa.org](http://www.feantsa.org))

The conference provided an important opportunity for politicians, social workers, researchers and NGOs to discuss this pressing issue. Key questions arose in both FEANTSA's European Report on immigration and homelessness and over the course of the conference itself:

- Should services for homeless people provide help for immigrants, how should the question of illegal immigrants be addressed?
- What kinds of policies should be developed in order to deal with these specific problems?

Many countries are faced with delicate and often desperate dilemmas: the immigrants that seek out services for the homeless are usually in great need, but are often without proper documents that allow them to stay legally in the country. Both politicians and social workers brought up this issue, and pointed out that the parallel network of services for undocumented immigrants needed to be regularised, or at the very least recognised. In Germany, the Senate of Berlin is aware that Caritas works very closely with hundreds of undocumented immigrants, and though does not fund these services directly, is 'tolerant' of the fact that Caritas spends some of its municipal grants on providing this assistance. Sr Cornelia Bührle, the Archbishopal Commissioner for Migration, highlighted this disturbing irony in Germany: the state congratulates the work of the church to assist illegal immigrants, when it is their own negligence and lack of policy which forces the church to fill in the gaps. The NGOs, on the other hand, were of two different opinions. Some called for the creation of separate services to provide services to immigrants, to alleviate the strain on services for the homeless. Others decried this suggestion, asserting that separation of services will lead to further segregation and discrimination against immigrants, and will force undocumented immigrants into even more precarious situations.

### EUROPEAN PERSPECTIVE

Alima Boumedienne-Thiery, Member of the European Parliament representing France, brought in an interesting European perspective. Boumedienne-Thiery called on the European Council to stop blocking the Parliament's suggestions for European legislation on immigration and asylum. The European Parliament has moved forward on the topic of immigration, but has found



itself blocked by the Council at every turn. Boumedienne-Thiery discussed the problems faced by both would-be immigrants who so often fail to get the visas they need to enter the EU, as well as those who enter legally, but whose papers expire. The increasing demand for asylum indicates that there is a problem: international conventions no longer reflect reality. She called for a revision of the Geneva Convention. Drastic changes are needed to make this instrument able to cope with modern problems, including persecution based on gender or sexuality. In her opinion, the Dublin accords cause problems as they restrict the freedom of immigrants to choose the country in which they would like to apply for asylum. This is a denial of people's access to human rights. Many of those rights are now enshrined in the Charter of Fundamental Rights. But the Charter has yet to be implemented and integrated into the policies of Member States. Boumedienne-Thiery proposed the idea of a 'single wicket' to facilitate integration of immigrants into their new European host countries. This one-stop-shop could provide help and guidance for language difficulties, family problems, etc. EU Member States must be prepared to deal with the immigrants who are living in their countries, and think about better policies to regulate the inflow of immigrants.





Taking the discussion to a global level, Boumedienne-Thiery cited the contradiction of the international community's actions at last year's summit at Monterey (Mexico), where the budget for international aid was cut by 15% but the participants claimed to be prepared to fight a (unrealistic) battle against clandestine immigration. Boumedienne-Thiery chastised European leaders for constantly focusing on how immigration helps or hinders European countries. She pointed out that preferring highly skilled immigrants leads to a brain-drain in other countries, but that completely closed immigration systems encourage the development of channels for illegal entry into the EU. Europe must share its resources, both with the developing world and with those who come as immigrants. A Social Europe is one based on equality and citizenship. All those living in the EU must have access to all of their rights, and if they are not legal, they should have to right to regularise their situation.

## RESEARCH

Bill Edgar, one of the coordinators of the European Observatory on Homelessness, and Volker Busch-Geertsema, the national correspondent for Germany, presented some preliminary research on immigration and homelessness. Based on this material, Bill Edgar argued that immigrants and the families of foreign-born residents are more likely than others to experience 'secondary homelessness' - that is, to live with friends, to live in insecure housing, in overcrowded conditions or in housing which fails to meet an adequate decent standard. Immigrants also have more trouble accessing social housing, and often pay higher rents for lower quality accommodation. Furthermore there is evidence of discrimination against immigrants especially in terms of access to the rental market. Busch-Geertsema elaborated on the situation in Germany, and high-

lighted the need to improve the living conditions of refugees and undocumented migrants and the need to create a legalisation procedure based on 'humanitarian' reasons. The integration of ethnic Germans returning from Russia and Poland was cited as an example and recommended as a potential resource for developing integration policies and measures. Furthermore a number of recommendations also referred to the necessity to improve the traditional services for the homeless in order to respond to the new requirements by socially excluded immigrants.

## WORKSHOPS

The second half of the conference featured three different workshops:

### Cooperation between the homelessness and the immigration sectors

#### Undocumented migrants: which rights?

#### Dealing with immigrants - financial and legal consequences for service providers

The workshops provided an ideal opportunity for participants and speakers to go into detail on these three key topics. The first workshop dealt with one of the central dilemmas faced by the homelessness sector: who is responsible for working with immigrants, documented or otherwise? Taking the whole afternoon to explore the issue from different points of view, the participants touched on many issues. Several German participants called for the need to prevent the prosecution of those who provide assistance to undocumented migrants. Current German law holds all service providers responsible for reporting undocumented migrants to the authorities. Other participants highlighted the problems associated with xenophobia; many people in the 'traditional' homeless population feel threatened by immigrants who share their services. In addition, immigrants who stay in homeless services risk further social exclu-

sion and risk having greater difficulties integrating into mainstream society. Services in some countries have accepted the reality of immigration and are now working to make their staff more 'culturally aware' and able to work with people from different cultural backgrounds who speak different languages and have very different problems.

For more about the discussion on: Undocumented migrants: which rights? Please read Nele Verbruggen's article on page 8 and the article on clandestine migration and rights of clandestine migrants: the approach of the Parliamentary Assembly of the Council of Europe on page 6.

The conference's third workshop went into more detail on the legal and financial implications for homelessness services working with immigrants. In particular the participants and panel discussed:

- the specificity of homeless immigrants and their very different needs,
- the lack of expertise of the service providers to deal with this particular group,
- the lack of human and financial resources linked to a lack of funding,
- the assumption that the state should protect vulnerable groups
- the conflicts that arise between the traditional homeless population and immigrants sharing the same facilities.

The conference concluded with a very poignant presentation by two immigrant women who have organised a 'self-help' group for undocumented migrants in Berlin. This group was started to provide a point of contact for new arrivals and provides a link with other networks that help immigrants to survive and integrate in Berlin. The group has a manifesto that calls for more rights for undocumented migrants, including the introduction of a legalisation procedure in Germany.

The conference provided all those involved with the opportunity to share their experiences with others and learn from those working in different parts of Europe. Clearly immigration is a phenomenon that affects all aspects of modern European society. The issues surrounding integration (socio-cultural, economic, legal) and the immigration system itself (asylum procedures, work visas, family reunion) are complex and differ tremendously across different communities. It is not easy to be an immigrant in Europe, and it is infinitely more difficult to be a homeless immigrant. This is an issue that we are just beginning to study, more conferences like this one will help us to gather important insights into the problems so that we can help policy-makers provide solutions. •



## FEANTSA's European Report on Homelessness and Immigration

FEANTSA's European Report on Homelessness and Immigration has recently been published. The report reflects an analysis of the 15 national reports submitted by the FEANTSA representatives in all EU Member States. The national reports set out to assess the extent and real dimension of immigration and to seek the link – if such a thing exists – between immigration and homelessness. The reports also sought to put forward suggestions on how to improve the situation. By seeking answers to these questions from organisations that work directly with the homeless, we gained a clearer and more pragmatic insight into the situation.

The homeless services recognise the specific attributes of immigrants as a group exposed and vulnerable to homelessness and social exclusion. Moreover, their homelessness is particularly disturbing as most immigrants are not entitled to the same benefits and assistance as native homeless persons. Homeless immigrants therefore face major obstacles to overcoming their plight.

The report is structured around the main sections of the questionnaire that was sent out to FEANTSA's members. It clarifies what is meant by the catch-all term 'immigrant', and looks at the different categories of immigrants who seek assistance at services for the homeless. The report also provides a clear and important overview of the extent of immigration in the EU, and examines statistics and trends. Moving to a more specific level, profiles of immigrants using homeless services are developed.

One of the key issues for service providers is the legal and administrative questions that arise when immigrants seek their assistance. In some countries, like Germany, providing help to illegal or undocumented immigrants is a criminal offence. All those working in the German homeless sector are required to report undocumented immigrants to the relevant authorities. The report looks at the German case, as well as other national examples to outline this legal and administrative framework. For the immigrants themselves, this has very important ramifications: different immigrants have different rights in different EU Member States.

The report goes on to outline some of the consequences for homeless service providers, which can include a whole-scale reorganisation of their service, or the compromising of their service provision, due to a lack of financial resources.

Looking more directly at the relationship between immigration and homelessness, the report describes the discrimination and exploitation on the housing market faced by many immigrants.

Some highlights from the report:

- There is a severe lack of accurate and precise quantitative and qualitative data on homelessness amongst immigrants. Service providers have called attention to the urgent need to allocate resources for further research to give a more detailed picture of the extent and the causes of the problem. There is a high degree of hidden homelessness among immigrant populations. The numbers are likely much higher than the disturbing figures that have been published.
- Immigration in southern European countries (Portugal, Spain and Italy) is high and there is little or no legislation to meet their needs. Homeless services now face a humanitarian challenge as immigrants with nowhere else to turn overwhelm them.
- In Greece the situation is striking: there are estimates that immigrants (including refugees) make up two thirds of the homeless population.
- Immigrant homelessness also seems to be an urban phenomenon, as immigrants tend to congregate in towns and cities. Urban areas offer more employment opportunities and easier access to support services like advice centres, counselling, language courses, etc.
- Immigrant women are acutely at risk of homelessness and make up the largest group in centres for battered women or female victims of domestic violence.
- Single men aged 20 – 50 make up most of the homeless immigrant population, although homeless services have seen a sharp rise in immigrant families and unaccompanied minors seeking support.

To read the report, go to the FEANTSA website and click on immigration: [www.feantsa.org/immigration](http://www.feantsa.org/immigration) or order a printed copy from [office@feantsa.org](mailto:office@feantsa.org).

## FEANTSA research on immigration and homelessness

The European Observatory on Homelessness undertakes FEANTSA's annual research programme. The Observatory consists of 15 researchers from all EU Member States, who are experts in the areas of homelessness and housing exclusion. The Joint Centre of Scottish Housing Research, a partnership between the Universities of Dundee and St Andrews, co-ordinates the research and drafts the European research reports.

In 2002 the national correspondents of the Observatory conducted research on the relation between immigration and homelessness in their country. The research proved difficult because of the lack of primary and secondary sources of information. The

research also showed that a lot of variation exists between the different EU Member States. In most Member States however ineffective asylum policies and irregular immigration affect the nature and scope of homelessness.

The outcome of the research at this point is a set of 15 national research papers, which are valuable first sources of information on immigration and homelessness. The specific focus of the national reports varies. But all examine the characteristics of immigrant communities and provide a better understanding of the housing outcomes of immigration. The reports examine the factors that lead to the vulnerability of immigrants to homelessness. These involve structural

factors - the legislative framework, policies and programmes; as well as organisational factors - service provision, role of service providers; and social / personal factors - differences between the support networks in different immigrant groups.

The JCSHR will produce a European report based on the finding of the national correspondents in the next year. There is an evident paucity of research on migration and homelessness in Europe. Hence, this European report will provide, for the first time, a European perspective on this issue.

The national reports can be consulted free of charge on the FEANTSA website <http://www.feantsa.org>.



## Clandestine migration and rights of clandestine migrants: the approach of the Parliamentary Assembly of the Council of Europe

At first sight the title of this article could appear repetitive: why refer both to clandestine migration and to clandestine migrants? As a matter of fact this choice is intentional: whereas clandestine migration is a priority on the agenda of international organisations and governments, all too often the rights and dignity of clandestine migrants are not.

Looking at the plethora of documents, reports and even newspaper articles on irregular migration that have been produced in recent years, it is apparent that the main concerns are how to put in place an effective system of border control to prevent illegal entries and how to fight against trafficking in human beings and smuggling of migrants. These aims are perfectly legitimate, and should be pursued with vigour and determination, but they are not sufficient to address the issue of irregular migration in all its complexity.

Clandestine migration is a reality, and no government can deny the presence of a certain number of clandestine migrants on its territory, however efficient its border control may now be or be improved in the future. Sometimes the presence of clandestine migrants is even knowingly tolerated by the authorities, for instance when their return to the country of origin is impossible due to suspension of flights, lack of identification or lack of co-operation from the would-be receiving authorities.

What rights should be granted to those who live in a country in breach of its immigration rules is a highly controversial political issue: there is no international instrument specifically relating to the rights of clandestine migrants, and it is symptomatic that the United Nations Convention on the Rights of All Migrant Workers and Members of their Families (1990), which also applies to irregular migrants, has not yet entered into force for lack of sufficient ratifications. This unwillingness of States to commit themselves to international obligations is confirmed at regional level: no EU member State has either signed or ratified the United Nations Convention, while only two Council of Europe member States have acceded to it - Azerbaijan and Bosnia and Herzegovina - and one has signed it - Turkey. Similarly, it seems unlikely that a harmonised or common approach to the treatment of clandestine migrants will be reached within the European Union in the foreseeable future.

Against this background, Recommendation 1577 of the Parliamentary Assembly of the Council of Europe represents an exception and hopefully a new departure: the recommendation calls for the creation of a single, comprehensive and pan-European instrument on clandestine migration, a 'charter of intent' with the dual purpose of enhancing co-operation in dealing with irregular migration flows and - most importantly - asserting the rights of migrants who live in a situation of illegality in Council of Europe member States.

After September 11 and the subsequent growing demand for reinforced immigration control, the time has come to reiterate that a lack of legal status by no means implies a lack of rights: clandestine migrants do hold rights as set out in the main international human rights instruments, including the International Covenant on civil and political rights, the Covenant on economic, social and cultural rights and the European Convention on Human Rights and Fundamental Freedoms. All human beings, irrespective of their legal status, have amongst others the right not to be held in slavery or servitude, the right to emergency health care and, for children, the right to education.

Having said that, it should be recognised that the enjoyment of these rights by clandestine migrants is often hindered by legal and practical obstacles. The main areas of concern surveyed in the explanatory memorandum to Recommendation 1577, prepared by Mr John Wilkinson MP, include access to health care, difficulty - when not impossibility - in defending themselves against abuse and exploitation from employers, inadequate access to independent and quality legal advice on how to regularise their stay, unclear or draconian legislation on criminalisation of assistance. The overview provided in the memorandum shows unequal and unsatisfactory accessibility of rights in different European countries, which has led the Parliamentary Assembly to ask the Council of Europe Commissioner for Human Rights to conduct further investigations into the issue and to refer back in due course.

Recommendation 1577, therefore, is only the beginning, but it has the merits of having set some benchmarks for the Assembly's



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approach to the issues of clandestine migration and the rights of clandestine migrants; the need to concentrate and co-ordinate efforts on prevention measures, addressing the root causes - such as poverty and political unrest - that drive people to leave their countries even at risk to their lives; the importance of maintaining clear and flexible channels for legal migration; the importance of dismantling networks of traffickers in human beings and smugglers of migrants, punishing the traffickers whilst protecting the victims.

Recommendation 1577 is also an implicit warning against the widespread image of Europe as a fortress besieged by immigrants. In fact, Europe does not finish at the external borders of the European Union. A pan-European organisation counting 44 member States like the Council of Europe includes countries of destination of immigrants, but also countries of origin and of transit, and countries that experience both phenomena. Many of these immigrants, transiting migrants, emigrants or returning citizens are European. For the Council of Europe migration does not equal immigration, and its concern should address the reasons why citizens of member States want to leave their countries, why they want to live and work in another member State, how they are treated while they are there and how they are treated once, and if, they return to their countries of origin.

Finally, and most importantly, migrants can be emigrants, immigrants, with or without a legal status, labour or potential labour, but they are first of all human beings and are entitled to the rights enshrined in the European Convention on Human Rights as well as other international human rights instruments. It is a primary concern of the Council of Europe, as a regional organisation for the protection of human rights, pluralist democracy and the rule of law, that these rights be respected.

Recommendation 1577, like many others in the field of migration, has been initiated by the Committee on Migration, Refugees and Demography of the Parliamentary Assembly of the Council of Europe. It represents the outcome of the work of the Rapporteur, Mr Wilkinson (United Kingdom, European Democratic Group), as well as of a series of initiatives organised by the Committee, such as the Conference on the situation of clandestine migrants in Council of Europe member States (Paris, 13 December 2001), the visit to the reception centre of Sangatte (7 March 2002) and the European day on asylum, migration and refugees (Lucern, 27 May 2002). Among the subjects currently receiving the attention of the Committee are irregular employment of immigrants in agriculture and the establishment of a European permanent observatory on migration. •

### Links

The text of Recommendation 1577 is available at:

<http://assembly.coe.int/Main.asp?link=http%3A%2F%2Fassembly.coe.int%2FDocuments%2FAdoptedText%2Fta02%2FEREC1577.htm>

For the text of the explanatory memorandum by Mr John Wilkinson:

<http://assembly.coe.int/Main.asp?link=http%3A%2F%2Fassembly.coe.int%2FDocuments%2FWorkingDocs%2Fdoc02%2FEDOC9522.htm>

For more information about the Parliamentary Assembly of the Council of Europe:

<http://assembly.coe.int/>

For more information about the Committee on Migration, Refugees and Demography:

<http://assembly.coe.int/Main.asp?link=http%3A%2F%2Fassembly.coe.int%2Fasp%2Fcommittee%2Fcommitteeinfo.asp%3FCommitteeCode%3DMIG%26amp%3BLanguage%3DE>

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## Undocumented migrants: What rights?

### 1. WHO ARE UNDOCUMENTED MIGRANTS?

The number of undocumented migrants residing in Europe is not known. Whichever method of assessment is used, estimated numbers of irregular migrants are based on assumptions. The fact remains that irregular migration is, by its very definition, unquantified and, indeed, largely unquantifiable.<sup>1</sup>

#### Illegal Entry versus Illegal Residence

When talking about undocumented migrants, a distinction must be made between irregular entry and irregular residence. Crossing a border without the appropriate documents does not lead automatically to illegal residence, nor does illegal residence mean that the entry has been illegal. Many asylum seekers crossed Europe's borders clandestinely, and regularized their status by applying for asylum.

In the public and government debate on irregular migration, undocumented migrants who enter the state without government permission usually receive more attention than migrants that are currently residing within Europe in irregular situations. Yet the number of undocumented migrants living in Europe is very high.

#### Why did they come here?

It is obvious that such a diverse group has diverse motives. Motives for irregular migration are in general not different than motives of asylum seekers or regular migrants. These motives include political, economic, social and environmental factors. Generally, the decision made by individual human beings to uproot themselves, leave their homes and homelands and migrate elsewhere, is based on a number of factors rather than one simple reason. Several features of globalisation today accelerate migration pressures: increasing armed violence, ethnic and racial conflict, environmental degradation, development-induced migration, denial of democracy, and large-scale corruption.<sup>2</sup>

A very important aspect of the presence of undocumented migrants in Europe, which is often overlooked and forgotten but can not be denied, is the dependency of Europe's economies on their labour. Undocumented migrants should not be seen as only asking for our help and acceptance. Undocumented migrants take jobs that tend to be rejected by a country's citizens, but because of their lack of rights, their wages and other labour conditions are systematically below the level of what is considered appropriate by governments and unions.<sup>3</sup>

### 2. HOW DO AUTHORITIES DEAL WITH THE INCREASE IN IRREGULAR MIGRATION?

The organisations of the PICUM (Platform for International Cooperation on Undocumented Migrants) network are seeing an increase in the number of undocumented migrants asking for assistance due perhaps to the ever-stricter procedures to legally enter Europe, and the situation in the South of Europe.

#### Fighting illegal border crossing

Governments mainly try to fight illegal migration at the borders, with all possible means, at any cost; this is a national and European tendency, as seen at the summit of Seville in July 2002. However, the number of migrants coming in illegally is not going down, in spite of all the efforts made, and more and more people die at the borders of "fortress Europe".

#### Regularization procedures

Another measure to tackle the presence of illegal migrants in a country is the use of a regularisation procedure. In recent years, there have been campaigns in Belgium, Portugal, Italy, Greece, Spain, etc. For most of these campaigns, especially for those in the South of Europe, the aim is to provide a larger workforce, or to regularise the status of workers.<sup>4</sup>

Many EU Member States seem to see the undocumented migrants residing in Europe as a pool to meet emergency labour shortages. For most, if not for all governments, official recognition of the need to regularise illegal immigrants is not a step they are willing to take.

#### Opening legal channels for migration

There is also the option of investing in 'preventive measures'. Tackling the root causes and opening up legal ways for migration are the most relevant ways reduce the pressure. Moreover, there is a need for labour in the EU.

There appears to be a trend to restrict the rights of migrant workers by allowing them to apply only for temporary contracts.<sup>5</sup> Most of these contracts do not respect the human rights or the labour rights of the workers. In France, the so-called OMI contracts are seen by many French organizations as an attempt to institutionalise the extreme precariousness of workers. Some people have been working in France for 18 years without any social security benefits.

<sup>1</sup> Clarke, J., "The problems of evaluating numbers of illegal migrants in the European Union", in Regularisations of Illegal Immigrants in the European Union, eds. Philippe de Bruyker, Bruylant- Bruxelles, 2000.

<sup>2</sup> Fragments of "SEVEN CAUSES OF MIGRATION IN THE AGE OF GLOBALIZATION", Presentation by Patrick Taran, International Migration Policy and Law Course for Asia-Pacific (Bangkok, November 1999)

<sup>3</sup> In the Dutch horticultural sector for instance, it appears that for the past 30 years, 20% of the workers in the sector have been undocumented (this has to be further investigated). OKIA, a Dutch organization, recently calculated that a Dutch market gardener saves between €5 000 and €10 000 in one year by employing an undocumented migrant. If the Foreigner's Service makes an inspection, the market gardener is fined €1000 and the undocumented worker is usually deported. It is not an exaggeration to state that the labour of undocumented migrants is partly supporting the export position of the sector.

<sup>4</sup> The Portuguese law of January 2001 enabled undocumented migrants to apply for a residence permit if they could provide proof of employment: 150 000 people were regularised. In Italy, persons employing illegal foreigners as a maid or to take care of the elderly can ask for regularisation of these persons (in spite of the high unemployment rate in Italy, virtually no Italian is ready to accept such jobs). Also, by paying €1000 per worker, employers can legalise their undocumented workers.

<sup>5</sup> In many countries in Europe, there is an increase in the number of short term work permits. In the United Kingdom for example, the quota for seasonal workers has grown from 5 500 in early 1990's to 18 700 this year. It will be increased to 20 200 in 2003. Also in the south of France and the south of Spain, the agricultural sector works with short-term contracts.





### Last means to fight irregular migration: 'remote migration control'

Recently, a new and disturbing phenomenon has appeared. No longer is it only those working with the policy and the ministries for foreigners, but also professionals and semi-professionals in the spheres of housing, health care and education who are now given responsibilities in the fight against undocumented migrants. This technique, which is in fact a 'remote migration control' excludes many undocumented migrants from essential social services.<sup>6</sup> It appears that social policy is becoming an important instrument in combating immigration, especially illegal immigration. It is however questionable if this policy of cutting down social care actually passes the general test of equal treatment, i.e. if this measure is objective, reasonable and proportional to the aim of combating illegal migration.<sup>7</sup>

### 3. SOCIAL RIGHTS SITUATION OF UNDOCUMENTED MIGRANTS IN EUROPE

Undocumented migrants face problems relating to health care, housing, education and training, employment rights, etc. The many grass-root organizations working with undocumented migrants in Europe are confronted every day with the inhumane conditions in which these people are forced to live.

#### Health Care

In most countries it is not possible for undocumented migrants to have a medical insurance. This leads to different problems, e.g. people cannot pay the bills for their treatment, hospitals refuse to treat undocumented migrants because they suppose they will not be able to pay, and people end up dying of a trivial medical problem. Undocumented migrants often do not dare go to the hospital or the doctor, for fear of being reported to the authorities. A fear that is unfortunately very realistic.

This is however a worst-case scenario. In Germany, which has very restrictive legislation, public institutions must report all undocumented migrants to the immigration authorities. However, examples in other countries, and even in certain municipalities in Germany, other, more compassionate systems are in place. In Belgium and the Netherlands, the health care system of is especially well organised. In these countries undocumented migrants have the right to emergency medical care, which is interpreted in a rather broad manner.<sup>8</sup> In France, discussions about how to integrate undocumented migrants into the official health care system led to the creation of a special administration called AME (Aide Médicale d'état) in the year 2000. AME is comparable to the social security service and is integrated into Ministry of Health. AME provides free and safe access to public health care for all undocumented migrants as well as the homeless, and cov-

ers all costs for emergency or ambulatory care.<sup>9</sup> Since the advent of the amended Italian migration law of 1998/99, undocumented migrants can also register with the national health service. They are identified by an anonymous "temporary presence code" which allows access to complete medical health care equivalent to that guaranteed to full-status Italian residents, including treatment for chronic diseases. According to this law, migrants are expected to cover their own costs. However, if they are not able to do so, the state covers the expenditure. The Ministry of Internal Affairs is responsible for the costs of hospital care, the Ministry of Health for ambulatory care.<sup>10</sup>

Such rules are not only based on humanitarian grounds, but on financial calculations. Often it costs as much to exclude people from the system as to include them. Moreover, the right to health care has been confirmed and stressed in many international treaties, as being indispensable for the sake of public health.

#### Employment rights

Most undocumented migrants are worker and are to a large extent dependent on their work. However, being undocumented, they often do not have a contract, social security benefits or insurance. The organizations within the PICUM network are confronted with various problems: workers who work extremely long hours, in dangerous and/or unhygienic conditions, workers who do not receive their wages or who receive less than was agreed upon, workers who are fired without being given due notice. In case of an industrial accident, the lack of official proof of employment renders it complicated and often impossible to have any health care refunded. In the case of apprehension of illegal labour, the undocumented worker will probably be deported without being able to claim his/her last wages.

In the enforcement of some basic employment rights, trade unions can play a big role. In Southern Europe, like Spain and Italy for example, the unions have already taken a special interest in undocumented migrants. Unions might even have a department for counselling undocumented migrants, not only regarding the protection of their rights, but also in assisting them with legalising their situation. However, since the new Spanish Foreigners Law was adopted, undocumented migrants are prohibited from being member of a trade union. In many other countries trade unions are very reluctant to provide services to undocumented migrants.

The theme of employment rights for undocumented migrants already has a rather strong basis in international regulations. The International Labor Organization has issued texts related to undocumented workers<sup>11</sup>, and the International Convention of the United Nations on the Rights of all Migrant Workers and the members of their family (UN 1990) is an important tool which stresses the rights of irregular workers in a separate chapter.

<sup>6</sup> Van der Leun, J., "Close encounters with Gatekeepers of the Welfare State. Exclusion of Illegal Immigrants after the Linking Act or Koppelingswet." presentation paper May 2001.

<sup>7</sup> See also L.M. HAMMER (1999), p. 9.

<sup>8</sup> PICUM, Health Care for Undocumented Migrants, Brussels 2001.

<sup>9</sup> Braun, T., Health Care for Undocumented Migrants in Germany, 2001, unpublished.

<sup>10</sup> Braun, 2001.

<sup>11</sup> "Migration for Employment Convention and Recommendation" (revised in 1949), n° 97, and "Convention concerning Migrations in Abusive Conditions and the Promotion of equality of Opportunity and treatment of Migrant Workers" 1975 (n° 143)



## Shelter

The right to shelter is one of the most fundamental and at the same time most problematic social rights. Many undocumented migrants live in inadequate or insecure accommodation without access to the most basic services such as running water, electricity and heating. Yet gaining secure access to adequate accommodation is a precondition for an undocumented migrant's progress towards a useful and valuable future (which could be return to the country of origin, applying for regularisation, etc.). To exclude undocumented migrants from shelter means to put them in an even more vulnerable position of further marginalisation.

## Enforcing their rights

Instead of going into more detail about all the various and complex problems undocumented migrants face in different European countries<sup>12</sup>, it is maybe more useful to highlight the following two 'limitations' inherent to undocumented migrants' lack of status.

Firstly, in practice it proves to be very difficult for undocumented migrants to speak out about their treatment and experiences. There are examples of undocumented migrants who, with the help of social organisations, file complaints in court (especially in labour courts), but it takes a lot of courage to do this. In general, undocumented migrants on their own have very little means to legally enforce any protection. In this way they are prey to exploitation and deception, by employers, by traffickers, even by members of their own community.<sup>13</sup>

Secondly, many people - and even professional organisations that work with undocumented migrants - are not aware of their rights. Undocumented migrants are often seen as people without any rights at all. There also seems to be a suggestion of 'illegality' and even 'criminality' around these migrants, which makes many people think it is a crime to assist them.

## 4. ASSISTANCE TO UNDOCUMENTED MIGRANTS

### How do undocumented migrants survive?

First of all, with the help of their own networks. Indeed many undocumented migrants can rely on networks of compatriots, other undocumented migrants, etc. Only a limited number of undocumented migrants come to our organisation to ask for assistance.

Providing assistance to undocumented migrants is often criminalized. In many countries the law on foreigners includes an article or paragraph to penalise those that exploit undocumented migrants, and unfortunately do not make an exception for humanitarian support. In some countries, like Germany, it is impossible for any social institution to assist undocumented migrants because they are forced to report all undocumented migrants to the authorities.

While some countries do not explicitly penalise assistance to undocumented migrants, in our experience restrictive and unclear legislation create paranoia in society about irregular migrants, enhance the sphere of criminality, and block the ability to help people in need.

Legal provisions apparently, and fortunately, do not really prevent organizations from providing direct assistance. Thousands of citizens and citizens' organizations provide help in all possible ways. However, such legislation prevents these organizations from working on a structural level, by inhibiting them to speak out, to network, etc. The laws thus encourage assistance to remain underground and not within the mainstream of basic social assistance.

## CONCLUDING REMARKS

The presence of undocumented migrants in Europe is a challenge for European states. Their situation reflects the struggle between state sovereignty, its control over immigration, versus the obligation on the state to uphold the human rights of all individuals found within the territory. Although they are human beings, they are denied in their human rights. Although solidarity is one of the indivisible, universal values on which the European Union is based<sup>14</sup>, solidarity with undocumented migrants is discouraged and even penalized. It is PICUM's explicit plea to policy-makers in Europe to pursue a realistic approach of the problem of undocumented migrants, and above all to take up their responsibilities towards this vulnerable group in society. •

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**Nele Verbruggen, PICUM - Platform for International Cooperation on Undocumented Migrants, <http://www.picum.org>**

<sup>12</sup> For more extensive and detailed information on these basic social rights in the different countries, see "PICUM Basic Social Rights Document": to appear on <http://www.picum.org>

<sup>13</sup> Gibney, M.J., "Outside the Protection of the Law: The Situation of Irregular Migrants in Europe." Oxford, December 2000.

<sup>14</sup> Preamble of the European Charter of Fundamental Rights

## Social exclusion of immigrants<sup>1</sup>

Dr. Dragana Avramov<sup>2</sup>

### Introductory comments

Research indicates that immigrants, especially those who are not EU nationals originating from developing countries are at higher risk of income poverty than any other population subgroup. Being a non-national almost by default implies being less well protected by the social benefits system and being at a higher risk of unemployment. Our research shows that non-EU nationals score highly on unemployment and experience high levels of poverty and a high percentage of housing problems. They are twice as likely to express dissatisfaction with their general living conditions namely, work or main activity, finances and housing as the native population. Therefore, when addressing the specific topic of homelessness as it affects immigrants, it is necessary to identify the lack of integration of immigrants in the broader societal context.

### Immigrants experiencing deprivation

Using the European Community Household Panel (ECHP) database on some 60,000 households in the 15 European Union countries, we have identified 771 households in which the household heads (main earners identified as persons having the highest income in the household) are not nationals of the country in which the household holds legal residence or of any other EU country. In order to be able to compare the socio-economic status of immigrants with that of natives we needed to select a comparable age group. Since the age composition of non-EU citizens differs strongly from that of nationals (the proportion of elderly households in the latter being four times greater), we have selected only those house-

holds headed by a person of working age, i.e. between 15 and 64 years of age (Table 1).

While unemployment affects 5 percent of households headed by main earners who are EU nationals, the corresponding figure for foreigners who are not nationals of an EU country is 19 percent. Looking at the indicators of deprivation, it is evident that non-EU nationals are particularly vulnerable to income poverty (38 percent compared to 15 percent), bad housing, lack of household durables, and are not only dissatisfied with their living circumstances but subjectively perceive their financial situation to be one of deprivation.

Among non-EU nationals there are higher proportions of couples with children and lower proportions of one-person households than among nationals.

The ECHP data on immigrants are quite poor. Only nationality status is available for all countries; information on country of origin is treated as confidential information in Germany, the Netherlands and Greece and is therefore not available for statistical analysis. The database contains no information on the naturalised population or on children born to two foreign born parents (frequently referred to as the second generation immigrants), nor does it have any information on the language normally spoken at home. Furthermore, the selective attrition associated with mobility and the dropping out of panel surveys due to language difficulties or other social handicaps, results in very small numbers of non-nationals being included in the ECHP database.

**TABLE 1.** Socio-economic and demographic characteristics of main earners aged 15 to 64 and their self-perception of their circumstances by nationality status, EU pooled data\* (ECHP 1996-1998)

Variable	EU Nationals (%)	Non-EU Nationals (non-UE) (%)
Exposed to income precariousness	15	38
Not able to make ends meet	46	65
Below threshold of poor financial situation (CIF)	13	19
Below threshold of low satisfaction (CIS)	17	36
Below threshold of poor means (CIM)	11	19
Below threshold of housing deprivation (CIH)	14	20
Housing costs are a financial burden	21	24
Below durables deprivation threshold (CID)	9	11
Unemployed	5	19
Inactive	17	13
Incomplete secondary schooling	40	41
Couples without children	21	13
Couples with children	45	61
Households with 4+ children	4	26
Bad or very bad health	6	16
Number of main earners aged 15-64	45,826	715

Source: own calculations (Avramov, 2002). \* Some data not available for all 15 EU countries.

<sup>1</sup> Based on the project "Demographic implication of social exclusion", Council of Europe.

<sup>2</sup> Population and Social Policy Consultants (PSPC), Maria Louizaspas 33/b2, 1000 Brussels, email: [PSPC@skynet.be](mailto:PSPC@skynet.be)





Unemployment is particularly high among non-EU nationals but since their educational profile is comparable with that of natives, the causes of their disadvantaged employment status do not stem from their formal educational attainment.

However, despite data poverty our findings about generalised deprivation are consistent with targeted research about the vulnerability of foreigners. Research based on data from the Norwegian population registers shows that, even in a country where overall unemployment is only 3 percent, the corresponding figure among immigrants is five times higher at 15 percent and amounts to as much as 37 percent among Somali nationals (Ostby, 2000). These disparities are only partly attributable to differences in educational qualifications since they remain visible even among those with university degrees. Moreover, whereas only 5 percent of natives fall below the poverty threshold, three out of every 10 immigrants have incomes that are less than 50 percent of the median. In addition, overcrowding is more prevalent among immigrants, as are feelings of social isolation and loneliness.

In a Swiss study of the deprivational anomie, a condition that comes about when individuals are not satisfied with one or more features of their position in society, it was shown that both the measurement of absolute disadvantage and comparisons with reference groups are relevant (Hoffmann-Nowotny, 2000). The study reported that structurally disadvantaged people display greater deprivational anomie (perception of socio-economic status) and orientational anomie (perception of social identity) and that lower status positions lead to higher levels of stress and strain. In this study the Swiss population was used as the control group and comparisons made with Turkish and Italian immigrant groups. The results indicate that 'ethnic' or 'cultural' factors also have an effect on the integration and adaptation patterns as shown by the different deprivational anomie of Turkish and Italian immigrants.

## CONCLUDING REMARKS

Unemployment is particularly high among non-EU nationals but since their educational profile is comparable with that of natives, the causes of their disadvantaged employment status do not stem from their formal educational attainment. According to the various indicators of deprivation, it is evident that non-EU nationals of working age are particularly vulnerable to income poverty, bad housing, lack of household durables, and are both dissatisfied with their living circumstances and subjectively perceive their financial situation to be one of deprivation. It appears that European Union countries and most other advanced market economies in Europe have not developed to date effective policies and set up routes to social integration of immigrants in general and those arriving from less developed countries in particular. •

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## Migration and Access to housing in Greece



Throughout the twentieth century Greece has been operating as a domain from which people emigrated to destinations such as America, between 1900 to 1920, then Australia or Canada and finally Europe and especially Germany, mainly during the late '50s and early '60s. In recent years this trend has been reversed as, not only second or third generation Greeks are now repatriating, but also masses of people from abroad migrate to Greece in search of better job opportunities and living conditions.

These people belong to different categories: the majority of them are economic refugees, another significant portion are people of Greek origin who used to live in southern Albania or in Pontos, i.e. along the Black Sea coasts for centuries while the third category concerns political refugees mostly from Turkey and the Middle East. The National Statistical survey of 2001 estimated that the number of foreigners staying in Greece, a country with a population of 11 million, is 830,000 people. This figure does not include 180,000 new-comers of Greek origin.

OAED, the National Organisation of Employment of the Labour Force, estimates that migrants in Greece originate from 120 different countries. More than 50% of migrants come from neighbouring Albania, while substantial portions originate from Bulgaria, Romania, Pakistan, Ukraine, Poland, Georgia, India, Egypt and the Philippines. The distribution varies in relation to the country's regions and the migrants' gender. Still, most of them concentrate in big urban centres where access to employment opportunities and other facilities are better developed.

In recent years, the Ministry of Labour and OAED organised the registration of migrants through the edition of a 'green card' that will enable them to participate in national insurance and health benefits. Almost 780,000 people have registered while it is estimated that nearly 270,000 people remain illegally in the country.

Political refugees who have applied for asylum in Greece during the last decade are not more than 15,000, while asylum is granted to a very small percentage of applicants.

Finally, the influx of people of Greek origin, which escalated during the 1990's, has now levelled. Since 1987, it is estimated that 180,000 people from Pontos and Albania, mostly with their families, have migrated to Greece.

The vast majority of migrants belong to the lower economic strata and are in need of state support. In most cases, they arrive only carrying money to keep them for a limited period of time, trusting that they will find either a job or support from the state or informal kinship networks. The most significant problems they encounter immediately are those of communication, employment and housing. As these are not easily dealt with, the threat of marginalisation is imminent. Their initial accommodation is usually substandard small flats, e.g. basements etc, working as unskilled uninsured workers. Under these circumstances, the incidence of accentuated criminality has developed, a phenomenon that is largely behind the stigmatisation of Albanian immigrants in particular, in Greek public opinion.

The legalisation and social inclusion of immigrants has been an issue for policy makers in Greece at the end of the last decade. The legal framework that has since developed, the 1997 and 2001 Acts, has largely been based on European experience. Still, its implementation concerning the registration of migrants poses a number of difficulties to the applicants as it involves extensive bureaucratic procedures while the relevant authorities lack the training needed to manage the situation. As a result, applicants ended up queuing for days to get the necessary documents and were obliged to miss work and thus lost wages.

The most important bodies responsible for immigration matters in Greece are the International Organisation for Migration, the Council for Refugees, the Greek Red Cross, the International Social Service, the Network for the Social Support of Immigrants and Refugees and the National Organisation for the Welcoming and Settlement of Repatriating Greeks (EIYAAPOE). Most of these bodies provide health services, family and social support and in certain cases, food. For a limited number of those who have applied for political asylum, there is accommodation provision as well as legal and psychological support.

As far as access to housing for the newcomers is concerned, the afore-mentioned bodies offer very limited support both as regards permanent as well as temporary accommodation. Policies and measures are focused on immigrants of Greek origin who fall under the jurisdiction of the EIYAAPOE. This organisation has managed to address the housing and social inclusion needs of only 15% of their target group.





The vast majority of economic refugees are left entirely on their own; securing a safe home is bound to follow finding a job. Thus, people find it hard to cope in the beginning. Nevertheless, many migrants have eventually managed to secure better jobs and to improve their living conditions as they are capable of working and especially under difficult circumstances. According to data provided by the Albanian Embassy, a portion as high as 30% of the Albanian labour force in Greece now own a small business themselves, 70% own a car, while a sizeable portion have already bought a dwelling.

Migrants generally tend to cluster in places with increased employment opportunities, cheap housing in the private rental sector, commuting facilities and pre-existing concentration of their compatriots. By and large, this trend has been responsible for the fact that immigrants live in deprived urban areas. Several studies have shown that they tend to be accommodated in basements, in old flats lacking basic facilities, and often had to co-habitate with other immigrants from their countries of origin.

Apart from migrants' own efforts to secure accommodation in the open rental market, a very small number of voluntary sector initiatives provide emergency accommodation. It must be noted however that these services are generally addressed to all homeless people and have a limited capacity for support as they are usually intended to help those who are in desperate need for accommodation.

On the other hand, the Workers' Housing Organisation (OEK) has implemented specific measures addressed to registered immigrant workers. Thus, immigrant workers are entitled to a permanent residence, provided that they have already worked for a certain number of days (which is lower than what is required for Greek workers seeking the same benefit).

Data presented so far indicate that incoming migration constitutes a phenomenon that the Greek society has not managed to assimilate as yet. Either because policy makers were surprised at its incidence, or because they were carried away by the negative attitudes of public opinion, growing migration and its impact on Greek society has largely been left unexamined. Significant facets of the issue, such as the impact of immigrant workers on the housing, and even the labour market have not been studied sufficiently.

On the other hand, the country's population is currently experiencing a very important change. As almost 10% of its inhabitants do not speak Greek as their mother tongue, Greeks must learn from the European experience of living in an essentially multicultural social environment. As the situation stands at the moment with minimal state intervention, mistrust and even hostility from both sides, i.e. Greeks and aliens, is growing. A reasonably happy milieu, requires suitable welcoming policies and services of reasonable accommodation and social support addressed to newcomers. Measures such as the provision of consultation for immigrants on renting a dwelling as well as on legal matters concerning employment, social insurance etc, paired with an organized and determined campaign both at the level of central and local state agencies and that of public discourse on racism and xenophobia, are essential to ensure social cohesion and smooth integration of immigrants into Greek society. •

*Dr. Aristides Sapounakis, architect - planner*



## Immigration and Homelessness

### A REPORT FROM FRANCE

There has been a perceptible development over the last few years: the media are talking a lot more about the phenomenon of immigration. Humorists have always talked about it, Dieudonné, Coluche, Fernand Raynaud, etc. For the latter, "foreigners are taking the bread out of French mouths" ... but in their stories the foreigner is the village baker ! ! ! The subject has been back on the agenda again for the last two or three years with a few focal points such as Sangatte, where a warehouse used when the Channel Tunnel was being dug has become a place for asylum seekers to gather before trying to get across to Britain.

Speaking or writing on this issue requires more than a little delicacy and humility. Who can teach us any lessons on such a complex subject? Who can find solutions with a sense of justice that are not some form of demagoguery? If I venture today to put pen to paper, it is in my capacity as the Director of an accommodation structure and a member of the Refugee Committee of FNARS (Fédération nationale des associations d'accueil et de réinsertion sociale - National Federation of Organisations Promoting Social Reintegration). I should like to report on what I have seen and caught a glimpse of in the field and, along the way, mention the players concerned by this problem of homelessness for immigrants.

Today, immigrants and the associations that support them are essentially demanding the right to work. But this ardent desire generates opposing views. The solidarity sought by some is not always compatible with the unemployment suffered by others.

Another demand: the right to resources, so as to be able to live a decent life. The sense of responsibility that some want to instil runs up against the criticisms of handouts made by others.

It can be seen that educating public opinion, through constant information, is going to be necessary for a long while.

In addition to housing that has become virtually uninhabitable in "sensitive neighbourhoods", vacant accommodation is still relatively abundant in both cities and in the country. But this housing remains out of reach because it often belongs to rich landlords, who are mistrusting and not inclined to share. How can confidence be restored so that an elderly person, for example, living alone in a large house, can imagine sharing their accommodation with a young couple? Like the world in which, according to the UNHCR - Office of the UN Commissioner for Refugees - refugees move to and gather in poor countries above all, we can see immigrants living here in France with compatriots, and yet vacant housing remaining desperately empty. In Toulouse, the city where I work, the explosion at a chemical factory in September 2001, causing damage to some 11,000 dwellings, in poor districts in particular, cast light on this phenomenon; and it was not unusual to find 10% or 20% more occupants in a building than previously thought.



I have observed several phenomena here that demand answers :

- the mixture in reception structures of asylum-seekers and persons of no fixed abode, living on the streets for many years.
- a shortage of accommodation. FNARS estimates that 15,000 CHRS places (Centre d'hébergement et de réinsertion sociale - Accommodation and Social Reintegration Centres) should be created; the shortage is just as serious for asylum-seekers; the reception structure comprises 9,000 places whereas in 2002 asylum-seekers will probably number 60,000.
- a lack of subsidised housing. There is a law which obliges municipalities to have a 20% stock of subsidised housing, but it is not applied everywhere and many towns and cities, in the absence of a specific property policy, cannot find the necessary land or yield to pressure from inhabitants who refuse to allow public sector housing to be built in their neighbourhood. So people housed in CHRS places stay there longer than necessary: they no longer need social assistance and are waiting to be provided with somewhere to live.

The whole chain can be seen quite clearly: lack of subsidised housing, plus lack of accommodation in social structures, plus lack of emergency places for someone losing his accommodation or for an immigrant just arriving.

#### *So what mechanisms do we use?*

Since 1994, associations have received the standard amount of benefit granted for accommodation that is available to persons living in a precarious situation (temporary accommodation allowance). A few years on, the number of places created in this way became equivalent to the number of places in social accommodation structures with ASH (Aide sociale à l'hébergement). Additional places in winter more or less ensured that people had a roof over their head. As from 1999-2000, the social SAMU (Emergency social assistance) has been developing, a measure aimed at persons in a precarious situation with a view to finding them somewhere to live. The use of overnight stays in hotels has also become a common 'solution'. In the big cities, crisis managers have been looking for beds in cheap hotels. In the beginning, it was hoped that this would be a very temporary arrangement, but over the months families have not found any other solutions and are remaining in their hotel. The regional councils and the municipalities quickly stopped paying. The State, however, continues paying and in most large towns and cities, especially near frontiers, there are no places left in hotels. In 2001, for asylum-seekers, several cities tried to organise reception platforms with initiatives by CUDA (centre d'urgence pour demandeurs d'asile - emergency relief centres for asylum seekers). The general impression is that this organisation is both useful and necessary, as





with overnight hotel stays, but these measures reach their limit when there are no further places physically available.

The State therefore finds itself faced with numerous demands; associations and federations have grouped together to raise awareness of the problem of accommodation provision that is often considered insufficient: ALERTE, a group of some forty associations, FNARS, which brings together most of the CHRS organisations, but also FTDA (France Terre d'Asile - France, Land of Asylum), which manages the coordination of CADA bodies (Centre d'accueil des demandeurs d'asile - reception centres for asylum seekers) and CNDA (coordination nationale pour la demande d'asile - the national coordinating body for asylum seekers), etc., have all drafted texts and adopted positions denouncing the lack of financial resources and the unseemly treatment of asylum-seekers. The main reproaches concern accommodation conditions, lack of places and the long time it takes to deal with application files.

Other associations have a humanitarian approach as their essential objective, along with a minimum level of protection to ensure that these persons can survive and supply food and blankets.

Alongside this, it is apparent that immigrants can also organise themselves and a number of squats have been established, frequently involving a substantial group of people, 70 families sometimes, in order to support each other and ensure that the police cannot move them out easily. Collectives are sometimes created to refuse to leave an accommodation site or to challenge living conditions in hotels.

When politicians or State departments are questioned, as was the case during the Presidential elections in spring 2002, a frequent reply concerns the risk of encouraging a fresh influx. This theme often recurs in the speeches made by most political leaders and no doubt justifies the impression that reception facilities should be kept to a minimum.

Elected representatives are not out of step with their constituents since they have been very sensitive to questions of insecurity. But it is essentially a matter of preserving the security of the middle classes, the rich and the elderly! A good many associations have recently denounced the risk of an amalgamation of the laws on security and action against the poor.

If the media have been talking about immigration much more in recent years, it is therefore also a reflection of public opinion. Several recent articles refer to the "failure of immigration policy" or being "fed up with elected representatives" or even an attitude of "can't cope with it any more".

An asylum bill is currently being drafted: it will be presented to the Cabinet at the beginning of 2003 and then submitted to Parliament, for implementation from January 1st 2004. The associations would very much like to be involved in the formulation of this text!

Social workers are also pessimistic and trade unions become indignant at the working conditions of employees, especially because they do not have sufficiently appropriate answers for people questioning them. They consider that their professional objective is integration into the labour market that they have been insufficiently trained in the reception of asylum-seekers and are limited by the problem of foreign languages that they do not understand. Leaving people in the street gives rise to a frustration that is very difficult to live with and it is not surprising that they too complain about reception difficulties.

However, this defeatism on the part of social workers is not a general phenomenon: it is offset by some positive measures. Specific training courses have been set up. Legal qualifications, language abilities and educational work focused on culture and leisure activities have all led to a greater diversification of know-how.

Work with other partners has also intensified: with the SSAE (service social d'aide aux émigrants - social assistance services for emigrants), the FAS (fonds d'action sociale - social action fund), and interpretation organisations too. Voluntary workers, legal experts, etc., are also becoming more involved.

Sometimes, European programmes with international exchanges have brought organisations together to work on subjects such as improvements of reception conditions for asylum-seekers.

For immigrants themselves, it would seem that there are mixed feelings about the situation. Satisfaction with having set foot in a land where they want to be, but also hardships to be suffered.

The traumatism of exile is generally difficult to cope with and if reception conditions are precarious desperation can set in. It is often only by thinking about their children and better living conditions for them that families manage to hold out.

They are generally mindful of the risks of failure and rejection of the application for asylum, but if they fail and are returned to their own country (which is rare, especially when families are concerned ... but the statistics on this subject do not seem to be widely published), this migratory phenomenon will probably extend beyond these individual situations and someone else from the family will perhaps "try his luck".

In eighteen months' time, when more countries join Europe, this will no doubt change the situation as regards the free movement of persons and sharing, because the average income in Western Europe will certainly fall. Closure of the Sangatte Centre in Pas de Calais is typical of the problem of free movement in the European area. On November 11, 2002, MEP Hélène FLAUTRE (Greens) requested a meeting with European Commissioner Antonio Vitorino to examine the possibility of a temporary derogation, on an experimental basis, from the Dublin Convention to allow dispersed families to seek asylum in the same country. She writes: "generally speaking, Europe must acquire as soon as possible a "European refugee Statute" providing for, in particular, the right to work and freedom of movement. This provision would be an answer to the inextricable position of numerous refugees still arriving every day in Calais and elsewhere in Europe, fleeing famine, poverty and war".

Immigrants in our country therefore very often live in extremely temporary reception structures or manage to exist together in squats. They often suffer psycho-socially and generally have to put up with a situation of simply waiting (the key word for the situation of an asylum-seeker!).

However, we all share the same hope: that one day there will perhaps be more justice in North-South relations!

Some of them tell me this now and again, in a play on words: in fact, I am the Director of a Centre managed by the association "Espoir" (Hope) and the temporary accommodation structure that we run is called "Gîte de l'Europe" (Shelter/Home of Europe)! •

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Joseph LABRUNIE

FEANTSA would like to thank all those who contributed to this edition of the newsletter, and to encourage others to do so in the future. If you have information or articles on this subject that might interest other readers, please do not hesitate to send it to FEANTSA. Comments and additional items can be found on the FEANTSA website ([www.feantsa.org](http://www.feantsa.org)). We look forward to your feedback.

### Calendar of Events:

#### 9 - 10 January 2003

**Training session: Welcomeurope - on how to access Commission funding for the non-profit sector.**

For more information please contact:

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#### 17 - 18 January 2003. Brussels, Belgium

**FEANTSA Executive Committee Meeting**

For more details contact:

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#### March 2003. Porto, Portugal

**FEANTSA member organisation - CAIS conference on immigration**

For more information, please contact  
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[henrique.pinto@forum.pt](mailto:henrique.pinto@forum.pt)

#### 19 - 20 March, 2003. Brussels, Belgium

**Conference on the Mid-Term Review of the Social Policy Agenda Organised by the European Commission**

For more information, please contact the  
Platform of Social NGOs:

[roshan.dipuppo@socialplatform.org](mailto:roshan.dipuppo@socialplatform.org)

#### 9 - 10 May 2003. Rome, Italy

**FEANTSA conference and Administrative Council Meeting**

For more information, contact:

[freek.spinnewijn@feantsa.org](mailto:freek.spinnewijn@feantsa.org)

#### 2 - 4 July 2003. Venice, Italy

**The 11th European Social Services conference 2003: "Health and Social Services - Partners for a social Europe"**

for more information

[info@socialeurope.com](mailto:info@socialeurope.com)



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## In the next edition:

All eyes were turned to Copenhagen this weekend, as the heads of state and government of all 15 EU Member States and the 13 candidate countries gathered to make a historic decision on the future of the European Union. **"Enlargement"** has dominated the headlines of both the European and national press for the past months, and will continue to be a key issue for all Europeans in the months and years to come. Poland, the Czech Republic, Hungary, Slovakia, the Baltic States (Estonia, Lithuania, and Latvia), Slovenia, Cyprus and Malta will join the Union in 2004, with the dates for entry or negotiation for Romania, Bulgaria and Turkey still to be officially declared.

FEANTSA has been working with organisations in candidate and other central and eastern European countries for many years now. Official EU enlargement will certainly allow us to step up the pace and become more involved in the existing and developing networks in these countries. FEANTSA is eager to extend the exchange of experience and knowledge beyond the EU's current border, and looks forward to the challenge of expanding the network. FEANTSA's European Observatory on Homelessness will also enlarge to include researchers from these new countries. Mapping and studying homelessness in countries where the sector is still developing will certainly make for exciting research and reading.

FEANTSA has been involved in a very successful Phare project that has brought homeless organisations (many of whom are already members of FEANTSA) from the Czech Republic, Hungary, Poland, Romania and Slovakia together with FEANTSA member organisations from Spain, Denmark, Germany and Austria. The project facilitates exchanges and training and has provided many opportunities for all organisations to learn from each other. For more information on the project, please visit [www.feantsa.org/enlargement.htm](http://www.feantsa.org/enlargement.htm).

The next edition of Homeless in Europe will be dedicated to Enlargement and the countries involved in this momentous transition. We will feature articles on various aspects of homelessness in the Enlargement countries and draw on the experience of the Phare project as well as other exchanges with our central and eastern European member organisations.

Please do not hesitate to contact FEANTSA with suggestions for articles, we are eager to include as many perspectives as possible on this multi-faceted subject.

We look forward to hearing from you soon,

[Samara.jones@feantsa.org](mailto:Samara.jones@feantsa.org)

### FEANTSA's latest transnational report

## Access to housing: Homelessness and vulnerability in Europe

*has just been published by the Policy Press*

Authors: **Bill Edgar**, Joint Centre for Scottish Housing Research, University of Dundee, **Joe Doherty**, Joint Centre for Scottish Housing Research, University of St Andrews, UK and **Henk Meert**, Catholic University of Leuven, Belgium

Copies of **ACCESS TO HOUSING** can be ordered directly from the Policy Press (UK and Ireland) or from FEANTSA ([office@feantsa.org](mailto:office@feantsa.org)) for €28 each.

While there is no overall shortage of housing in the European Union, 3 million people are homeless and 18 million are housed in inadequate accommodation, that is, housing which lacks basic amenities, is structurally unsound, overcrowded, or does not offer security of tenure.

This book seeks an understanding of the situation through a detailed analysis of the European housing market in both the private and state spheres.

The following themes are explored in-depth:

- the expansion of an increasingly unregulated private market;
- the contraction of the state sector;
- the (re)emergence of voluntary organisations;
- the role of vulnerable people themselves

