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➤ ***European seminar "Migrants and social protection floors" by Joaquín Eguren***



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The ICSW European Seminar "Migrants and Social Protection Floors. Facilities and obstacles to access to different welfare state services in time of crisis" took place on April 23, 2015, at the Universidad Pontificia Comillas in Madrid, Spain. It was jointly organized by the University Institute of Migration Studies (IUEM) of the above university, the CEBS (Spanish Committee for Social Welfare - ICSW Spain) and the European Committee for Social Welfare (ICSW Europe), which provided the financial support.

The meeting was attended by members of ICSW Europe as well as by experts on migration from the following countries: Austria, Norway, Finland, Denmark, Sweden, Slovakia, France, Italy, Lithuania, Portugal and Spain. The opening session was addressed by the Secretary General of Immigration and Emigration of the Spanish Ministry of Employment and Social Security, Ms. Marina del Corral, the President of ICSW Europe, Dr. Miloslav Hettes, the Vice-President of the Spanish Committee for Social Welfare, Luis López Quiñones, and the Director of IUEM of the Universidad Pontificia Comillas, Ms. Mercedes Fernandez.

The seminar reflected the priorities of the Global Coalition for Social Protection Floors (SPFs) - a coalition of over 80 civil society and trade union organizations aimed at achieving social protection guarantees on basic income and essential social services, which are seen by members of the Coalition as key instruments to advance social goals on the global development

agenda. The Social Protection Floors initiative is widely regarded as one of the foundations for inclusive, equitable and sustainable post-2015 development.

The concept of social protection floors refers to a strategy of social security extension, comprising a basic set of social guarantees for society at large and envisioning a gradual implementation of higher standards. It is up to each government to determine the nature and level of the minimum national social protection strategy and the path to its implementation, in accordance with the national socio-economic priorities and employment strategies. In particular, it is essential that low-income developing countries facing rampant poverty can establish a meaningful strategy aimed at implementing at least minimum levels of social protection.

The notion of minimum welfare services owes much to the definition provided by the International Labour Organization (ILO). Recommendation No. 202 of the ILO, unanimously adopted in 2012, established national SPFs as an instrument of public international law that all ILO member states must take into account when designing national social legislation regarding basic levels of social protection. This recommendation establishes the core content for social security as a human right, as specified in Article 22 of the Universal Declaration of Human Rights in 1948.

The plight of migrants has direct relevance to the social protection discourse, as migrant workers represent an important and often vulnerable population group. There is a growing number of EU citizens whose move to another country was facilitated by the existing freedom of movement within the European Union. More recently the economic crisis became an additional factor for cross-border movements of people.

According to ILO Recommendation No. 202 all residents should have basic social security coverage. Despite this general provision, social rights are often denied to migrants because of the unstable socio-economic situation and the existence of exclusionary practices at the national level: this is particularly serious in the case of such ethnic groups as the Roma. Access to immigrant rights by nationals of third countries outside the European Union is often hampered by cultural and administrative barriers. The case of illegal immigrants is a special category owing to the difficulties of both a humanitarian and a legal nature that they often encounter in the host countries.

The seminar considered in depth how ILO R. 202 applies to migrants in the eleven countries under consideration. According to Eurostat data, in 2010 about 32 million foreign-born people were living in 27 member states of the European Union (EU-27), representing 6.5% of the total population. In recent years, immigration has been the major driver of population change in most European member states. In fact, between 2004 and 2008, each year from 3 to 4 million immigrants settled in the EU-27. In sum, 12 million immigrants came from within EU-27 to live in a country other than the country of their birth, and 20 million came there from third countries outside the EU- 27.

The seminar in Madrid focused on discussing in what way the ILO recommendations regarding national floors of social protection were applicable to the migrant population in 11 European countries. Taking as a basis for discussion the national expert reports, prepared using a similar

research methodology (agreed in advance), the participants considered the following cross-sectoral themes as they applied to migrants:

1. Access by migrants to goods and services constituting essential health care, including maternal care.
2. Basic income security for children set at a national level; access to nutrition, education and any other essential goods and services.
3. Basic income security for people of working age who are unable to get sufficient income owing to sickness, unemployment, maternity or disability.
4. Basic income security for older persons.

In this vein, the first conclusion of the seminar was that one can talk about the existence of a basic outline of a harmonized European policy on minimum social protection for legal immigrants. Whether it is satisfactory and sufficient is an open question. While access by migrants to health care, basic income and basic income security exists at almost the same level as available to citizens of European countries, the situation is very different for the undocumented (illegal) immigrants. The specifics differ: there are countries, such as Austria, Portugal and Italy, where access to minimum services for migrants and citizens are similar, but in others, such as Denmark and Spain, it is not.

Legal migrants are usually considered in the programs of public health services of the 11 European countries mentioned above. However, in the case of so called undocumented migrants, only some health care services are provided by the public health system, such as emergency care (in countries such as Austria, Germany, Norway, Denmark, Sweden and Spain). But in Germany, Denmark and Spain primary care or specialized care is provided to these population groups not by public health care systems but by NGOs.

The budget cuts made recently by several EU governments has affected health care for the undocumented migrants in severe ways, along with emergency care, as well as OB/GYN and maternity-related services. For example, in the case of Spain, undocumented migrants lost rights to receive primary health care. In Italy essential health care that covers emergency treatment is guaranteed to all immigrants, including undocumented migrants. The Portuguese law grants foreign citizens the right to access health centers and hospitals in the National Health Service, whatever their nationality, their legal or economic status.

According to the German Law on Assistance to Asylum Seekers who belong to the undocumented category, they are entitled to receive health care in Germany in the event of acute illness and pain, as well as maternal care. But generally medical care for undocumented migrants in Germany is severely restricted by administrative procedures precluding access to subsidized care, which is subject to the German Law on Residence, which requires all public institutions, except institutions of education, to notify the competent immigration authorities and police when they obtain information about any of these people without a valid residence.

In Norway and Sweden, undocumented immigrants and refugees are entitled to emergency health services. Pregnant women can get free hospital service to give birth. Children of

undocumented families have free access to the National Health Service. In the case of Sweden, there is a recognized right to maternal care, abortion and contraception. The people using those services have to provide some payment but costs are reduced; some financial support is provided for special medical needs. Children of migrants have access to health and dental care services under the same conditions as Swedish children.

The second message of the seminar was that the economic crisis has not only affected the European Mediterranean countries but has also had a wider impact. However, the situation varies from one country to another. Despite negative economic conditions, some states have decided not to restrict the social rights of undocumented immigrants in a significant way. To a certain extent, the Spanish decision made by the current government administration to apply restrictive measures to migrants, especially the undocumented migrants, was an exception rather than the rule.

Thirdly, it is very obvious that migrant population of the EU has been affected most seriously by the economic crisis. This group has especially suffered from rising unemployment, which has resulted in creating precarious situations in the workplace, leading also to sharp declines in their income and socio-economic benefits. On the other hand, generally speaking, public policies aimed at the integration of migrants have suffered serious budgetary adjustments downwards, also causing much public debate and questioning regarding their purpose, effectiveness and management.

Finally, we have verified the need for studies at the European level to determine the level of application of the minimum social protection. For that reason, ICSW Europe has begun a process of developing a research project to be submitted to the various European authorities with calls for funding.

➤ ***Transforming our world by 2030: a new agenda for global action***

We seek to keep our readers informed about the progress made at the United Nations with regard to the preparation of the new Sustainable Development Goals, which is supposed to be adopted by the international community in September 2015 (see also the Global Cooperation Newsletter January and April issues of 2015 for relevant materials). On June 1, 2015, the so called "Zero draft" for the UN Summit to adopt the Post-2015 Development Agenda was made public and available for finalization by the representatives of the member states. In this issue of the Newsletter we present the introductory parts of the draft outcome document.

The complete draft is available at:

<https://sustainabledevelopment.un.org/content/documents/7261Post-2015%20Summit%20-%202%20June%202015.pdf>

The Editor

Introduction

We, the Heads of State and Government of the 193 member States of the United Nations, meeting in New York from 25-27 September 2015 as the Organization celebrates its seventieth anniversary, have agreed today on new global goals for the sustainable development of humanity and of our planet.

On behalf of the peoples we serve, we have adopted a historic agreement on a comprehensive and far-reaching set of universal goals and targets. If these are realized, they will transform for the better the world in which we all live.

We recognize that poverty eradication is the greatest global challenge and an indispensable requirement for sustainable development. We intend, between now and 2030, to end poverty and hunger once and for all; to combat inequalities; to ensure the lasting protection of the planet and its resources; and to create conditions for sustainable, inclusive and sustained economic growth and shared prosperity.

As we embark on this great collective journey, we pledge that nobody will be left behind. We wish to see the goals and targets met for all economic and social groupings.

Having consulted widely with stakeholders, and having made a special effort to listen to the voices and concerns of the poorest and the vulnerable, we are adopting a universal Agenda for sustainable development. We commit ourselves to working tirelessly for its implementation and for the attainment by 2030 of our shared vision.

This Agenda is of unprecedented scope and significance. Accepted by all countries and applicable to all, it has been agreed following two years of intensive public consultation and engagement around the world. It is the first ever global compact for human development and preservation of the planet.

This is a plan of action for **people, planet and prosperity** which also seeks to Strengthen universal **peace** in larger freedom. It will be implemented by all of us acting in collaborative **partnership**. We are resolved to free the human race from the tyranny of poverty and want and to heal and secure our planet for future generations. We are determined to take the bold and transformative steps needed to shift the world onto a sustainable footing.

Almost fifteen years ago, the Millennium Development Goals were agreed. These provided an important framework for development and significant progress has been made in a number of areas. But the progress has been uneven and some of the Goals remain off-track. We recommit ourselves to the full realization of the off-track MDGs. The new Agenda builds on the Millennium Development Goals and seeks to complete what these did not achieve.

In its scope, however, the framework we are announcing today goes far beyond the MDGs. Alongside traditional development priorities such as health, education and food security and nutrition, it sets out a wide range of economic and environmental objectives and also promises more peaceful, better governed and inclusive societies. Reflecting the integrated approach that we have agreed, there are deep interconnections and many cross-cutting elements across the new goals and targets.

Our commitment and shared principles

We recall the outcomes of major UN conferences and summits which have laid a solid foundation for sustainable development and have helped to shape the new Agenda. These include the Rio Declaration on Environment and Development; the Millennium Declaration; the World Summit on Sustainable Development; the United Nations Conference on Sustainable Development ("Rio + 20"); and the latter's follow-up

intergovernmental processes. We recall also the synthesis report produced by the Secretary General of the United Nations in December 2014.

The new Agenda is guided by the purposes and principles of the Charter of the United Nations, including full respect for international law. It is grounded also in the Universal Declaration of Human Rights and other international instruments such as the Declaration on the Right to Development. We reaffirm all the principles of the Rio Declaration on Environment and Development, including, inter alia, the principle of common but differentiated responsibilities.

Our world today

We are meeting at a time of immense challenges to sustainable development. There are rising inequalities within and between states. There are enormous disparities of opportunity, wealth and power. Unemployment, particularly youth unemployment, is growing. Spiraling conflict, violence and extremism, humanitarian crises and a growing migration challenge threaten to reverse much of the development progress made in recent decades. Natural resource depletion and adverse impacts of environmental degradation, including drought and the prospect of irreversible climate change, add to the list of challenges which humanity faces. The survival of many societies, and of the planet itself, is at risk.

These challenges are interrelated and call for integrated solutions. To address them effectively, a new approach is needed. Sustainable development recognizes that eradicating poverty and inequality, preserving the planet and creating inclusive economic growth are linked to each other and interdependent.

It is for this reason that we have decided on a set of integrated and indivisible goals which balance three crucial dimensions: the economic, the social and the environmental. Furthermore, these are universal goals which transcend the traditional North/South divide and involve the entire world, rich and poor countries alike, in a new global compact for the betterment of humanity.

Our vision

In the goals and targets which we have agreed, we are setting out a supremely ambitious vision.

We envisage a world free of poverty, hunger, disease and want. A world, for example, of safe and nutritious food; of affordable drinking water; of universal access to basic education; of physical, mental and social well-being. A world of universal respect for human rights and human dignity; of justice and equality; of respect for race and ethnicity; and of equal opportunity permitting the full realization of human potential while promoting shared prosperity. A world in which every woman and girl enjoys full gender equality and all barriers to their empowerment in our societies have been removed. A just, equitable, tolerant and inclusive world. And one in which humanity lives in complete harmony with nature.

The new Agenda

We are announcing today 17 Goals with 169 associated targets. Never before have world leaders pledged common action and endeavour across such a broad policy agenda. We are setting out together on the path towards sustainable development, devoting ourselves collectively to the pursuit of global development and of “win-win” cooperation which can bring huge gains to all countries and all parts of the world. We will implement the Agenda for the full benefit of all, for today’s generation and for future generations. In doing so, we reaffirm our commitment to international law and emphasize that the Agenda will be implemented in a manner that is consistent with the rights and obligations of states under international law.

This is an Agenda which encompasses all human rights and will promote dignity for all human beings. It will work to ensure that fundamental rights and freedoms are enjoyed by all without discrimination on grounds of race, colour, sex, language, religion, culture, migratory status, political or other opinion, national or social origin, economic situation, birth or disability.

Working for gender equality and the empowerment of women and girls will make a crucial contribution to progress across all the goals and targets. The achievement of full human potential and of sustainable development is not possible if one half of humanity continues to be denied its full rights and opportunities. This is also a basic issue of human rights. Women and girls must enjoy equal access to education and equal opportunities for employment with men and boys. All forms of gender inequality, gender-based discrimination and violence against women and children, both boys and girls, will be combatted.

The new goals and targets will come into effect on 1 January 2016 and will guide the decisions we take over the next fifteen years. All of us will work to implement the Agenda within our own countries and at the regional and global levels. We will at the same time take into account different national realities, capacities and levels of development. We will respect national policies and priorities and provide adequate policy space for economic growth, in particular for developing states. We acknowledge also the importance of the regional dimension: regional frameworks can facilitate the effective translation of sustainable development policies into concrete action at national level.

Each country faces specific challenges in its pursuit of sustainable development. The most vulnerable countries and, in particular, African countries, least developed countries, landlocked developing countries and small island developing states deserve special attention, as do countries in situations of conflict. There are also serious challenges within many middle-income countries.

Vulnerable sections of the population whose needs are reflected in the goals and targets include children, youth, people living with disability and older people; the needs of others who are vulnerable, such as migrants and indigenous peoples, are also reflected. People living in areas affected by conflict, terrorism and complex humanitarian emergencies are also experiencing severe challenges.

We commit to providing quality education at all levels – early childhood, primary, secondary and tertiary. All people irrespective of gender, race or ethnicity, including persons with disabilities, indigenous peoples, children and youth in vulnerable situations, should have access to learning that helps them acquire the knowledge and skills needed to exploit opportunities and to participate fully in society.

To extend life expectancy for all, we must achieve universal health coverage. No one must be left behind. We commit to accelerating the progress made to date in reducing infant, child and maternal mortality by ending all preventable deaths of infants, children and expectant mothers by 2030. We shall ensure universal access to sexual and reproductive health care services, including for family planning, information and education. We will equally accelerate the pace of progress made in fighting malaria, HIV/AIDS, tuberculosis and other communicable diseases and epidemics. At the same time we shall devote greater effort to tackling non-communicable diseases.

We will seek to build strong economic foundations for all our countries. Sustained and inclusive economic growth is essential for prosperity. We will work to build dynamic, sustainable and people-centered economies, promoting youth employment in particular and decent work for all. All countries stand to benefit from having a healthy and well-educated workforce with the knowledge and skills needed for productive and fulfilling work and full participation in society. We will therefore adopt policies which increase productivity and productive employment, financial inclusion, agricultural and industrial development, sustainable transport systems and modern energy provision.

We commit to making fundamental changes in the way that our societies produce and consume goods and services. We recognize our different levels of development and capabilities and agree to work together to mobilize, from all sources, financial, technical and capacity-building support for developing countries. Governments, international organizations, the business sector, other non-state actors and individuals must contribute to changing unsustainable consumption and production patterns.

We recognize that sustainable urban development and management are crucial to the quality of life of our people. We will work with local authorities and communities to renew and plan our cities so as to foster community cohesion and personal security and to stimulate innovation and employment. We will reduce the negative impacts of urban activities, including through the safe management and use of chemicals, the reduction and recycling of waste and more efficient use of water and energy. And we will work to minimize the impact of cities on the global climate system.

We are determined to address decisively the threat posed by climate change and environmental degradation. The global nature of climate change calls for the widest possible international cooperation aimed at accelerating the reduction of global greenhouse gas emissions. Looking ahead to the COP 21 conference in Paris in December, we underscore the historic responsibility of all States to work for a meaningful and universal climate agreement which will put in place this essential component of a sustainable world. We must also safeguard our oceans and seas, protect biodiversity and promote resilience and disaster preparedness.

Sustainable development cannot be realized without peace. The new Agenda recognizes the need to build peaceful, just and inclusive societies, based on respect for human rights (including the right to development), the rule of law and effective and accountable institutions. These are fundamental requirements for the achievement of sustainable development. Factors which give rise to violence, insecurity and injustice, such as corruption and poor governance, are addressed in the Agenda. We must redouble our efforts to resolve or prevent conflict and to support countries emerging from conflict situations so as to lay the foundations for sustainable development. We commit to remove the obstacles to the full realization of the right of self-determination of peoples living under colonial and foreign occupation, which continue to adversely affect their economic and social development as well as their environment.

We recognize the intrinsic value of diversity, culture and sport as enablers of sustainable development. We acknowledge the natural and cultural diversity of the world and recognize that all cultures and civilizations can contribute to sustainable development. We pledge to foster inter-cultural understanding, tolerance, mutual respect and an ethic of global citizenship and shared responsibility.

➤ **Strengthening results management: The UK Approach to Delivering Impact in Development Cooperation**

The assessment of the effectiveness of foreign-provided assistance in the context of national development efforts is a task that is far from trivial. In this issue of the Newsletter we present the findings of the UK Independent Commission for Aid Impact (ICAI), released in mid-June 2015, regarding activities and approaches to delivery impact of the key British institution responsible for international assistance—the UK Department For International Development (DFID). The Editor

United Kingdom aid, at its best, makes a real and positive difference to the lives and livelihoods of poor people around the world. Ensuring the best possible performance across a large and multifaceted aid programme is, however, a complex management challenge. This report reviews ICAI's 43 reports over four years and looks at how well DFID ensures positive, long-term, transformative change across its work.

Strengthening results management has been a key priority for DFID in recent years. The department has recognised the importance of demonstrating its results to Parliament and the public and has worked to ensure that value for money and accountability are built into its business processes. This focus has become known as the results agenda.

We found that the results agenda has helped to bring greater discipline in the measurement of results and greater accountability for the delivery of UK aid. These achievements have, however, involved some important trade-offs. Some of DFID's tools and processes for

measuring results have had the unintended effect of focussing attention on the quantity of results over their quality.

DFID's programmes have an average programme length of just three years. Transformational impact will, however, often be possible only over several programme cycles and this should be recognised explicitly in programme design. This is particularly the case in conflict-affected and fragile states.

Development programmes rarely achieve results in isolation. Coherence across programming is a key condition for maximising impact. DFID is still relatively weak at managing complex portfolios at the country or sector level where impact on the ground needs to be aligned better with institutional progress and top-down policy change. We see this as an important area for improvement, in order to achieve mutually reinforcing results.

In order to maximise and make sustainable the impact which DFID aims to achieve, it also needs to ensure high-quality engagement with the intended beneficiaries and manage risk more proactively and transparently.

Graham Ward, ICAI Chief Commissioner, said: "The results agenda has certainly pushed DFID and its partners to focus more consistently and rigorously on the delivery of results. We are concerned, however, that the emphasis is on short-term, measurable results, over the more complex challenge of achieving long-term, transformative impact. We are in favour of rigorous approaches to results management and clear lines of accountability but we believe that more can be done in DFID's tools and processes to incentivise the right priorities and behaviours."

Lead Commissioner Diana Good, said, "At our encouragement, DFID has increased its interaction and we welcome that approach. But this needs to be enhanced throughout the programme process. Even when working with central governments on policies and institutions, DFID should keep a clear line of sight to the intended beneficiaries. DFID and its government counterparts are a means to the end of serving the poor and should not presume to know their best interests and needs. Integrating the poor and their community structures into programming and wider governance systems is vital."

ICAI has made seven recommendations to strengthen its results management processes:

Recommendation 1: At the departmental level, DFID should develop a Results Framework that better reflects the range of impacts it seeks to achieve, capturing not just the breadth of its engagement but also its transformative impact, including successes in institution building and policy influence. To do so, it will need to look beyond quantitative indicators towards other ways of capturing the impact of UK aid.

Recommendation 2: At the country portfolio level, DFID's Country Poverty Reduction Diagnostic should pay more attention to longer-term change processes, both looking backwards to understand the trajectory of achievements and forward towards potential long-term paths out of poverty and fragility. Its operational plans should contain stronger links between the analysis and programming choices, with more emphasis on how different programmes and sectors interact to produce wider impact.

Recommendation 3: At the programme level, DFID's business cases should be more explicit about the route towards long-term impact, including policy and institutional change, setting out the building blocks and pathways required to achieve transformative impact over time. This includes looking beyond the life of the programme to the follow-up actions required and exploring how to work with other programmes and initiatives to achieve mutually reinforcing results.

Recommendation 4: Annual reviews should include an assessment of the assumptions and risks set out in the logframe and theory of change. DFID should work to tighten feedback and learning loops, to enable real-time adjustment of programmes.

Recommendation 5: DFID should engage with intended beneficiaries throughout the programme cycle, in design, delivery and monitoring. DFID should anchor its interventions in sustainable community structures that are integrated into wider governance systems.

Recommendation 6: In its ongoing review of its risk management processes, DFID should explore how to achieve an explicit and balanced risk profile in its country programmes, including high-risk programming with the potential for transformative impact. High-risk interventions should be identified as such from the outset, with the rationale for action clearly stated, and then be subject to appropriate risk management arrangements.

Recommendation 7: In its procurement processes, DFID should carefully consider both the merits of transferring outcome risk to implementers, particularly in high-risk environments, and the likely impact on its objectives, its supplier base and its overall costs. It should work towards clear guidance on what forms of results-based contracting to use in which circumstances, so as to avoid needless rigidity in programming and unhelpful incentives that do not enhance actual impact.

For details please go to: <http://icai.independent.gov.uk/2015/06/11/dfids-approach-to-delivering-impact/>

➤ **Useful resources and links.**

1- Fiscal Space for Social Protection. Options to Expand Social Investments in 187 Countries by Isabel Ortiz, Matthew Cummins and Kalaivani Karunanethy. ESS Working Paper no. 48, ILO, 2015

It is often argued that social protection is not affordable or that government expenditure cuts are inevitable during adjustment periods. But there are alternatives, even in the poorest countries. This ILO working paper offers an array of options that can be explored to expand fiscal space and generate resources for social investments.

For more details: <http://www.social-protection.org/gimi/gess/RessourcePDF.action?ressource.ressourceId=51537>

2- All on Board: Making Inclusive Growth happen. OECD, Paris, 2015

All on Board: Making Inclusive Growth Happen published by OECD puts forth a new approach to economic growth that goes beyond traditional monetary indicators and includes dimensions that reflect people's well-being. Introducing an analytical framework to assess economic growth based on a measurement of multidimensional living standards, the report also presents win-win policies that can deliver stronger growth and greater inclusiveness in areas such as: macroeconomic policies, labour market policies, education and skills, infrastructure and public services and development and urban policies. For more details:

<http://www.oecd.org/inclusive-growth/All-on-Board-Making-Inclusive-Growth-Happen.pdf>

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