

## “Migrants have rights”

Presentation by Commissioner for Human Rights  
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Migrants are especially exposed to the risk of poverty and marginalisation. Irregular migrants are doubly excluded. Irregular migrants are easy victims for the black market and they will be deprived of social rights connected to employment.

One alarming consequence is that we now have situations in Europe where migrants are exploited in forced labour.

Access to minimum rights for migrants is limited by fear of denouncement. An irregular situation exacerbates exclusion and the risk of exploitation.

There is a gap not just between international standards and national policies, but also between national legislations and the real practice of social services. Equality achieved at policy level, may not filter down to equality at local level.

We talk of minimum rights, but are these rights a reality or just an illusion for those who need them most?

Basic social assistance to remedy poverty ought to be acknowledged for irregular migrants just as to everyone else. But unfortunately, denying access to social benefits for irregular migrants has become a feature of restrictive immigration policies.

The waves of mass arrivals of immigrants to Europe's southern shores in recent times have only strengthened this tendency.

There is an urgent need to discuss these matters and I am proud to say that the Council of Europe already has assumed a leading role in enhancing social cohesion as an integrated strategy, acknowledging that social rights are crucial to Europe.

The Revised European Social Charter (Article 30) has established that effective access to social rights for all is a crucial factor in the fight against poverty, linking social cohesion and social inclusion.

The Parliamentary Assembly of the Council of Europe has recently taken steps to clarify the content of migrants' rights by identifying the minimum civil, political, economic and social rights to which irregular migrants in Europe are entitled.

The European Commission against Racism and Intolerance (ECRI) undertakes activities aimed at ensuring that the right to freedom from discrimination is enjoyed by all persons present on the territory of Council of Europe member States, including migrants.

As Commissioner for Human Rights I will seek to promote these core minimum rights of migrants during the course of my country visits and in my thematic work.