

**ATD Fourth World's contribution
to the conference on the theme of
“The Future of the Protection of Social Rights in Europe”**

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Even today, in the European cities where ATD is present, we stand alongside men and women who have no other choice than to beg to survive, to publicly display their extreme poverty in order to incite compassion, in the hope of receiving a bit of small change. Throughout Europe, we stand alongside men and women who are here illegally. Anonymous—nameless, in sense of no legal existence—they live a concealed existence, deprived of rights and protection under the law.

In Holland, we stand alongside men and women stricken from residential address records, deprived of all rights and civic participation. We call them “*spookburgers*,” or ghost citizens. Here as well, they are deprived of the right to exist, because they are seen as potential perpetrators of fraud. Without any legal existence, they are like living dead in their own country. Voices were raised. A collective complaint forced the European Committee of Social Rights to declare recently that there had been a violation.

In Belgium, we stand alongside men and women who, for lack of means, live more or less permanently in camp grounds with no possibility of claiming a place of residence. And without a legal address, more than just their citizenship, even their existence is questioned. In Belgium again, we know a woman living rough, pregnant with her sixth child. Her brother has taken her in. She couldn't let anyone know she lived with her brother, or his unemployment benefits would have been reduced. She had no other choice but to live concealed in his home. When her child was born, social services became aware of her precarious situation. She was placed in a home for new mothers, but things didn't go well. In the end, she gave in to the pressure to sign over her child to be placed in foster care. Three weeks ago, in the name of financial austerity, social services of a large Belgian city decided to amend their mission: they no longer guarantee fundamental rights, but just contribute to them! And that makes a big difference...

In France, we know families whose children are placed in foster care--sometimes as soon as they are born--because of extreme poverty, often because the family is homeless, living hand-to-mouth. How can we really speak of the right to live as a family?

In Spain, we know families who are no longer able to pay their rent. Twenty years ago, they lived in shacks in a slum, in terrible conditions, but they were able to survive, supporting one another, and very few children were taken from their parents. Then, thanks to advocacy struggles and the development of the country, most of them were able to afford decent housing. With the economic crisis that began in 2008 and which still is not over, these families, who no longer benefit from the solidarity they found in the slum conditions, have been cast out of their homes. That's the price that must be paid if you want the country to recover, they are told. But, as we have already seen, reducing public expenses penalizes all of the weakest members of our societies. A family living in a van is considered as having disappeared, that they no longer exist, and so no longer have any rights. Children are placed in foster care, and parents live in the streets. They are continuously forced to justify themselves to social services who are supposed to be there to help them. Here, once again, we see that

with no housing, all other rights fall away like dominoes: the right to safety, to have a family, to dignity, and to having a personal life. Thus, in Spain, as in Belgium, austerity measures have a harsher impact on people in poverty and actually endanger their fundamental rights.

In England, it is common knowledge that social services are on the look-out for families living in insecurity, and they draw up lists of adoptable children. Once children are adopted, they are taken care of financially by the adoptive families, whereas in foster care, the public foots the bill. An adopted child costs less than a child placed in foster care. Economics trumps the right to live as a family. Those who would speak out against these situations are silenced. They risk being held liable for violating rights of under-age children.

In Italy, we know Roma families forced to live for months on end in a miserable camp, an absolute gulag of modern times. This situation remains bogged down, in spite of all the government's promises. Thirty-five families, 300 people all-in-all, are packed into small rooms, separated by poorly-insulated walls, with no ventilation or windows, and no possibility of cooking meals. A family of 11 lives in just one room. The people are like caged animals, on top of one another, with no intimacy, being monitored by 22 guards. Two delegates, Mladin and Alberto, dared to denounce this situation during the meeting organized in Turin on October 17, 2014. Right after that, they and their families were evicted from the camp under various false pretenses. They lived in two vans at the camp's entrance for weeks, because they had dared hold their heads up, because they had refused to be treated worse than animals. After, it was proved that this camp's management had suffered from Mafia-like practices linked of the city of Rome, later described by media as the "Mafia Capital Scandal."

Nonetheless, in other places, other people, and not always of Roma origin, have been languishing, sometimes for years, in refugee centers that are called "residences." They are monitored by guards who limit their coming and going and subject visitors to identity checks. These people have perhaps escaped living in the streets, but without any income or hope of making any, they remain subject to a confinement that does not give its name. They survive in such degrading housing conditions that we consider it inhuman treatment.

We are not here simply to describe situations of extreme poverty. We are not here just to speak out against each others' shortcomings. We are not here simply to testify to the resilience of these men and women subjected to the violence of poverty. We are here to build Europe together, a Europe that will guarantee that each and every person has the right to live his or her life in dignity. And to build this type of Europe, the experience, thoughts and ideas of those who are the most vulnerable are essential.

When making a decision, the question must be asked: what will be the impact on the poorest people? We're not asking for something extraordinary. We're simply asking for a strict application of Article 9 of the [Treaty on the Functioning of the European Union](#): "*In defining and implementing its policies and activities, the Union shall take in account requirements linked to... the fight against social exclusion...*" And for this to mean anything, those who live in persistent poverty must be included. They, too, are citizens; they, too, are agents of change, just like the rest of us. But because extreme poverty has forced them into silence for so long, we need to pay special attention in order to hear what they have to say.

The examples I spoke of today illustrate a fact that those who live in chronic poverty know very well: civil, political, and social rights are all intrinsically linked. These rights are inter-

dependent. They must be considered as a whole. What this means in reality is that economic policies put in place do not impact social rights only, but all human rights. We can assess the close link between human rights and economic policies. When this link is loose, that opens a door allowing violations of fundamental rights to take place. This undermines how we build a sense of community; it divides people. Coming together around those who struggle most to overcome poverty and exclusion, however, can unite people.

The situation is critical. Therefore we ask that all States immediately ratify the revised [European Social Charter](#) and accept Articles 30 and 31, as well as the collective complaints procedure. In the longer term, we would request that the European Union work to adhere to this revised Charter. This is where we join and support [Professor De Schutter's analysis](#) and proposals. Progress has been made and we are extremely happy that the European Convention on Human Rights and the European Committee of Social Rights are working together. The European Union and the Council of Europe must continue to cooperate, reinforcing one another within their specific judicial instruments and institutions.

We support the initiatives taken by the [Inter-parliamentary group for the fight against poverty](#), chaired by Mrs. Sylvie Goulard. This group is a fine example of a space and context in which people in persistent poverty can make their voice heard.

On an ad hoc basis, we request that the multi-year agenda of the European Union Agency for Fundamental Rights explicitly include the possibility of examining rights violations, and discrimination linked to situations of extreme poverty, in implementing European Union law. Here again, this request only makes sense if people living in these situations are a part of the analysis.

We are insisting that all States ratify the collective complaints procedure, because we see it as a way in which people who are victims of violations guaranteed by the Charter will be able to participate, which will also improve the Charter's effectiveness. A simple governmental report, which naturally tends not to admit shortcomings and failures, does not really allow an effective measure of action taken. We are not trying to obtain sanctions. We are pushing for the full development of recognized rights. From this point of view, the collective complaints procedure is an instrument of good governance. It conveys the demands of a true participatory democracy.