Brussels, 21 November 2008

Improving the situation of older migrants in the European Union

AGE would like to take the occasion of the 2008 European Year on Intercultural Dialogue to draw attention to the particular difficulties which older migrants face in our societies and to put forward recommendations for concrete policy measures which would have a substantive impact in improving the situation of older migrants in the EU.

AGE has long been concerned about the disadvantageous conditions which increasing numbers of vulnerable older migrants experience in all aspects of their lives and the specific discrimination which often confronts them. This AGE position paper builds on previous reflections among our members and further develops our policy responses to the Green Paper on Demographic Change\(^1\), the Green Paper on an EU approach to managing economic migration\(^2\) and the stakeholders' questionnaire concerning the Impact Assessment on Community instruments on economic migration\(^3\).

I Setting out the context

Older migrants are a large and significant group within the EU and their numbers will continue to grow in line with demographic trends towards an ageing population and as mobility further increases between EU Member States and from third countries. AGE considers it is therefore essential in devising future migration policy that EU policy makers take adequate consideration of the requirements of this vulnerable and diverse societal group which is particularly susceptible to poverty and social exclusion, and that specific steps are taken to facilitate their social and economic inclusion.

Older migrants have specific concerns and needs which are not always effectively met through the infrastructures in the countries in which they live. Their requirements differ according to their country of origin, religion and cultural background, reasons for migration, and individual experiences of

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integration, level of education and socio-economic status. Older migrants also frequently face typical challenges which can include an often limited command of the language of the country in which they reside, a lower socio-economic status than they might have held in their country of origin, social exclusion in its various forms, a lack of knowledge of their rights and responsibilities, and discrimination and exploitation in the different areas of their lives.

It is clear that not only must the financial security, housing requirements, health care, integration into the community, and pension needs of older migrants be adequately addressed in order to safeguard against their exclusion, but it is also important to address the more intrinsic problems that older migrants face including the misconceptions which are frequently held about the relative need of each individual older migrant. Failure to do so would only serve to further isolate and hide this group of vulnerable older people, resulting in increased segregation and further fragmentation of the communities in which they live.

II Protection against discrimination

While discrimination against older migrants can be overt, it is more often unintended and systemic. For instance, it can exist in the way in which services are organised to meet the needs of the majority population. Not geared to the diverse needs of older migrant, lacking interpreters or materials in minority languages, social services can fail to meet their needs or exclude them entirely. Such indirect discrimination presents a barrier to inclusion, not just because it can exclude older migrants from the services they need but because it can foster resentment and tension between both immigrants and host populations.

Older migrants, like any other older person, should be accorded respect, equality and human dignity. Denial of such rights, whether covert or explicit, not only has a negative effect on the individuals concerned but also deprives our societies of the richness that older migrants can offer to our civic, political, social, cultural and economic life. Furthermore, the discrimination which all older people can experience in their day-to-day lives and the institutionalised discrimination based on age and gender is compounded for older migrant people who are also vulnerable on the grounds of race, ethnicity, religion and culture.

AGE believes that policy measures that aim to ensure equality of opportunity must go beyond the mere avoidance of discrimination and must recognise that different people have varying needs and that they may need to be treated in other ways, in some respects, in order to provide genuine equality of opportunity. Positive action should be promoted as a way of addressing disadvantage and discrimination as this provides tools to work towards the attainment of equality for all. Examples of such action can include targeted job advertising to migrants, the provision of language classes, translated information about services, and help with the completion of application forms. In Member States where the legal frameworks and/or constitutions
prohibit public organisations from the use of languages other than the national language, the role of associations involved in assisting integration should be encouraged.

The development of a common EU approach to older migrants would allow Member States to pool their experiences on such issues to obtain a better understanding of the discriminatory barriers which older migrants face in their access to education and training, employment, and to provisions such as social security benefits, pensions, disability allowances and benefits for public utilities. This would create a better basis for policy formation and as such would make a positive contribution to improving older migrants’ lives and integration in their host country. AGE urges the EU debate on migration to continue to move forward and for decision-makers to fully consider how to prevent discrimination on any ground, including discrimination on multiple grounds, that has a detrimental impact on older migrants and to seek to remedy and prevent the negativity and prejudice which these individuals face in their access to services, whether in the area of social protection, health or long-term care.

III Encouraging employment

Employment is a key factor in successful integration and it is crucial that all older migrants who are able and who wish to work have full access to the labour market without suffering discrimination, either in recruitment processes or in the workplace. All older workers, including older migrants, should have the right to work in an environment that is free from discrimination. It is therefore essential that the Employment Equality Directive is fully implemented by each Member State and is applied to all legal migrant workers, irrespective of their age.

In the years to come, employers will increasingly rely on workers from other countries to fill positions as a result of changing demographics and shortage or mismatch of necessary skills. An EU approach to addressing this issue is necessary and future employment policies must be informed by the experiences of those migrants already in the EU in order to address the prevailing discriminatory barriers they face in accessing employment and the problems they encounter at work.

Equality in employment is an important determinant of inclusion: it is not only a way of earning one’s living but is vital for societal integration and equality. Yet employment rates for older migrants remain markedly lower than those for older people among majority populations in most Member States. A high number of migrants can only find atypical employment which is poorly paid and provides low quality working conditions. That makes them vulnerable to discrimination and exploitation. This is not only true for those who lack an adequate education and skills, but also applies - due to non-recognition of educational qualifications and discrimination - to educated and skilled migrants. Moreover, in the current economic crisis, it is migrant workers who will be hit by the first wave of dismissals as their employment is more unstable.
The recruitment and sometimes exploitation of migrant workers to fill gaps in the labour market has led to a further undermining of the status, conditions and pay of the type of jobs which they often take. These factors together with the unsociable hours linked to such jobs need to be addressed. It is significant that some areas, such as the service sector and elder care, experience a shortage of workers because the majority population has rejected the conditions which come with these jobs. This has an impact on the standard of living of those who take such jobs - namely migrants workers - and places them at poverty risk in old age. Migrants and EU citizens alike should be offered good working conditions and adequate pay.

AGE believes that the labour market experiences of older migrant workers should be taken into account in the drafting of policies for the recruitment of new migrant workers in order to learn from their experiences and avoid a repetition of past mistakes.

IV Promoting social inclusion

In every Member State many migrant groups suffer disproportionately from a variety of forms of social exclusion and can often be found living in some of the most impoverished and disadvantaged socio-economic circumstances to be found among our inhabitants. Social inclusion strategies in many Member States give comparatively little consideration to poverty prevention and the struggles against such hardship among migrants. There is a real need to improve the visibility of older migrants needs in national strategies.

AGE is particularly concerned by the situation of older migrant women who frequently receive very low pension incomes or are not entitled to a pension at all and who consequently are at risk of poverty and can experience considerable social isolation. The situation is further aggravated in the case of divorce or the death of their partner and by the fact that women are frequently the main providers of informal care. Older migrant women are a vulnerable group due to multiple risk factors for social exclusion such as poverty, social isolation and poor health, and their relative “invisibility” in statistics and research results.

A significant number of older migrants live in housing which is sub-standard and sometimes with inadequate electricity, water supply or heating sources. Either they cannot afford to pay for them or these utilities are not provided. In most cases their situation exceeds simple poverty. Decent housing and living conditions for older migrants are a precondition of their full integration within society.

AGE considers that it is necessary to promote social inclusion into all mainstream institutions and activities that seek to meet the individual and societal needs of older migrants - housing, social care, health and education. Social inclusion is a process, not an end-state. How we engender that social change depends on the nature of the barriers to be overcome. In order to strengthen the coordination of social inclusion across the EU, what is needed is an integration policy for all migrants over 60 years of age in the National
Action Plans for social inclusion (NAPs), as is the case for younger age groups.

V Ensuring access to welfare benefits and pension rights

The EU is home to a significant and diverse older population which includes older migrants. Although the ongoing social and demographic changes have forced the issue of social security in old age onto the social policy agenda, little or no attention is paid to the situation of older migrants, in particular their eligibility to benefit from pension schemes. In spite of an increased interest in the financial well-being of older people, many older migrants face disadvantages as the shaping of their pension rights and the levels of financial provision available to them derive disadvantageously from a combination of factors including their socio-legal status, past employment and relationship to the labour market, their location within a particular Member State etc.

In general older migrants experience greater difficulties than other social groups in accessing social protection services and, even when older migrant people have the right to access welfare benefits, they often face specific difficulties in obtaining such provisions. These obstacles stem from diverse reasons, ranging from the straight-forward denial of their rights to lack of information or understanding about the availability and functioning of the host country’s administrative procedures, to difficulty in providing proof of employment periods. Furthermore, older migrants who wish to retire to or spend more time in their country of origin often face barriers to accessing or transferring their pension and social security rights. Often, they must remain in the Member State in which they have been living to qualify for these payments.

The difficulties are often particularly pronounced for older migrant women whose access to pension schemes is even more haphazard, exposing them further to risk of poverty and exclusion. They may have had lower paid work than male migrant workers, as well as discontinuous employment patterns to care for family members or have worked mainly in the informal economy which meant they contributed less to pension schemes and therefore receive only very low pensions. Survivor pension schemes, if applicable to them, also provide only a very limited income. All these factors should be taken into account and addressed when defining new policies for economic migration.

Policy at the EU level needs to enhance the social security rights of older migrants. In order to make migration policies work for everyone, the elaboration of a common policy on migration must provide the same level of social protection to the migrant population as to EU nationals. Part of the difficulty lies in the huge differences between Member States as social protection offered to migrants can be very limited in some of them. The elaboration of a common policy on migration must address the issue of social protection, particularly pension rights, which should be applicable in the same terms as for national workers, whether the worker decides to return to her/his country of origin or remains in the host country. There should be a universal right to a non-contributory minimum old age pension for all including legally
residing migrants, as well as more accessible information about social security and protection provisions.

VI Accessing health and long-term care

Older migrants health and long-term care needs can be particularly onerous as they often have specific health problems due to difficult past living and working conditions, inadequate housing, poor nutrition, and difficulties in accessing basic services. As a result they are often more vulnerable than the rest of the population to becoming dependant at an earlier age and have an escalating need for long-term health care. However their difficulties in accessing health care may be compounded by additional factors such as discrimination owing to their ethnic background or their lack of language skills and limited understanding of how to access basic services in the country in which they reside. Further factors which complicate the identification and treatment of their health problems include geographical barriers, the type of health insurance cover to which they or their employers, when they have been employed legally, have contributed, and a lack of communication between the health and social services in attempting to address their problems.

Entitlement to health care applies in certain Member States only to legally registered migrants with work permits and excludes a large but unknown number of illegal migrants who work or have worked in the ‘black economy’ and are dependent on the good will of public health care personnel and the elasticity of the health system and/or charities to meet their health care needs. The close link between health and poverty is particularly evident among such undocumented migrants and lack of access to health care can aggravate what would otherwise be avoidable health conditions. Furthermore, illegal immigrants normally have the right to receive emergency health care only, and fear of extradition can therefore cause delays in their seeking help and can lead to breaks in the course of their treatment. Refugees, asylum seekers, Roma and travellers, who are classified as vulnerable foreign visitors and frequently have unclear legal status, are particularly vulnerable.

AGE believes it is necessary to find an integrated approach to meet the challenge of addressing older migrants’ access to health and long-term care. This could be facilitated by the regular involvement of representatives of older migrants and the older migrants themselves in local health centres, thus providing them with a voice to express themselves on the issues that concern them. This would facilitate the development of a community-oriented approach for improving older migrants’ health care that cultivates partnerships between health care professionals and administrators with older migrant recipients.

Member States need to find a solution to the problem of how to provide health and long-term care to all older migrants, including those who have not paid contributions to their host country’s social security system. It is also important to remind national policy-makers that, although basic needs for older migrants and older non-migrants are similar, the means through which to meet these might not necessarily be the same.
VII Conclusions

In the context of demographic change and labour market shortages, the EU discourse is evolving to put a stronger focus on migrants’ social integration and access to employment. Older migrants needs also have to be considered in these discussions. While migration policies, social rights and migrants’ integration remain largely a Member State competence, AGE considers that to achieve a successful, efficient and attractive migration experience, an EU migration policy must be developed which ensures that the voices of older migrants, who experienced migration in previous decades, are heard in current debates in order to learn from their experiences.

AGE maintains that an effective migration policy needs to be supported by a consistent integration policy and that more inclusive social provisions must be developed that target all disadvantaged groups of migrants, including older migrants. To be successful, a future EU approach to migration must endorse a life course approach that offers all migrants, regardless of their age, the same social and economic rights as the populations of the countries in which they reside. Such an approach must promote the full integration of older migrants in society whilst respecting and valuing their diversity. It must also respect their right to age in dignity and to choose the country in which they want to spend their retirement.

AGE believes that in order to make migration policies work for everyone, the elaboration of a common policy on migration must provide the same level of social protection to the migrant population as to EU nationals i.e. in terms of pension rights, supporting family life, access to health care, and promoting integration. Furthermore, the development of a common EU approach would allow Member States to benchmark and pool their experiences on labour migration and related social protection issues. This would enable them to identify good practice and to attain a better understanding of how to address the discriminatory barriers that hinder older migrants in their access to basic services, housing, health care, training and employment.

AGE considers that approaching migration from a purely economic perspective fails to take into account the diverse societal and civic needs of older migrants. The future EU migration policy must take a long-term perspective on migrant labour, going beyond the years when women and men are economically active. It needs to consider their current and future needs for housing, work, financial provision, social integration, health and long-term care. These are the minimum considerations that should be given to past and future migrant workers who have or will play a vital role in contributing to the EU’s prosperity. Above all, it must be remembered that successful integration is a two-way process in which host societies play a key role as facilitators in older migrants’ inclusion and that the promotion of positive public attitudes is crucial.
VIII Recommendations

AGE believes that there is a need for a greater recognition and understanding of the requirements of older migrants, who are a diverse and rapidly growing section of our ageing populations and who make a positive and valuable contribution to our societies. In order to meet their needs and promote their active participation in their host community, policy action and concrete measures are needed at the different political levels.

AGE calls on the European Commission to:

- Ensure that common frameworks to support the integration of older migrants are further developed to meet current and future integration challenges, and to reinforce protection against all forms of discrimination that older migrants face;
- Guarantee the preservation of social rights for migrants in their old age, including portability of pension rights and health insurance rights for those who return to their home country or move to another country outside of the EU;
- Carry out research studies to assess the situations in which older migrants live and to devise appropriate policies and strategies for dealing with the issues which confront them;
- Gather data on the situations of different groups of older migrants, regarding their numbers, their social security status and legal rights to health and social care as an evidence base for the development of inclusion policies specifically addressed to them.

AGE calls on Member States to:

- Address the issue of social protection, particularly pension rights, and access to health care for older migrants;
- Improve access to information for older migrants, including helping them to access public services and providing leaflets informing them of their rights and responsibilities;
- Ensure that all migrants know how to obtain independent advice, so that they can access the opportunities that are open to them and are less vulnerable to exploitation;
- Review the capacity of mainstream services to meet older migrants’ needs, consult migrants and adapt provisions accordingly - whether through mainstream services or through targeted services specifically aimed at migrants;
- Consider the strengths and worth of older migrant populations and take measures to facilitate their contributions to the communities in which they live to make better use of the valuable resource they present;
- Build bridges across communities, bringing migrants and non-migrants together in circumstances in which they develop shared interests and common understanding.
AGE calls on employers to:

- Implement and apply codes of good conduct for combating discrimination in the work place;
- Ensure equal pay for all workers to avoid a two-tier labour market;
- Provide language classes, give migrants equal access to in-house training, and improve recognition of migrants existing skills and qualifications;
- Apply appropriate ergonomics and safety at work;
- Make the benefits of a diverse labour market better known and work more closely with community services and providers to raise awareness of the skills and experience that migrants hold;
- Provide migrants with information about their employment rights and involve trade unions to ensure that such rights are respected.

AGE calls on civil society to:

- Promote mutual respect between host country citizens and migrants, and explain in a consistent and balanced way why migrants are living amongst us, the rationale for migration policies and the contribution that migrants make to our societies;
- Support understanding and acceptance of human rights standards as common values that unite us all, including respect for equality and the challenging of intolerance and detrimental treatment;
- Share responsibility, together with governments and migrants themselves, in determining the inclusion of migrants of all ages into our societies.