

Dutch decision to fund emergency assistance for homeless migrants “welcome change of position” - UN experts

GENEVA (28 January 2015) – The decision by the Government of the Netherlands to provide funding to help municipalities that offer emergency shelters for homeless migrants is a welcome change of position, three human rights experts* said today.

The announcement by the Dutch Government represents a significant change in the Netherlands’ longstanding refusal to provide emergency assistance to this group, and comes after strong urging by international and regional human rights bodies, including the Human Rights Council’s three Special Rapporteurs.

“We commend the Dutch government for recognizing by its change of position that anyone, irrespective of whether their stay in a country is lawful, has the right to an adequate standard of living, including food, clothing and housing, and that the responsible government is obliged to allocate resources consistent with its international human rights obligations,” said the UN experts.

Earlier in December 2014, the experts raised this matter with the Dutch Government and urged them to give homeless migrants emergency help before Christmas.**

The UN Committee on Economic, Social and Cultural Rights, a body that oversees the International Covenant on Economic, Social and Cultural Rights, had previously expressed concern about this problem. And the European Committee of Social Rights, which monitors the European Social Charter, decided in July 2014 that the Netherlands is violating the right to emergency assistance of adult homeless irregular migrants. While the Council of Europe’s Committee of Ministers has still to determine what action it will take in response, the finding of a violation by the Committee of Social Rights will not be affected. The UN experts thus made clear that immediate action was required.

The UN experts look forward to hearing from the Government in more detail about the next steps to ensure that municipalities receive adequate funding to implement their responsibilities. They observed that they will closely monitor developments and urged the government to respond to their request for further details as soon as possible.

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() The experts: The Special Rapporteur on extreme poverty and human rights, Philip Alston; the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, Leilani Farha; and the Special Rapporteur on the human rights of migrants, François Crépeau.*

Philip Alston (Australia) took office as UN Special Rapporteur on extreme poverty and human rights in June 2014, following his appointment by the Human Rights Council. He is John Norton Pomeroy Professor of Law at New York University School of Law. Mr. Alston

has previously served the UN in several capacities including as Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, Special Adviser to the UN High Commissioner for Human Rights on the Millennium Development Goals, as well as chairperson of the UN Committee on Economic, Social, and Cultural Rights. As Special Rapporteur, he is independent and acts in his personal capacity. Learn more, log on to: <http://www.ohchr.org/EN/Issues/Poverty/Pages/SRExtremePovertyIndex>.

François Crépeau (Canada) was appointed Special Rapporteur on the human rights of migrants in 2011 by the UN Human Rights Council. As Special Rapporteur, he is independent from any government or organization and serves in his individual capacity. Mr. Crépeau is also Full Professor at the Faculty of Law of McGill University, in Montréal, where he holds the Hans and Tamar Oppenheimer Chair in Public International Law. Learn more, log on to: <http://www.ohchr.org/EN/Issues/Migration/SRMigrants/Pages/SRMigrantsIndex.aspx>

Leilani Farha (Canada) is the UN Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. She took her function in June 2014. Ms. Farha is the Executive Director of the NGO Canada Without Poverty, based in Ottawa, Canada. A lawyer by training, for the past 20 years Ms. Farha has worked both internationally and domestically on the implementation of the right to adequate housing for the most marginalized groups and on the situation of people living in poverty. Learn more, log on to: <http://www.ohchr.org/EN/Issues/Housing/Pages/HousingIndex.aspx>

(**) See the experts' press release on 16 December 2014 at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=15425&LangID=E>

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