

**Question for written answer P-002030/2019
to the Commission**
Rule 130
Monika Vana (Verts/ALE)

Subject: Social Assistance (Principles) Act

The new Social Assistance (Principles) Act enters into force in Austria on 1 June 2019. Even in advance, there had already been harsh criticism of the government's legislative proposal, because the objective of preventing poverty, which was previously pursued by means of 'needs-based minimum social security payments' in accordance with Article 12 of the Federal Constitution, is not a prime feature of the system. On the contrary, the massive 'benefit cuts' will help to consolidate poverty. In sum, the law will in many respects make life worse for vulnerable groups, one such problem being that citizens of the European Union will be subject to discrimination in comparison with Austrian citizens. Article I(5) on 'Monthly social assistance' stipulates that claimants must have sufficient language skills – level B1 in German or C1 in English – in order to be eligible for social assistance benefits. Proof of language proficiency must be provided by producing school-leaving certificates, other certificates or linguistic skills classification statements or by means of a face-to-face interview with the authorities. UNHCR Austria has criticised the scheme because it involves a concealed waiting period for recognised refugees and involves unjustified discrimination. Both the Geneva Refugee Convention and the EU Qualification Directive (2011/95/EU) state that Austrian citizens and recognised refugees should be treated equally in respect of social assistance.

1. Will the Commission assess whether proof of language skills constitutes discrimination under the EU Qualification Directive (2011/95/EU) or any other directive?
2. If so, how will the Commission fight this discrimination?