



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

PICUM Newsletter October 2007

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This newsletter focuses on news items and policy developments concerning the basic social rights of undocumented migrants in Europe. It is currently available in Word format and on the PICUM website (www.picum.org) in the following languages: English, German, Dutch, Spanish, French, Italian and Portuguese. You are invited to distribute this newsletter widely.

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1. Death at the Border

- Fortress Europe reported at least 217 victims of irregular migration in July 2007: 79 drowned in the Strait of Sicily and 98 off the Canary Islands; 34 Africans died in the desert between Niger and Libya and 3 stowaways were found asphyxiated on a truck, in Italy.
<http://fortresseurope.blogspot.com/2006/01/luglio-2006.html>
- According to the United Nations High Commissioner for Refugees (UNHCR) 77 undocumented migrants died and 133 disappeared in the only month of July in the Strait of Sicily, trying to reach

the Sicilian coast on board of small boats.

http://www.elwatan.com/spip.php?page=article&id_article=73859

- Fortress Europe reported that at least 243 migrants died at the gates of Europe during the month of August 2007, with a total of 9,756 victims since 1988. Since the beginning of the year 959 people have died, the majority off Malta and Lampedusa. In the Strait of Sicily there were 161 victims in August; 29 in the Aegean Sea. Three men died, two in Turkey and one in Spain, traveling in trucks in which they were hiding in order to cross the European frontier irregularly. In Italy, a 28-year-old Albanian died crossing the Carso Mountain along the Slovenian border by foot.
<http://fortresseurope.blogspot.com/2006/01/august-2007.html>
- In the September 2007 edition of *Migration News Sheet* (produced by Migration Policy Group), there were reports of a number of drowning tragedies in the Aegean Sea between Greece and Turkey in August 2007 that had received very little media attention:
 - On 9 August, a boat carrying 21 migrants sank in Turkish waters off the town of Ayvalik in Balikesir province. Only 19 of the passengers were rescued.
 - On 17 August, a vessel carrying mostly Afghans was capsized shortly after leaving the Turkish coast. Six of the 56 passengers drowned, another five were reported missing.
 - On 24 August, another vessel was capsized off the Turkish coast, near the town of Cesme. The number of victims is unknown.
- The Spanish Guardia Civil estimates that 1,260 immigrants have died since 2006 in the sea during their journey in small boats or canoes to the Canary Islands, according to data of the Center of Regional Control of the Canary Islands (CCRC) presented on 25 September by the general lieutenant Candid Cardiel. In 2006 the deaths of 24 immigrants were confirmed, together with 959 disappeared persons. In 2007, 22 dead were counted and 255 disappeared persons. According to Cardiel, based on calculations of NGOs, if in 2006 more than 30,000 immigrants arrived, the dead persons would be "a third of that, about 7,000".
<http://www.diariodenavarra.es/actualidad/noticia.asp?not=2007092601545967&dia=20070926&seccion=nacional&seccion2=sociedad>
- On 23 July the Moroccan Association of Communication posted a study on the Internet on the shipwrecks of 2007, estimating that the figure of people disappeared oscillates between 2,500 and 3,500, "although it can be still greater", admitted a spokesman of the Association.
<http://www.eldia.es/2007-07-23/actualidad/actualidad0.htm>
- Two sub-Saharan migrants attempting to join the Canary Islands off the Western Sahara coast were shot down by the Moroccan police. A communication made on 1 September indicates that an investigation has been opened. <http://www.afrik.com/article12221.html>
- The French police of Mayotte, a French overseas department on the Indian Ocean, announced on 13 August that a small boat transporting migrants from the Comoro Islands provoked seventeen deaths, of which eight were children, and nineteen disappearances.
<http://www.lemonde.fr/web/article/0,1-0@2-3224,36-944122@51-937503,0.html>
- The Polish border police declared on 14 September that three Chechen girls died in the mountains separating the Ukraine from Poland while attempting to cross the border with their mother.
http://fr.groups.yahoo.com/group/diffusion_resf_68/message/221

2. News from EU Member States + Switzerland + U.S.A.

General

- Researcher Charlotte van den Abeele is carrying out research on domestic violence against undocumented women in Europe. The research aims to examine jurisdictional remedies and social assistance for these women, with a special focus on the possible risk for undocumented women of being denounced to the immigration authorities after having reported an act of domestic violence. Ms Van De Abeele is looking for examples of law and practices in Europe regarding the duty to denounce for social workers who are supposed to assist undocumented women who are victims of domestic violence victim, and/or articles that condemn this practice. If you have any relevant information about this issue please contact researcher Charlotte van den Abeele: charlottevda@hotmail.com
- La Strada International, the European Network against Trafficking in Human Beings, has launched a new database holding a wide variety of background documents, legislation and opinion pieces on trafficking in human beings and related human rights issues. <http://www.lastradainternational.org/?main=documentation>
- After unsuccessful attempts to engage Western Union to respond meaningfully to its demands to reduce its fees for money transfers, provide a fair exchange rate, commit \$1 of every transaction to a transnational Community Reinvestment Fund that remitters control, and adopt human rights screens in their investment practices (see *PICUM Newsletter July 2007*), the U.S.-based organization TIGRA has launched a boycott against Western Union. TIGRA is calling for support for the boycott from immigrants and immigrants' rights organizations in different regions of the world. <http://www.boycottwesternunion.net/En/about.html>
- The Malaysian government is using the cane to whip undocumented migrants, including people with valid UNHCR refugee cards. The government's corporeal punishment against undocumented workers has been widely criticized by Malaysian human rights groups and migrants' rights groups as a gross violation of human rights. According to Section 6 of the Malaysian Immigration Act, persons without documents or without a valid visa can be sentenced to up to five years in prison, fined up to 10,000 ringgit (US \$2,800) and given up to six strokes of the cane. http://www.irrawaddy.org/article.php?art_id=8101

France

- Many NGOs have criticised France's expulsion of four seriously ill undocumented migrants since January 2007. They have argued that the migrants' health required treatment in France or they might face imminent death on their return due to lack of available health care. The French Directorate for Population and Migrations has created country information sheets on the availability of medical treatment. However, these do not take into account geographical repartition of medical centres or if the person to be expelled has the means to pay for his/her treatment. The existence of therapeutic treatment in the capital in the country of origin for example can justify the expulsion of a patient. The Interior and Health Ministers have responded that these country information sheets only served as help in the decision-making process. Source: http://www.ecre.org/topics/intro_to_topics and <http://www.odse.eu.org/>
- Air France has claimed that the expulsion of undocumented migrants on its flights was based on a judicial or administrative decision by the Ministry of the Interior and that it is not Air France's responsibility to question decisions taken by lawful procedure. The statement was a response to Air

France's trade union, which had asked Air France shareholders to state their opposition to the expulsion of undocumented migrants on the Air France/KLM group's aircrafts. The statement was made public just before the shareholders were to hold their annual general meeting in Paris. It is the first time Air France's main trade unions have taken such a position. Meanwhile, two passengers on a flight to Mali on which two undocumented migrants were to be expelled were charged with inciting violent resistance and were held 24 hours in detention. The tribunal declared that their manifestation against the inhuman treatment of the undocumented migrants was not against the law. This case could create jurisprudence concerning police treatment of people during deportation. Source: http://www.lemonde.fr/web/imprimer_element/0,40-0@2-3224,50-934088,0.html and <http://www.liberation.fr/actualite/societe/276136.FR.php> and http://www.ecre.org/topics/intro_to_topics

- The new legislation on migration, approved by the French government on 18 September, has been highly criticized by local authorities and civil society organizations. Many demonstrations and sit-ins in front of the National Assembly were held to protest. <http://www.gisti.org/spip.php?article988>
- Gravely injured, an undocumented Russian boy remained in a coma for 11 days after falling from his family's apartment. He had followed his father who tried to flee a police raid carried out at the home of the family by climbing down balconies from the fourth floor. The family arrived in France in 2003 and has been without authorization to remain since their asylum application was rejected. <http://www.moscowtimes.ru/stories/2007/08/13/018.html>
- On 21 August, the police in Lille evacuated 42 irregular migrants on hunger strike who had been camping outside various hospitals in Lille, Valenciennes, Tourcoing and Rubaix. Some had been fasting for 70 days. The Human Rights League (LDH) considers the evacuation to be an immediate consequence of the Immigration Minister Hortefeux's statement made on the same day that the authorities had not yet reached the target of expelling 25,000 foreigners this year. (Source: Migration Policy Group *Migration News Sheet*, September 2007, e-mail: mns@migpolgroup.com)

Spain

- Spain will try to scare off potential African undocumented migrants to Europe with television advertisements showing a young man apparently lying dead on some rocks and a mother grieving for her disappeared son. The Spanish government advertisements, which also feature Senegalese singer Youssou N'Dour, have started broadcasting on Senegalese television and are part of a six-week campaign including radio and newspapers, the Immigration Department said. http://www.dailytimes.com.pk/default.asp?page=2007\09\20\story_20-9-2007_pg4_12
- The Ombudsman asked the Secretary of State for Immigration Office (Secretaría de Estado de Inmigración) on September 24 to offer temporary work permits to the immigrants whose origin cannot be determined and cannot be expelled. The executive has replied that this kind of document would stimulate the mafias trafficking immigrants and would convert those immigrants into "resident". The Ombudsman believes that the government is wrong and asks it to reconsider. http://www.elpais.com/articulo/espana/Gobierno/niega/dar/papeles/inmigrantes/puede/expulsar/elpepuesp/20070924elpepinac_4/Tes
- A report by the General District Attorney's Office of the State (Fiscalía General del Estado), published on 17 September, states that the majority of detention centers for foreigners (Centros de Internamiento para Extranjeros) created in the Canary Islands lack the minimal conditions foreseen for detention centers for foreigners. The District Attorney's Office considers this "exceptional circumstance" to have shaken the conscience of Spanish citizens and to have put both the legal

system of detaining of foreigners as well as the structure of the centers themselves in crisis.
<http://www.eldia.es/2007-09-18/actualidad/actualidad4.htm>

Italy

- The Ministry of Interior announced on 12 August that foreigners waiting for their first residence permit would be granted re-entry if they left Italy for vacation, as long as they could prove, upon return, that they had applied for a residence permit before departure.
http://www.poliziadistato.it/pds/primapagina/stranieri/estate_2007/permessi_di_soggiorno_stranieri.html
- The Minister for Social Solidarity, Paolo Ferrero, has accused local authorities of ignoring the poverty and neglect of Roma people after four Roma children burned to death in a fire at a camp near the Italian port of Livorno on 11 August. He claimed that given the racism, intolerance and neglect that Roma people suffer, the tragedy was predictable.
<http://www.iht.com/articles/2007/08/14/news/italy.php>

Greece

- Mr. Alekos Alavanos, head of the Coalition of the Radical Left party / SYRIZA, visited and spoke to 38 immigrant organizations at a meeting held at the Greek Forum for Immigrants in Athens, on 9 September. In his speech, Mr. Alavanos voiced his opinion that immigrants are also a part of the political and social reality of Greece. He suggested that Greek laws need to be changed and simplified, so that immigrants are granted residence and work permits, as well as the right to hold Greek nationality after five years of residing in Greece, or if they are born in the country, as is the case in several European countries. (*Avgi, Metrorama, 10 September*)

Portugal

- A new Portuguese law regularizing undocumented migrants was suspended on 31 August, only a few weeks after coming into effect following huge interest from hopeful immigrants. In the first five days after the law came into effect on 3 August, the government's Service of Foreigners and Borders – which is responsible for carrying out the legalization process – registered 900,000 calls while immigrants from Spain and Italy joined the queue outside the building. According to the government in Lisbon, the law was suspended because they detected it had a so-called "magnet effect" seeing immigrants arriving from other parts of Europe and because certain "intermediates without scruples" were taking advantage of the "extraordinary regulation".
<http://euobserver.com/9/24668/?rk=1>

UK

- The Trades Union Congress (TUC) believes that the UK government's proposals concerning the prevention of illegal working are generally moving in the wrong direction. These proposals would turn employers into frontline immigration services both souring workplace relationships but also concentrating more power into the hands of would-be abusers.
<http://www.tuc.org.uk/international/tuc-13568-f0.cfm>
- The Parliamentary Joint Committee on Human Rights (JCHR) published "Highly Skilled Migrants: Changes to the Immigration Rules" on 26 July 2007. It has drawn public attention to the problems created for all migrant workers when the Home Office changes rules concerning conditions for entry

and the renewal of work and residence permits.
<http://www.migrantsrights.org.uk/enews/september.htm>

- The Commission for Racial Equality (CRE) has made a highly critical submission to the Home Office consultation on the prevention of irregular working. The CRE argues that spot checks which employers will be required to undertake on the immigration status of their employees "could be carried out in a discriminatory manner or place such burdens on employers making them less likely to employ persons believed not to have come from the UK", and criticizes the Home Office for failing to "identify what steps will be taken to minimize the risk of racial discrimination."
<http://www.migrantsrights.org.uk/enews/september.htm>
- Five of eight Zimbabwean asylum seekers held at a British immigration removal centre for women went on hunger strike in early September, pressing for their release. The eight - detained at Yarl's Wood Immigration Removal Centre in Bedford - have been told they face deportation to Malawi and South Africa after UK authorities refused to accept they were Zimbabweans who traveled on foreign passports to beat a new visa regime introduced in Harare. Britain has stopped deportations to Zimbabwe pending the outcome of a country guidance case known as HS Zimbabwe. Human rights groups say Zimbabweans face an automatic risk of torture if deported back to the southern African country where President Robert Mugabe is accused of human rights abuses.
<http://www.zwnews.com/issuefull.cfm?ArticleID=17339>

Ireland

- According to research conducted by the Migrants Rights Centre Ireland (MRCI), many migrants who entered the country legally on a work permit become undocumented for reasons beyond their control. The most common claim made is that the employer did not renew the migrant's work permit, followed by a migrant worker being made redundant and not being able to secure a new permit immediately. More than 60% of all those who lose their legal status experience exploitation.
http://www.mrci.ie/policy_work/IrregMigrant_UndocuMigrant.htm
- The Irish Congress of Trade Unions has called on the government to introduce a "fair and transparent regularization process to allow thousands of undocumented workers in Ireland to work here legally", arguing that some form of regularization scheme was necessary, "if a growing underclass of workers in an irregular situation, who are vulnerable to exploitation, is not to be created". <http://www.ireland.com/newspaper/ireland/2007/0903/1188603388507.html>

Belgium

- A Brussels court ordered the release of an undocumented Ecuadorian woman on 14 August, who had been arrested after calling the police for help when violently attacked by a friend's ex-partner. The court among others argued that the woman has a small child who would be separated from its mother if she were expelled. (Source: Migration Policy Group *Migration News Sheet*, September 2007, e-mail: mns@migpolgroup.com)

Netherlands

- A national crisis centre for victims of human trafficking is being set up by police and social workers. The centre will provide legal and psychic aid to victims, including prostitutes and undocumented migrant workers. (Source: Nederlands Dagblad 28-08-07, more info: federatie@opvang.nl)

- An expert meeting was held at the organization Pharos for Dutch policy makers on 24 September to focus attention on undocumented migrants, human rights and health care. Subjects of the meeting included the background of irregular migration, making of national policy choices in light of a joint EU policy and the right to health care. For more information or a report of the meeting www.pharos.nl and h.kosec@pharos.nl

Germany

- The Federal Government informed on 23 August that less than 14,400 long-stay asylum seekers have benefited from the regularization provisions decided last November. More than 70,000 applications had so far been submitted, of which some 4,200 had already been turned down and 23,000 were still pending. (Source: Migration Policy Group *Migration News Sheet*, September 2007, e-mail: mns@migpolgroup.com)
- In his report on his visit to Germany in October 2006, published on 11 July 2007, the Council of Europe Commissioner for Human Rights, Thomas Hammarberg, he expressed harsh criticism concerning the German refugee and asylum policies. Referring to the situation of undocumented migrants in Germany, he affirmed that irregular migrants also have rights under international human rights instruments and called upon the German authorities to "ensure that irregular migrants can effectively access their rights to health care and education." See: <https://wcd.coe.int/ViewDoc.jsp?id=1162763&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>

Sweden

- The Ombudsman against Ethnic Discrimination (Diskrimineringsombudsman - DO) has begun an investigation into the housing market as the number of complaints continues to rise. Over the last five years the DO has received a total of 314 reports of landlords discriminating against people with non-Swedish ethnic backgrounds. The first half of this year has already seen 43 complaints, compared to 60 for all of last year. According to the DO, groups most likely to be discriminated against are Africans, Roma, Muslims and people from Middle Eastern countries. "We have come across terrible situations whereby people have become trapped in ghetto-like areas. They have often applied for hundreds of apartments in an attempt to get out of the areas in which they have been placed. It is a situation that breeds despair," John Stauffe, DO's lawyer and project manager, told Svenska Dagbladet. <http://www.thelocal.se/7825/>

Denmark

- In his assessment of the progress made in implementing the recommendations made in 2004 by the previous Commissioner for Human Rights of the Council of Europe, Alvaro Gil-Robles, the incumbent Commissioner for Human Rights, Thomas Hammarberg, takes a positive note of the measures by Danish authorities to combat school segregation of Romani children in the municipality of Elsinore. <https://wcd.coe.int/ViewDoc.jsp?id=1162943&BackColorInternet=FEC65B&BackColorIntranet=F>

Poland

- Poland has introduced cheaper visas to attract workers from neighboring countries in an attempt to replace Poles emigrating to Western Europe. Nationals of Russia, Belarus and Ukraine will be able to work in Poland for up to three months, twice a year. Poland's economy is enjoying a boom, but is

suffering labor shortages since more than a million Poles have left for EU states, notably the UK and Ireland. <http://news.bbc.co.uk/2/hi/europe/6909562.stm>

Malta

- On 31 August Fr. Pace of the Jesuit Refugee Service criticized that undocumented migrants detained at Lyster Barracks are allowed as little as two hours of fresh air per week, including vulnerable individuals like pregnant women and children. (Source: Migration Policy Group *Migration News Sheet*, September 2007, e-mail: mns@migpolgroup.com)
- The Council of Europe's Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published a report on its most recent visit to Malta (June 2005), together with the responses of the Maltese Government. To see the report: <http://www.cpt.coe.int/documents/mlt/2007-37-inf-eng.htm> and the responses of the Maltese Government: <http://www.cpt.coe.int/documents/mlt/2007-38-inf-eng.htm>

USA

- Starting from July 2007, the town of New Haven, Connecticut, will offer undocumented migrants municipal identification cards that allow access to city services such as libraries and a chance to open bank accounts. <http://www.washingtontimes.com/apps/pbcs.dll/article?AID=/20070723/NATION/107230060/1001&template=printart>
- US state legislators nationwide have adopted measures to curb employment of undocumented migrants. The broadest measure was signed into law in Arizona by Gov. Janet Napolitano, a Democrat, in July. Arizona employers who knowingly hire undocumented migrants face suspension of their business license for the first offense and the permanent loss of their license for a second offense within three years. Tennessee made it a criminal offense, rather than a civil one, to "recklessly employ" an undocumented migrant, with fines of up to \$50,000. Several states passed laws denying state contracts to employers of undocumented migrants, and other laws barred those immigrants from collecting unemployment benefits. http://www.nytimes.com/2007/08/06/washington/06immig.html?_r=1&ref=us&oref=login
- Growers' associations in the United States estimate that 70 percent of farm workers are undocumented immigrants, many of them using fake Social Security numbers on their applications. Under new rules introduced by the Bush administration, if the Social Security Administration finds that an applicant's information does not match its database, employers could be required to fire the worker or risk being fined up to \$10,000 for knowingly hiring an undocumented immigrant. There are fears around the country over whether there will be enough hands to pick the apple crop. <http://www.iht.com/articles/2007/08/21/america/immig.php>

3. European Policy Developments

General

- Greece is one of several European Union countries that are lagging behind EU targets in implementing legislation to forge a common immigration policy, Brussels said on 3 July. Greece, Italy, Germany, France, Spain, Portugal and Britain showed the largest “deficits” in implementing EU policies on policing immigration. Brussels found that only 53 percent of actions in these areas agreed upon in 2006 were implemented by every EU member state. (*Kathimerini*, 4 July)
- Following the liberation of a Bulgarian doctor and nurses in Libya, after being convicted and condemned to death, accused of having deliberately infected hundreds of Libyan children with HIV, a new collaboration has started between the EU and Libya. The EU will assure the medical treatment of children affected by AIDS, will facilitate the export of agricultural and fishery products and will give scholarships to some Libyan students. In exchange, Libya should install a border surveillance mechanism in order to prevent the arrival and the entry of undocumented migrants into the EU. http://www.rfi.fr/actufr/articles/091/article_54462.asp
- At a meeting with Commissioner Frattini on 29 August French immigration minister Brice Hortefeux said migration would be a major priority for the future French presidency, which starts in July 2008, envisaging a "broad European pact on migration". The pact should include a general rejection of mass regularization inside the European Union and at the same time "establish a common strategy on asylum policy for political refugees". Commissioner Frattini said he agreed with the French approach towards migration and stressed once more the importance of an EU strategy towards the Mediterranean, which would prevent the loss of human lives at sea and foster security and dialogue in the region. Enabling highly qualified workers and students to move freely between European states was a further objective discussed and Commissioner Frattini announced the launch of a “blue card” in October. The blue card would entitle skilled workers to live and work in a given EU member state for an initial period of two years. Later, they would be able to move to another EU state. <http://www.euractiv.com/en/future-eu/france-outlines-eu-presidency-priorities/article-166313>
- The European Union Agency for Fundamental Rights (FRA) has published a new report on racism and xenophobia inside the Member States of the EU. The report finds that unequal treatment continues in employment, housing and education. Figures for racist crimes in 2005 and 2006 are up in a number of EU countries. http://fra.europa.eu/fra/material/pub/racism/report_racism_0807_en.pdf

European Commission

- The Commission adopted on 12 September its “Third Annual Report on Migration and Integration”, which analyses actions taken on admission and integration of third-country nationals at the EU and national level, providing an overview of policy developments and helping to evaluate and strengthen integration measures. The report provides information about the establishment of the EU framework for the integration of third-country nationals up to June 2007. Moreover, the Commission announces in this report its commitment to put forward new initiatives to further develop this framework, including exploring how participation and citizenship can foster the integration process and promoting the development of common indicators and indexes that could be used by Member States on a voluntary basis in order to assess integration policy outcomes. http://ec.europa.eu/justice_home/fsj/immigration/integration/fsj_immigration_integration_en.htm
<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/07/351&type=HTML&aged=0&language=EN&guiLanguage=en> and http://www.ecre.org/topics/intro_to_topics
- The Commission has tabled a proposal for a Council Decision establishing a European Migration Network (EMN) in order to meet the Hague Program's request for a more 'effective provision of up-to-date information and data on all relevant migratory developments'. According to the proposal, the

EMN's objective will be 'to meet the information needs of Community institutions, Member States' authorities and institutions, and the general public on migration and asylum, by providing up-to-date, objective, reliable and comparable information on migration and asylum'. In order to attain this objective, the network should collect and exchange existing data and information from a range of sources; undertake analysis of such data and information; publish reports; create and maintain and internet-based information exchange system accessible to the public (EMN website); and co-operate with other relevant European and international bodies.

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1228&format=HTML&aged=0&language=EN&guiLanguage=en> and http://www.ecre.org/topics/intro_to_topics

- The Portuguese Presidency held a high level conference on legal migration in Lisbon on 13-14 September. The event focused on issues relating to legal migration, migrant interaction and the contribution of migration to development. Franco Frattini gave a speech setting out the main elements of EU migration policy: enhanced mobility, a vigorous integration strategy and zero tolerance on illegal employment. He announced that the Commission was about to approve a € 10 million project to set up a new Centre for Migration Management in Bamako (Mali). Part of its purpose would be to provide information, guidance and support for potential and returning migrants, monitor the flow of remittances and try to prevent irregular migration by raising awareness and providing information on legal migration opportunities. He said that two legislative proposals would be published on 23 October: a general Framework Directive on the basic socio-economic rights of third-country workers and a Directive on the admission of highly skilled migrants. Proposals would follow in 2008 for Directives on the admission of seasonal workers, paid trainees and intra-corporate transferees.
http://www.mai.gov.pt/data/menu_esquerdo/Temas%20em%20Foco/%7B4EE3B88E-26AD-4BE1-BA72-33541E5ED382%7D_conf_imig_set07_verING%20.pdf and http://www.ecre.org/topics/intro_to_topics
- The European Commission adopted on 6 June a Green Paper on the future of the Common European Asylum System. In this Green Paper the Commission seeks to outline the main issues at stake and invites constructive suggestions from all stakeholders to take these issues forward. The initial deadline for receiving contributions was 31 August 2007. A public hearing on the future of the Common European Asylum System will be held in Brussels on 7 November.
http://ec.europa.eu/justice_home/news/intro/news_intro_en.htm

European Parliament

- On 12 September the Civil Liberties Committee substantially amended a proposal on forced return of undocumented migrants. MEPs fixed a maximum "retention" (custody) period of 18 months and backed the use of coercive measures, case-by-case, to remove undocumented migrants or rejected asylum seekers. Returned immigrants may also be subject to an EU-wide re-entry ban. The aim of the Commission draft directive, which will be the first serious attempt to create an EU common policy on return, is to eliminate marked differences in how EU member states deal with the expulsion of immigrants and establish "fair and transparent" common rules on voluntary return, removal orders, use of coercive measures, temporary custody and a re-entry ban, whilst ensuring respect for the human rights of the persons concerned. The future directive promotes the principle of voluntary return by establishing a general rule that a "period for departure" should normally be granted. MEPs stressed that such periods should be of "at least 4 weeks", unless a competent authority has objective reasons to believe the person will abscond. MEPs decided that "unaccompanied minors should not be removed or detained" and also added new paragraphs to ensure that families accompanied by one or more minors will be given separate accommodation and "only be detained as a measure of last resort".

http://www.europarl.europa.eu/news/expert/infopress_page/018-10237-254-09-37-902-20070910IPR10221-11-09-2007-2007-false/default_en.htm

- On 20 September Members of the European Parliament organized a conference under the title "Shaping Migration Strategies", where EU Commissioners Frattini and Špidla informed participants about Europe's future perspectives on migration. Commissioner Frattini summed up recent developments within the European Union regarding migration policy and reiterated his plan to present proposals on legal migration in October. He also elaborated his concept of circular migration and touched upon the goal to create a Common European Asylum System. <http://www.migration-conference-brussels.net/> and http://www.ecre.org/topics/intro_to_topics
- A group of seven Tunisian fishermen accused of having "aided and abetted illegal immigration" was released from detention on 10 September following protests by MEPs. 103 MEPs signed an appeal in support of the men who were arrested on the Italian island of Lampedusa. The sailors had taken 44 people on board whose inflatable dinghy boat was about to sink in dangerous seas and brought them to Lampedusa after informing the Italian, Maltese and Tunisian authorities about the incident. The fishermen still face sentences of up to fifteen years in prison. A demonstration was held in Agrigento, Italy, on 7 September as a sign of solidarity to the seven Tunisian fishermen. In the appeal launched by parliamentarians from the PES, Greens, Liberal group and the European United Left and Nordic Green Left, MEPs said there should be no "criminalisation of rescue teams at sea whatever they are". Further the Conference of Presidents of the groups at the European Parliament has decided to ask the Commission its opinion on the case. Giusto Catania MEP (GUE/NGL) called upon Commissioner Frattini and asked for assurances for those saving shipwrecked people at sea to be included in the mandate of the EU's border control agency FRONTEX. http://www.neurope.eu/view_news.php?id=77501 and http://www.ecre.org/topics/intro_to_topics
- The European Parliament approved two reports on migration during the 26 September plenary sitting. MEP Lilli Gruber (PES) was the rapporteur for the "Policy plan for legal migration", while MEP Javier Moreno Sanchez (PES) was the rapporteur for "Priorities in the fight against clandestine immigration". Parliament debated the EU's policies on immigration, with MEPs voting on two reports on legal migration and irregular immigration. The principle of respect of human dignity was underlined throughout the debate. Many speakers recalled the tragic images of migrants being drowned in the Mediterranean, with others calling for the EU's external border force, Frontex, to be strengthened. The idea of an EU blue-card similar to the US green-card needed to be further developed, said MEPs. http://www.europarl.europa.eu/news/expert/infopress_page/018-10644-267-09-39-902-20070823IPR09787-24-09-2007-2007-false/default_en.htm

European Council

- The Council of Justice and Home Affairs, convening on 18 September, discussed the situation at the southern maritime borders, following a number of incidents in the Mediterranean Sea and adopted Council Conclusions. At the ministers' last meeting in June, Malta had proposed a system of responsibility sharing for persons rescued at sea, but member states reiterated their commitment to solidarity, which however should only be expressed on an ad hoc and bilateral basis involving proper implementation of already existing possibilities. The rejection of an equitable responsibility sharing mechanism that would also facilitate the rescue of migrants at sea was explained by the pull effects such a solution might have for irregular migration, encouraging Africans to undertake the perilous journey by sea, knowing that some EU member would eventually take care of them. The alternative solution proposed by EU ministers would instead lie in strengthened cooperation with third countries, particularly Libya, who is expected to enforce tighter controls of its borders. The

situation of migrants in the Mediterranean will be discussed again at the ministerial Euromed meeting in Portugal on 18-19 November organized by the Portuguese Presidency.
http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/jha/95975.pdf and
<http://www.europeanvoice.com/current/article.asp?id=28791> and
http://www.ecre.org/topics/intro_to_topics

Council of Europe

- The Parliamentary Assembly of the Council of Europe will discuss the issue of regularization programs for irregular migrants on 1 October 2007 in Strasbourg. The Parliamentary Assembly is to discuss the possible solutions for these people who are without legal status or the right to remain and often subjected to exploitation. CIMADE (Service oecuménique d'entraide) in co-operation with PICUM and the Independent Non-Governmental Organisations with Participatory Status with the Council of Europe, will hold a NGO round table discussion on regularization programs for irregular migrants at the Council of Europe on 1 October. A press conference will also be held. To view the Council of Europe report on regularization: <http://assembly.coe.int/main.asp?Link=/documents/workingdocs/doc07/edoc11350.htm>. For more information about the NGO meeting and events contact Ms Özge Biner, zahide-ozge.biner@coe.int.

4. Undocumented Children

- The Council of Europe adopted a recommendation on 12 July on the "life projects" in favor of unaccompanied minors. Life projects aim to develop the capacities of minors allowing them to acquire and strengthen the skills necessary to become independent, responsible and active in society. The Committee of the Ministers of the Council of Europe recommends member states to introduce some "life projects" for these children in their politics. The notion of "life project" is placed at the heart of the recommendation.
[https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec\(2007\)9&Language=lanEnglish&Ver=original&Site=COE&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75](https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec(2007)9&Language=lanEnglish&Ver=original&Site=COE&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75)
- The Greek Ombudsman has proposed a set of measures to overcome the problems caused by legislation that prevents children of immigrants born in Greece from obtaining birth certificates. The watchdog said it had received numerous complaints from migrants who encountered problems with education and social security systems. The existing law only allows Greek citizens who are listed in the municipal electoral register to be granted a birth certificate. (*Athens News*, 3 August / *Akropoli*, 1 August / *Avgi*, *Eleftherotypia*, *Kathimerini*, *Mesogeios Irakleiou*, 31 July)
- On 10 August, Spanish Minister of Employment Caldera criticized the Municipality of Madrid for not accepting unaccompanied children when responding to a question concerning the resettlement in other regions of Spain of unaccompanied minors arriving on the Canary Islands. Reception of unaccompanied children lies within the competence of each region – the government cannot oblige a region to accept unaccompanied children. (Source: Migration Policy Group *Migration News Sheet*, September 2007, e-mail: mns@migpolgroup.com)
- Save the Children UK reported that the UK Government's treatment of children who are seeking asylum is not in line with government reports claiming that "the interests and rights of asylum seeking children and young people are fully respected". Save the Children reiterated that the UK Government still has a reservation on the United Nations Convention on the Rights of the Child (UNCRC) relating to asylum seeking children. The children's charity stated that 2,000 children are detained with their families each year, from seven to 268 days. There is also a lack of quality services for separated children; inadequate age assessment procedures and immigration

procedures still don't reflect protection needs of children. Children living in families and separated children report that the negative effects of living in poverty and financial destitution is increasingly being used as a UK government tool at the end of the asylum process to force families to return to their home countries, many of which are considered unsafe by the UN.

[http://www.politics.co.uk/press-releases/zopinion-former-index/equality/save-children-16-years-on-uk-government-still-in-breach-child-rights-\\$476129.htm](http://www.politics.co.uk/press-releases/zopinion-former-index/equality/save-children-16-years-on-uk-government-still-in-breach-child-rights-$476129.htm)

- The Commissioner for Human Rights of the Council of Europe, Thomas Hammarberg, has called for better fact-finding instruments and statistical data on migrant children. He said that statistics and other relevant data are missing on almost all aspect of the migration cycle. He said that the lack of precise statistics and facts was no excuse for political passivity and that more active policies needed to be developed to protect the rights of unaccompanied children.
http://www.coe.int/t/commissioner/Viewpoints/070806_en.asp
- The International Organization for Migration (IOM) is launching a new Europe-wide program aimed at improving current legislation promoting and protecting the rights of unaccompanied minors arriving on the territory. Funded by the European Commission, the program will bring together a network of experts and government officials from Belgium, Austria, Bulgaria, Czech Republic, Hungary and Romania to produce a manual and recommendations on first reception and treatment of unaccompanied minors. For further information, contact: Pascal Reyntjens, IOM, preyntjens@iom.int
- Human Rights Watch recently published “Unwelcome Responsibilities: Spain’s Failure to Protect the Rights of Unaccompanied Migrant Children in the Canary Islands”. The report documents and condemns the treatment of unaccompanied minors on the Spanish Islands, calling on Spanish authorities to close emergency residential centers where unaccompanied minors are being held. These centers had been opened as an emergency measure in the wake of large numbers of irregular arrivals to the islands last year. <http://hrw.org/reports/2007/spain0707/>
- The European Network Against Racism (ENAR) recently launched a new report entitled ‘Fighting racism and promoting equal rights in the field of education’, which shows that ethnic and religious minorities face discrimination and disadvantage in European education systems. The report concludes that the Lisbon strategy in the field of education and training is not meeting its objective of ensuring equal opportunities for ethnic and religious minorities in education. http://www.enar-eu.org/en/publication/reports/education_en.pdf

5. Upcoming Events

- The conference “Health and Migration in the EU – better health for all in an inclusive society” will be held on 27 and 28 September 2007 in Lisbon, Portugal. The conference, organized by the Portuguese presidency, aims at mobilizing member states, national and international organizations and NGOs to discuss and work on proposals of intervention strategies and policies, in order to promote health, to prevent disease, and to improve access to healthcare by migrants.
http://www.ue2007.pt/UE/vEN/Politiclas/Emprego_Consumidores/min.htm
- The United Nations Institute for Training and Research (UNITAR), in collaboration with the International Organization for Migration (IOM), the United Nations Population Fund (UNFPA), and the MacArthur Foundation, will hold a seminar on Migration and Ageing on 1 October 2007 at United Nations Headquarters, which is also the International Day of Older Persons. This seminar is part of the 2007 Migration and Development Seminar Series. It is related to the discussions that will take place during the 62nd session of the General Assembly under agenda item 63 (c): “Follow-up

to the International Year of Older Persons: Second World Assembly on Ageing”, and is intended to provide delegates with an overview on emerging trends on Migration and Ageing. <http://www.un-ngls.org/docs/mcarthur/InfonoteAgeing.pdf>

- 12th International Metropolis Conference "Migration, Social Cohesion and Economic Growth", 8-12 October 2007, Melbourne, Australia. The 12th International Metropolis Conference will examine research, policy and practice in the areas of migration, diversity, social cohesion, and associated economic impacts. Given that this is the first International Metropolis Conference to be held in the Southern Hemisphere, special attention will be paid to the Asia Pacific region. http://www.international.metropolis.net/index_e.html
- FEANTSA will hold a conference on “Multiple Barriers, Multiple Solutions: Inclusion Into and Through Employment for People Who Are Homeless in Europe”, Zaragoza/Spain, 18 – 19 October 2007. http://www.feantsa.org/files/Employment_annual_theme/Annual_theme_documents/Conference/Draft_programme_Conference_Infoday_1.pdf
- A meeting concerning the European States General for Housing Rights will be held at the European Parliament in Brussels, on November 5-6, 2007. This initiative results from various meetings and working sessions between housing rights players, which brought together elected representatives, leaders of associations, unions, researchers, more specifically in Bobigny, near Paris, last February who share the appeal “Together towards the European States general for the right to housing”. <http://en.habitants.org/article/articleview/1984/1/435/%20>
- The organization National Immigration Law Center (NILC) and a number of other U.S. organizations will hold the Sixth National Low-Income Immigrant Rights Conference “Bridging Communities, Renewed Strength and Promise” on December 6-8, 2007 in Arlington, VA (just outside of Washington, DC). <http://www.nilc.org/dc-conference2007.htm>

6. Publications

- In a new Migration Policy Institute report, "European Immigration and the Labor Market," Walter Nonneman, an economist at the University of Antwerp and formerly the chief of staff for economic and social affairs for the Belgian Prime Minister, finds that structural unemployment in the EU has little to do with immigration. Rather, it is related to factors including excessive regulation, EU worker immobility promoted by the welfare system and other policy measures, and agreements between employers' organizations and labor unions that set wages. http://www.migrationinformation.org/transatlantic/ImmigrationEULaborMarket_72507.pdf
- The Centre for European Policy Studies (CEPS) has published a policy brief on the EU Framework on Sanctions against Employers of Irregular Immigrants. In May 2007, the European Commission issued a Proposal for a Council Directive providing for sanctions against employers of illegally staying third country nationals. This paper outlines the main contents of the proposal by looking at the obligations and sanctions applicable to the employer, the procedures foreseen for the presentation of complaints as well as the set of guarantees provided to the TCN worker. http://shop.ceps.eu/BookDetail.php?item_id=1534
- The Council of Europe has issued a publication entitled ‘The Practical Impact of the Council of Europe Human Rights Mechanisms in Improving Respect for Human Rights in Member States’. This document gives a description of how the work of the human rights mechanisms of the Council of

Europe has resulted in practical improvements in the respect for human rights in the member states.
http://www.coe.int/t/F/Droits_de_l%27Homme/hinf_2007_2_en.pdf

- “Getting by in Europe’s Urban Labor Market: The Case of Senegambian Migrants in Antwerp and Barcelona”, a PhD thesis by Inge Van Nieuwenhuyze. The thesis examines two major social changes experienced by European cities in the last two decades: post-industrial economic restructuring and new immigration flows. This research focuses on three elements of migratory experience that have been relatively neglected thus far: a dynamic view of changes over time, the influence of national welfare and legislation framework and the importance of support mechanism outside the labor market. The author can be contacted at: inge.van_nieuwenhuyze@kcl.ac.uk
- “ENARgy 21 - Migration and Integration: The Common Basic Principles on Integration in Focus, July-August 2007.” At a time when immigration policies are high on the EU agenda, ENAR is dedicating this edition of ENARgy to the importance of promoting integration, more specifically providing a focus on the EU’s Common Basic Principles on Integration. http://www.enar-eu.org/en/enargy/enargy_21_EN.pdf
- “ENAR Fact Sheet 33, Multiple Discrimination, July 2007.” This fact sheet aims to explain multiple discrimination with a view to enhancing the capacity of ENAR members to develop mechanisms to address, in their work, the intersection between racism and other forms of discrimination. It begins by providing an overview of the historical background, as well as definitions and examples of key concepts and their implications. Subsequently, two approaches to anti-discrimination are explored and key limitations and challenges are highlighted in the EU context. Finally, examples of good practice in the area of multiple discrimination are provided. http://www.enar-eu.org/en/factsheets/FS33_multiplerediscrimination_july2007_EN.pdf
- “Gaining from Migration - Towards a New Mobility System”. This report published by the OECD is a summary of recommendations that offer a road map to a new system of labor mobility. The policy innovations proposed here will be of interest to decision makers in migrant-sending and migrant-receiving countries. New ideas, based on an exhaustive review of past policy experiences in Europe and elsewhere, are offered for policies related to labor markets, integration, development co-operation and the engagement of diasporas. http://www.oecd.org/document/30/0,3343,en_2649_33731_39207646_1_1_1_1,00.html
- The home countries of international labor migrants can play a major role in protecting temporary workers, says a new report from the Migration Policy Institute. “Protecting Overseas Workers: Lessons and Cautions from the Philippines” details how a welfare fund financed by migrants has placed a safety net under overseas workers from the Philippines, home to the largest organized labor-export program in the world. http://www.migrationpolicy.org/pubs/MigDevInsight_091807.pdf
- *Immigration Under New Labour* by Will Somerville. This book presents the first comprehensive account of UK government policy on immigration over the last ten years, providing an in-depth analysis of policy and legislation since Tony Blair and New Labor were first elected. The account begins by placing policy change under Labor in their proper historical context, before examining the key policy themes - economic migration; security; integration; asylum; delivery - of the last decade. https://www.policypress.org.uk/catalog/product_info.php?products_id=1305
- “European survey on undocumented migrant’s access to health care”. This report done by Médecins du Monde analyses a survey carried on in 2006 in nine European countries regarding access to health care for people in precarious situations. http://www.medecinsdumonde.org/fr/publications/les_rapports/enquete_europeenne_sur_l_acces_a

[ux soins des personnes en situation irreguliere observatoire europeen de l acces aux soins des medecins du monde](#)

- In the context of the EU border safety strategy, the German Institute for Human Rights issued a policy paper by Ruth Weinzierl presenting the findings of an extensive scientific study. Menschenrechte an der EU-Außengrenze. Empfehlungen an die Bundesregierung (Human Rights at the external borders of the EU. Recommendations to the federal government) holds that many lives, as well as the human rights tradition of Europe depend on whether human rights can be asserted at that border. Download the study (in English): The Demands of Human and EU Fundamental Rights for the Protection of the European Union 's External Borders: <http://www.institut-fuer-menschenrechte.de/sl.php?id=212>, and the policy paper (in German): <http://www.institut-fuer-menschenrechte.de/sl.php?id=213>

7. PICUM News

- PICUM is currently looking for a treasurer to serve on its Executive Committee (board of directors) and to liaise with its secretariat. A description of the responsibilities and requirements of this position is available at www.picum.org. Applicants are invited to send in their CVs and cover letters in English by 31 October 2007 to administration@picum.org.

8. Miscellaneous

- "Surprising Europe" is a campaign film intended to show people in Africa the possibilities and impossibilities of working and migrating to Europe. The campaign is composed of two main pillars that complement and support each other, a film and a website. The campaign is primarily based on a dramatized information film specifically for African audience. The film tells a story of an African, who paid big sums of money to human traffickers to get him to Europe, and on getting there he encounters all sorts of problems and is eventually forced to return home empty-handed. <http://www.surprisingeurope.com/>
- Solidar will hold a photo exhibit entitled "Decent Work, Decent Life" in November at the European Parliament, and is looking for photos of workers in Europe. Photos should be high quality and possibly copyright free. Solidar will insert the credits and a quote/little story to illustrate them. If you have any photos, please contact: barbara@solidar.org.
- "Underground Londoners - Cleaning the London Underground," is a 29-minute documentary made by Dagmar Diesner and Klara Brekke about the living conditions of the cleaners working in the London Underground and living 'underground'. It aims to understand the relation between their working/living conditions and their structural placement as both working for the London Underground, managed under the Public Private Partnership deal, and living underground as undocumented migrants. The film is available on DVD. Contact: artemislondon@googlemail.com

To subscribe to the PICUM newsletter, please send an email to administration@picum.org with "Subscribe-English" in the subject heading. To unsubscribe, please put "Unsubscribe-English" in the subject heading.
