



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

PICUM Newsletter August/September 2009

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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 PDF 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

- A boat carrying 65 sub-Saharan migrants was intercepted off the Canary Island of El Hierro during the night of 12 July. One migrant had already died, and two of the four others who were hospitalised did not survive the following 24 hours. The survivors said they had been drifting for

about a week without being able to land on any of the islands and had run out of food and water. Source: Migration News Sheet August 2009, p. 28.

- One migrant is reported to be missing after he fell into the water before being rescued off the coast of Manilva, in the Spanish province of Málaga, on 24 July. The man had shared a boat with three other migrants. Source: <http://www.diariosur.es/20090724/malaga/buscan-naufrago-patera-20090724.html>.
- The body of an 18-year-old undocumented migrant was found next to a road near the port of Igoumenitsa in northwestern Greece on 6 August. The police suspect that the victim may have been part of a group of immigrants who jumped off a truck which they had believed was about to board a ferry for Italy, but which was headed for mainland Greece instead. Source: http://www.ekathimerini.com/4dcgi/w_articles_politics_2_07/08/2009_109634.
- One person died and at least 11 are missing after an Algerian coast guard vessel collided with three migrant boats on 8 August. The collision occurred off the eastern port city of Annaba, which is a focal point in Algeria for young, unemployed men who hope to find a better life in Europe. Source: <http://news.bbc.co.uk/2/hi/africa/8191474.stm>.
- The headless body of a man was recovered between Cabo del Agua (Murcia) and the island of Escombreras in southern Spain on 10 August. The authorities have not yet been able to identify the victim, whose body was in a very advanced state of decomposition, but suspect that he may have been an Algerian man who had been missing since a boat carrying 10 migrants sank near Murcia on 16 June. (See PICUM Newsletter July 2009.) Source: <http://www.laverdad.es/murcia/20090811/region/hallan-cadaver-hombre-flotando-20090811.html>.
- The Greek coast guard recovered the bodies of two migrants and was looking for a third person who presumably drowned after a speedboat carrying migrants from Turkey to Greece sank off the coast of the eastern Aegean island of Kos on 12 August. Two men and one woman were rescued after the crew of a yacht noticed the wreckage. Source: http://www.ekathimerini.com/4dcgi/w_articles_politics_2_13/08/2009_109795.
- Five emaciated Eritrean migrants, who were picked up by the Italian coast guard 12 miles from the island of Lampedusa on 20 August, said that about 75 others had perished during their journey from Libya. The survivors reported that about 80 migrants, most of them Eritreans, had set out from Tripoli on a rubber dinghy on 28 July, and that they had run out of food, water and fuel after about a week as they had gotten lost. They said that they had requested help from at least ten different boats that had passed them. Initial Italian media reports indicated that only a fisherman had offered the migrants water and food towards the end of their journey, but the survivors later reported that a patrol of the Maltese Armed Forces had approached their boat on 19 August, had given them fuel and five life rings, and then had left them without providing any additional assistance. The Maltese Armed Forces confirmed this, but insisted that the five Eritreans had been in good health and “refused to be rescued since they wanted to go to Italy”. In a statement released on 21 August, the United Nations High Commissioner for Refugees (UNHCR) said it was shocked by the accounts of the five survivors, and expressed its concern that the hardening of government policies towards boat people could have the effect of discouraging ship masters from continuing to honour their international maritime obligations. Sources: http://www.corriere.it/cronache/09_agosto_20/lampedusa_sbarco_gommone_49042fce-8d83-11de-ac5b-00144f02aabc.shtml, <http://www.timesofmalta.com/articles/view/20090821/local/afm-denies-italian-media-reports>, and

<http://www.un.org/apps/news/story.asp?NewsID=31823&Cr=UNHCR&Cr1=>. (Also see “European Policy Developments” section of this newsletter for related item.)

- A man who could not swim drowned when a group of Somali migrants jumped off their boat to swim the last few metres to the shore of Wied ix-Xoqqa in Birżebbuġa in Malta on 26 August. The migrant had been aboard one of two boats which arrived in Malta at approximately the same time and carried a total of 80 migrants. Source: <http://www.timesofmalta.com/articles/view/20090828/local/migrant-drowns-metres-from-land>.
- The Court of Agrigento, on the southern coast of Sicily, Italy, has sentenced a fishing boat captain to 12 years in prison for the killing of a migrant from Somalia. On 10 January 2008, Ruggiero Marino had thrown Mohamud Ahmed Mohamed overboard after a crew member had hoisted the exhausted 37-year-old from a rubber dinghy carrying about 60 migrants from Somalia and Nigeria. The migrants had run out of fuel and had approached the “Enza D” for help. Mohamed, who was known as “Sanwà”, drowned as he was unable to reach the dinghy, which had already drifted away. In its ruling on 22 July 2009, the court also ordered Marino to pay damages to the group of migrants who had been travelling with Sanwà and who had filed a civil suit against the captain. Source: <http://www.carta.org/campagne/migranti/18158>.
- Italian media reported on 21 August that the anti-immigrant Lega Nord party had created an interactive game for the social-networking website Facebook in which players win points by preventing migrants from reaching the country by boat. A link to “Rimbalza il clandestino” (“Make the undocumented migrant ‘bounce off’”) had been included in the Facebook page of “Lega Nord Padania - Umberto Bossi”, a group that is co-administered by the son of Lega Nord leader Umberto Bossi. Facebook responded to complaints and by 23 August had removed the game from the site. Sources: <http://www.repubblica.it/2009/08/sezioni/politica/lega-fiction/lega-videogame/lega-videogame.html> and http://www.corriere.it/politica/09_agosto_23/rimbalza_clandestino_tolto_rete_lega_renzo_bossi_a70c933e-8fe7-11de-ab60-00144f02aabc.shtml.

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

UN

- The UNHCR office in Ankara announced that its Hope Refugee Award would be presented to the captain of the Turkish cargo ship “Pinar E”, Asuk Tuygun, and the ship’s owner, Baris Erdogdu, in recognition of their efforts to rescue 142 irregular migrants and asylum-seekers in the eastern Mediterranean on 16 April 2009 (cf. PICUM Newsletter May 2009). Reports stated that the migrants were dehydrated and in significant pain following an ordeal which had left one pregnant migrant dead and many others seriously ill (with doctors discovering cases of chicken pox and high fever among those rescued). In spite of the potential backlash – two individuals currently face prosecution in Italy for rescuing migrants at sea – the boat’s captain abided by international principles of saving those in distress at sea. Sources: Migration News Sheet July 2009, p. 10, and http://www.irseurope.org/news_releases/malta_update-apr09.htm.

Belgium

- Brussels police removed approximately 180 undocumented migrants from a privately owned building and a strip of grass outside the headquarters of the socialist party (Parti Socialiste – PS)

on 30 July 2009. The building's owners had requested the expulsion of about 80 migrants who had occupied their property since 9 July, and police said that the 100 others who had been protesting on the strip of grass were removed to prevent the outbreak of diseases as a consequence of poor sanitary conditions. The group had chosen to protest outside the PS headquarters to put pressure on the party to achieve a regularisation of undocumented migrants in Belgium. Source: <http://www.knack.be/nieuws/belgie/gedwongen-ontruiming-van-mensen-zonder-papieren/site72-section24-article37257.html>.

Denmark

- Police raided a Copenhagen church sheltering refused Iraqi asylum seekers and arrested 19 men in the early morning hours of 13 August, sparking violent clashes between the police and a group of 300 protestors, many of whom were affiliated with the refugee assistance group Kirkeasyl ("Church Asylum"). The protestors later accused the police of wreaking havoc inside Brorson's Church, where the raid is estimated to have caused 70,000 kroner (about €9,400) worth of damage, and at least 30 complaints about police brutality were filed. The detained Iraqis began a hunger strike, while an estimated 15,000 people joined a demonstration in the Danish capital on 13 August to urge the government not to deport them. Protests were also held in the cities of Århus, Aalborg and Svendborg, and thousands gathered in Copenhagen's City Hall Square for a protest concert organised by Kirkeasyl on 18 August. According to the Copenhagen Post, the raid on Brorson's Church, where about 80 Iraqis had originally sought refuge, was only the second time in modern Danish history that police have arrested people seeking shelter in a church, and the first time they did so without the church's permission. It followed the conclusion of a readmission agreement between the Danish and Iraqi governments in May. (Cf. PICUM Newsletter July 2009.) Sources: <http://www.cphpost.dk/news/local/87-local/46552-raid-on-asylum-seekers-sparks-riot.html>, <http://www.cphpost.dk/news/local/87-local/46580-police-brutality-complaints-after-church-raid.html>, <http://www.cphpost.dk/news/1-latest-news/46572-arrested-iraqis-on-hunger-strike.html>, <http://www.cphpost.dk/news/local/87-local/46561-despite-protests-most-support-police.html>, and <http://www.cphpost.dk/news/national/88-national/46607-flood-of-support-for-iraqi-refugees.html>.

France

- After 17 days protesting on the pavement outside the Labour Stock Exchange, members of the Coordination Sans Papiers 75 ("Undocumented Migrants Coordination Group 75") abandoned their 14-month struggle to force the unions to back their demands for the right to live and work in France. The group was expelled from the Labour Stock Exchange by members of the General Confederation of Labour (Confédération générale du travail - CGT) in June. (See PICUM Newsletter July 2009.) On 12 July, the migrants voted to accept the government's offer: In exchange for leaving the streets, the state would examine 300 of their 1,174 applications for residence rights within two months. Undocumented migrants occupied the Labour Stock Exchange on 2 May 2008, hoping to force the CGT to negotiate their regularisation with the French government. Source: <http://www.liberation.fr/societe/0101579389-les-sans-papiers-cessent-leur-occupation-contre-une-promesse>.
- The French Immigration Minister, Eric Besson, has proposed to re-examine Article 622-4 of the Code of Entry and Residence of Foreigners and Asylum (Code de l'entrée et du séjour des étrangers et du droit d'asile – CESEDA), which makes it a crime to provide aid and assistance to irregular migrants. In a meeting with the civil society organisations Secours Catholique and Emmaüs France on 17 July 2009, Besson said that he would set up three working groups to

examine the proposals, in which the organisations would be invited to participate, and that they would make their conclusions at the end of the year. He also advocated the creation of a good practices guide that would help members of humanitarian associations avoid being criminalised, and promised to send a circular to prefects (the state's regional representatives) regarding police intervention in places where humanitarian aid is being provided. Some French organisations welcomed this as a positive first step, but many were sceptical about just what would be achieved. Article 622-4 prohibits any assistance to irregular migrants. Source: <http://nobordersbrighton.blogspot.com/2009/07/besson-claims-there-is-no-crime-of.html>.

- Riot police removed a group of up to 200 Afghan migrants from a public garden in Paris on the evening of 18 August. The mayor's office said it had requested the removal, claiming that it had become too difficult to keep the "jardin Villemin" in Paris' 10th arrondissement clean, and that the growing number of migrants who had been sleeping there every night had become increasingly aggressive. Human rights groups have protested the removal and strongly criticised the authorities' failure to provide a sufficient number of shelter places for the Afghan migrants. Sources: http://www.lexpress.fr/actualites/2/un-jardin-parisien-abritant-des-afghans-evacue-par-la-police_781139.html and <http://www.exiles10.org/spip.php?article1219>.
- At least 200 undocumented migrants in Calais are infected with the highly contagious skin disease scabies. On 11 August, local authorities in Calais set up a hygiene unit and two mobile showers to try and limit the spread of the disease among the hundreds of migrants who live in squalid conditions in woodland known as "the jungle" (see PICUM Newsletter June 2009). Infected migrants are asked to wash using a special disinfectant soap, are given clean clothes, and receive doses of an anti-parasite powder. However, local charities said that two showers were not enough. They believe that the disease began spreading after the charity Secours Catholique was forced to close down its showers and cleaning facilities in 2008 because it could no longer cope with the influx of migrants. Activists also reported on 21 August that the French government was taking advantage of the epidemic to clear the migrants from their ad-hoc encampments in the Tajik/Hazara squat near the ferry port. Claiming to be disinfecting the area, police are said to have sprayed an irritant chemical onto personal belongings and cooking utensils and to have arrested six migrants. The raid is reported to have occurred shortly after humanitarian groups and activists who had monitored the situation had left the camp for the morning. Sources: <http://www.telegraph.co.uk/news/worldnews/europe/france/6017750/Migrants-in-Calais-infected-with-scabies.html> and <http://calaismigrantsolidarity.wordpress.com/2009/08/22/21-august-french-police-exploit-scabies-epidemic-to-clear-migrant-camps>.

Germany

- Ahead of the German parliamentary elections of 27 September 2009, the German Trade Union Federation (Deutscher Gewerkschaftsbund - DGB) has published an overview of the positions of the five political parties currently represented in the German Federal Parliament (Bundestag) with regard to migration and anti-racism policies. Only the election programmes of two smaller parties, Alliance 90/The Greens (Bündnis 90/Die Grünen) and The Left (Die Linke), explicitly deal with the situation of undocumented migrants. The Left believes that migrants' basic human rights, such as their access to medical care, should be protected, and advocates for the suspension of public servants' duty to denounce undocumented individuals. The same holds true for the Greens, who moreover demand that undocumented children be given unrestricted access to kindergartens and schools. At the same time, the DGB has also issued a position paper with its own demands for future federal policies on migration, integration and anti-racism. The federation expresses its conviction that people living in Germany should not be discriminated against with regard to

access to education, employment and social benefits, regardless of their residence status. Both papers are available at <http://www.dgb.de/themen/migration/bundestagswahl2009/index.html>.

Greece

- A new law was passed on 24 June 2009 to deter irregular migration to Greece. It provides for the extension of detention periods for undocumented immigrants from three to six months and for prison sentences of up to five years and a fine of €25,000 for individuals who transport irregular migrants (€50,000 for repeat offenders). The government also announced plans to create immigration reception centres in Athens. Source: http://www.monstersandcritics.com/news/europe/news/article_1485867.php.
- Hundreds of undocumented migrants were forced from their camp in the Greek port city of Patras on 12 July 2009. The police cordoned off the camp at 5 am, began asking for identification and arrested all the irregular migrants they could find, who were then sent to different police stations and detention centres throughout Greece. Those arrested were mostly Afghans and included 40 unaccompanied minors. Witnesses said that police did nothing while a fire destroyed most of the buildings in the camp and later used bulldozers to demolish the remaining structures, leaving only a makeshift mosque and tent owned by the relief group Médecins Sans Frontières. The camp had existed for 13 years and, at its height, had been home to almost 2,000 people. However, months of arrests and deportations had reduced this number to about 150. Source: <http://www.greenleft.org.au/2009/803/41318> and <http://www.euronews.net/2009/07/12/greek-police-raid-illegal-immigrant-camp>.
- A 29-year-old Kurdish migrant from Iraq died on 27 July after four months in a coma at a Greek hospital. He had been hospitalised on 3 April after reportedly having been severely beaten by police at the port of Igoumenitsa in western Greece. The Greek Minister of Mercantile Marine has called for the investigation into the case to be re-opened, as the perpetrators have yet to be identified. Source: <http://fortresseurope.blogspot.com/2006/01/pestato-sangue-dalla-polizia-greca-come.html>.
- Another major police raid took place on 30 July 2009, when dozens of undocumented migrants who had been living in squalid conditions were evacuated from two buildings in Athens. The raids are believed to signal the launch of a major crackdown by authorities on thousands of undocumented migrants squatting in abandoned buildings and occurred a few weeks after the eviction of around 600 migrants from the former Athens appeals court building. The owners of the two buildings that were raided were detained by police, who said they were suspected of having charged resident migrants €5 a day each to share dirty, overcrowded rooms. The fate of the evacuated migrants, including 40 women and children, remained unclear. Source: http://www.ekathimerini.com/4dcqi/w_articles_politics_2_31/07/2009_109429.
- Human Rights Watch has called on the Greek government to halt its crackdown on undocumented migrants and to stop moving detained migrants to the north of the country, after reports emerged in mid-July that police had transferred a group of Arabic-speaking people from Chios Island to the Evros border region, where they were secretly forced to cross the border into Turkey. In a statement dated 27 July 2009, the organisation criticised various aspects of the government's immigration policy and expressed its concern that migrants were prevented from seeking asylum, that unaccompanied children were not protected, and that migrants were kept in unacceptable detention conditions and illegally expelled to Turkey. It also called on the European Union to hold Greece accountable for acts contrary to international and European human rights

and refugee law. Source: <http://www.hrw.org/en/news/2009/07/27/greece-halt-crackdown-arrests-migrants>.

Ireland

- The current processing time for applications for permanent residency in Ireland is approximately 22 months, which puts applicants who have become unemployed but are eligible for permanent residency at an increasingly greater risk of becoming undocumented. As no interim provisions have been made to address this situation, the Migrants Rights Centre Ireland and other immigrant organisations have recommended that applicants be granted a one-year renewable permission to stay while awaiting the outcome of their applications. As a result of the organisations' campaign, the Ministers for Justice, Equality and Law Reform and for Enterprise Trade and Employment announced on 28 August that the length of time that a migrant worker has to seek alternative employment would be increased to six months. Sources: MRCI e-bulletin July 2009, page 6, available at http://www.mrci.ie/news_events/documents/e-bulletin2.July2009.doc, and http://www.mrci.ie/news_events/index.htm#WorkPermitsChanges.
- Migrant Rights Centre Ireland will hold a National Briefing on "New policy changes for non-EEA workers in Ireland" in Dublin on 14 September 2009. The briefing will cover the following issues: policy change regarding workers made redundant (cf. above); immigration changes for those working five years or more; arrangements for work permit holders who have become undocumented; and impacts for migrant workers. For more information, please call +353 (0)1 889 7570 or email info@mrci.ie.

Italy

- The Italian government will offer regularisation to irregular domestic workers and carers ("bandanti") through a provision in the so-called Anti-Crisis Decree ("decreto anticrisi"), which became law on 3 August 2009. The decree allows Italian families and long-term foreign residents to register one domestic worker and two carers for a fee of €500 each if they can prove that the irregular migrants have worked in their household since at least April 2009. Those who wish to register carers will have to provide documentation showing that they are in need of care, and domestic workers will have to be paid at least €20,000 per year. As Italy's population is rapidly aging, the bill has gained wide support. The profits from the regularisation, which will be offered from 1 to 30 September 2009, will benefit the Italian National Health Service. Sources: Migration News Sheet August 2009, p. 7, and <http://www.monde-diplomatique.fr/carnet/2009-08-24-Italie>.
- A Jordanian undocumented migrant who was arrested for stealing a bike in Florence is reported to have been the first person to be convicted under the new Italian "security bill", which introduced the crime of irregular entry and stay in August 2009 (see PICUM Newsletter July 2009). By agreeing to pay a fine of €5,000, the man escaped immediate deportation after being convicted on 24 August. However, he may still be expelled after serving a three-month sentence for bicycle theft. Source: http://lanazione.ilsole24ore.com/firenze/2009/08/24/221874-prima_condanna_reato_clandestinita.shtml.
- After long deliberation, the region of Tuscany passed a new regional immigration law ("la legge regionale della Toscana n.29/2009") on 1 June 2009 which addresses the treatment and status of undocumented migrants in the region. While Italy's national law attempts to curb and control the presence of irregular migrants, Tuscany's new law emphasises the basic human rights of all immigrants, regardless of their status, and grants free access to health care and other forms of

socio-sanitary assistance, such as meals at municipal cafeterias and beds in municipally run shelters. The Marche region has a similar law ("la legge della Regione Marche n.13/2009"), which gives migrants who are awaiting a final decision on regularisation access to basic services and integration programmes. At the request of the Minister of Regional Relations, the Council of Ministers is challenging the two laws, claiming that they exceed the jurisdictional power of the regions. Source: <http://www.theflorentine.net/articles/article-view.asp?issuetocId=4616>, <http://www.affariregionali.it/Comunicati/SchedaComunicato.aspx?idComunicato=537> and <http://www.meltingpot.org/articolo14640.html>.

- UNHCR staff in Libya have conducted interviews with 82 migrants who were transported to Libya after being intercepted by the Italian Navy about 30 miles from the Italian island of Lampedusa on 1 July 2009. The interviews suggest that the Italian Navy did not attempt to establish the migrants' nationalities or their reasons for leaving their home countries. The migrants alleged that Italian personnel used force in transferring them to a Libyan vessel and that six of them required medical attention as a result. The individuals, most of whom the UNHCR found to be from Eritrea, also said that their personal belongings, including vital documents, were seized by the Italian Navy during the operation and had not yet been returned. Those interviewed spoke of their distress after four days at sea and said that the Italian Navy did not offer them any food during the 12-hour operation to return them to Libya. Source: UNHCR Briefing Notes - 14 July 2009, <http://www.unhcr.org/4a5c638b6.html>.

Netherlands

- The Dutch Repatriation and Departure Service (Dienst Terugkeer & Vertrek – DT&V) has concluded an agreement with the Belgian authorities whereby undocumented migrants who travel from the Netherlands to Belgium to get documents at the consulate of their country of origin will not be detained, and people who accompany them will not be arrested on suspicion of human trafficking. For more information, please visit <http://www.dienstterugkeerenvertrek.nl/werkwijze/bemiddeling>.

UK

- Many refused asylum seekers, including families with children, have become homeless and have been found to be sleeping on the street and eating from bins, according to a report by the Joseph Rowntree Charitable Trust. The report, "Still Destitute", calls for humanitarian status and the right to work for people from Iraq, Iran, Zimbabwe and Eritrea, who are classified as "unreturnable" due to the impossibility of guaranteeing their safe return to their home countries. The report is the third targeted study of refused asylum seekers in Leeds, where charities trying to sustain this group of migrants are described as being at breaking point. It lists 273 destitute people in the city, including 30 children and 11 elderly dependants, who fall into the "limbo" category. More than a third of the group have been destitute for more than a year and many are developing mental illnesses. Source: <http://www.guardian.co.uk/uk/2009/jul/08/asylum-seekers-rowntree-report>; full report available online at <http://www.irct.org.uk/text.asp?section=0001000200030006>.
- Anne Owers, HM Chief Inspector of Prisons, has issued a short thematic report on "Detainee escorts and removals" which finds worrying gaps and weaknesses in complaints and monitoring processes for the removal of migrants from the UK. Owers argues that the lack of clear and consistent standards of treatment, support and communication heightens the risk of ill-treatment or abuse. The full report is available at http://www.justice.gov.uk/inspectorates/hmi-prisons/docs/Detainee_escorts_and_removals_2009_rps.pdf.

- The UK Border Agency announced in a press release issued on 22 July 2009 that the new “Royal Assent of the Borders, Citizenship and Immigration Act 2009” would create a “unified force” of customs and immigration officers who would share “wide ranging powers” in an effort to increase border security and to “crack down” on irregular migration and the smuggling of drugs and weapons. HM Revenue and Customs staff formally became part of the UK Border Agency on 5 August 2009. Source: <http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2009/july/immigration-act-ukba-customs>.

USA

- US President Barack Obama has announced that he will postpone immigration reform until 2010. Speaking at a news conference in Mexico at the end of a summit meeting of North American leaders on 10 August, Obama said that while he remained committed to pursuing comprehensive immigration reform and to providing a pathway to citizenship for undocumented migrants already living in the US, work on health care, energy and financial regulation would take precedence in 2009. Meanwhile, Janet Napolitano, the Secretary of Homeland Security, took a tough stance on enforcing current US immigration laws during a speech in Texas on 11 August. She defended the government's reliance on programmes started under the previous administration and its assertive strategy against undocumented migrants and their employers. The White House sought to address immigration advocates' and rights groups' strong disappointment and concern about these developments by hosting a private meeting with more than 100 immigration advocates, religious organisations, unions, employers and law enforcement on 20 August. Participants reported that Obama had assured them that he would push for immigration reform even while focusing on the current health care debate. Sources: <http://www.nytimes.com/2009/08/11/world/americas/11prexy.html>, <http://www.nytimes.com/2009/08/12/us/12border.html>, <http://www.immigrantsolidarity.org/cgi-bin/datacgi/database.cgi?file=Issues&report=SingleArticle&ArticleID=1160> and <http://www.politico.com/news/stories/0809/26308.html>.
- Advocacy groups for immigrants have strongly criticised the Obama administration's expansion of a federal effort to identify and deport irregular migrants held in local jails. They argue that the programme has created a climate of fear and paranoia among immigrants and that the majority of people deported so far were arrested for misdemeanours and nonviolent crimes, rather than for serious or violent crimes. Criminal charges had even been dropped in some cases in which immigrants faced deportation. Other measures pursued by the Obama administration, such as audits of employee paperwork at hundreds of businesses and an expanded programme to verify worker immigration status, have also been widely criticised for leading to civil rights violations. Sources: <http://www.nytimes.com/2009/07/26/us/26secure.html> and <http://www.nytimes.com/2009/08/04/us/politics/04immig.html>.
- According to a new study backed by Nassau County, hundreds of federal immigration raids in New York and New Jersey were unconstitutional and armed immigration agents broke the law when they forcibly entered homes. The raids were intended to nab dangerous criminals, but instead resulted in the detention of migrants accused of civil immigration violations but not of any criminal activity. Acting without warrants, the agents carried out searches despite failing to obtain legally required consent in 86 percent of the cases. Nassau police commissioner Lawrence Mulvey said the findings should trigger a federal investigation. Source: <http://www.democracynow.org/2009/7/23/headlines#10>.

- The Obama administration announced on 6 August that it would overhaul the detention system for immigrants. The federal government said it would review contracts with more than 350 local jails and private prisons, with an eye toward consolidating many detainees in places more suitable for noncriminals facing deportation, and that it aimed to establish more centralised authority over the system and more direct oversight of detention centres. One of the first measures to be taken would be to stop sending families to the T. Don Hutto Residential Center, a former state prison near Austin, Texas, which drew an American Civil Liberties Union lawsuit and scathing news coverage for putting young children behind razor wire. As a response to widespread criticism about the mistreatment of immigrants in detention, the Immigration and Customs Enforcement agency (ICE) also announced that it was establishing an Office of Detention Policy and Planning to re-evaluate the entire detention system, with key areas of focus including health care management and alternatives to detention. On 17 August the Obama administration moreover admitted that more than one in 10 deaths in immigration detention in the last six years had been overlooked and were omitted from an official list of detainee fatalities, which was issued to Congress in March and included the names of 90 individuals. The revised roster now lists 104 fatalities. Sources: <http://www.nytimes.com/2009/08/06/us/politics/06detain.html>, <http://www.reuters.com/article/topNews/idUSTRE5750MW20090806> and <http://www.nytimes.com/2009/08/18/us/18immig.html>.
- Walt Staton, the humanitarian worker who had been found guilty in June 2009 of “knowingly littering” for leaving plastic water jugs for undocumented immigrants crossing the Buenos Aires Wildlife Refuge near the US-Mexico border in Arizona (see PICUM Newsletter July 2009), has been sentenced to 300 hours of community service and one year of unsupervised probation. Staton is also banned from entering the refuge for one year. In a press release dated 12 August 2009, “No More Deaths”, the organisation for which Staton volunteers, accused the US Attorney’s office of having politicised the case, and stressed that it consistently incorporates trash cleanup into its regular patrols and removes hundreds of bags of trash from the southern Arizona desert to mitigate the environmental impact of US border policy, which has been focused on channelling unauthorised migration into remote and fragile desert areas. The organisation also reported that 2009 was set to be one of the deadliest years on record along the Arizona-Mexico border, and that the bodies of seven undocumented migrants had been recovered in southern Arizona in the week before Staton’s sentencing alone. Source: <http://www.nomoredeaths.org/index.php/Press-Releases/humanitarian-convicted-of-littering-sentenced-to-community-service-banned-from-refuge.html>.
- New York State Attorney General Andrew Cuomo announced on 19 August that two firms on Long Island and one in New York City would be shut down after accusations that they defrauded thousands of clients by falsely claiming that they were qualified to provide legal assistance and could help undocumented immigrants obtain residence permits. Cuomo added that civil suits would also be brought against three additional firms as part of an ongoing investigation into fraudulent immigration assistance firms. In the week prior to Cuomo’s announcement, the New York Times had published an article which reported that, while scams involving people who pose as licensed immigration consultants have been common for years, undocumented migrants are also increasingly exploited by unscrupulous lawyers who charge clients thousands of dollars and profit from migrants’ inability or reluctance to complain to the authorities when they are defrauded. Sources: <http://www.newsday.com/long-island/nassau/cuomo-shuts-down-phony-immigration-aid-firms-1.1383577> and <http://www.nytimes.com/2009/08/15/us/15utah.html>.

3. European Policy Developments

General

- The interior ministers of Serbia and Slovenia, Ivica Dačić and Katarina Kresal, signed a protocol in Ljubljana on 8 June on the implementation of an agreement between the European Union and Serbia which regulates the readmission of irregular immigrants. Source: <http://www.marri-rc.org/Default.aspx?Lan=EN&mid=30&eid=669>.
- The Spanish Prime Minister, José Luis Rodríguez Zapatero, discussed immigration issues during a joint press conference with his Greek counterpart, Costas Karamanlis, in Madrid on 13 July. Zapatero announced that the strengthening of European immigration policy and border controls and the promotion of cooperation and readmission agreements with countries of origin and transit of irregular migrants would be among the goals of the Spanish Presidency of the EU in the first half of 2010, and argued that readmission agreements should be concluded at the EU level, rather than by individual member states. He added that the EU could follow the model provided by Moroccan-Spanish agreements, even though these have drawn heavy criticism from human rights organisations due to concerns about unlawful expulsions, lack of due process, breach of the principle of non-refoulement, and excessive use of force by Moroccan and Spanish security forces. Sources: http://www.elmundo.es/elmundo/2009/07/13/union_europea/1247500139.html and <http://www.amnesty.org/en/library/asset/MDE29/012/2007/en/67f977c8-a71b-11dc-bf49-a1e867231d5c/mde290122007en.pdf>
- Greece has arranged for the European Union to step in to settle its ongoing dispute with Turkey over cases of irregular migration across the Aegean Sea. The foreign ministers of the two countries and representatives of organisations combating irregular migration have been invited to a meeting in Brussels in September. Greece argues that Turkey is not fulfilling its responsibilities arising from an agreement between the two countries on the readmission of irregular migrants who traverse Turkish territory to enter Greece. It had long been trying to secure the EU's involvement in the issue and, in June, had managed to ensure that Turkey was referred to in the concluding declaration of an EU summit with respect to irregular migration. Turkey has objected both to being referred to in the declaration and the involvement of the EU in the settlement of its dispute with Greece. It has demanded that the EU share the costs of combating undocumented migration. Source: <http://www.todayszaman.com/tz-web/news-183156-102-eu-to-mediate-turkish-greek-dispute-over-illegal-migration.html>.

European Commission

- In response to Italian pleas for more coordinated EU action on migration after the reported deaths of a group of more than 70 migrants on the way from Libya to Lampedusa in August (see “Death on the Border” section above), Sweden's Foreign Minister Carl Bildt said on 23 August that the European Union would issue new immigration policy proposals by the end of October. Bildt said that a first proposal would address the distribution criteria for immigration flows among the 27 member states, and that the European Commission would issue a policy draft in time for a scheduled meeting of EU foreign ministers in October. On 2 September, the European Commission proposed the establishment of a “Joint EU Resettlement Programme” for the resettlement of refugees from third countries to an EU member state. Source: <http://www.euractiv.com/en/socialeurope/tragedy-triggers-plans-new-eu-immigration-policy/article-184752#> and

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/09/1267&format=HTML&aged=0&language=EN&guiLanguage=en>.

- In a bid to determine whether Italy is breaching its obligations under international and EU law, the European Commission is pressing the Italian government to provide full information on its new immigration law (see PICUM Newsletters June and July 2009) and its policy of returning undocumented migrants to their point of departure. Jacques Barrot, the European Commissioner for Justice, Freedom and Security, held talks with Roberto Maroni, Italy's Interior Minister, on the margins of a meeting of justice and home affairs ministers in mid-July, and picked up on issues he set out in a letter sent to Rome on 15 July. Although the Commission did not reveal what questions it had posed about Italy's immigration law, it confirmed that it was concerned about Italy's decision to return to Libya a group of 82 mostly Eritrean migrants who were picked up off the coast of Lampedusa on 1 July. Moreover, a European Commission spokesperson told Italian reporters on 31 August that the Commission had also requested that Italy explain its decision to return another 75 migrants to Libya on 30 August, even though the group included 15 women and three minors who were probably from Eritrea and Somalia. This prompted an angry reaction from the Italian Prime Minister, Silvio Berlusconi, who suggested that Commission spokespeople and even the commissioners themselves should not speak publicly and threatened to block the functioning of the European Council if public statements were not limited solely to the President of the Commission or his immediate spokesperson. Sources: <http://www.europeanvoice.com/article/imported/commission-questions-italy%27s-immigration-policy/65570.aspx>, <http://euobserver.com/843/28607> and <http://www.lastampa.it/redazione/cmsSezioni/politica/200908articoli/46848girata.asp>.
- The European Union will soon undertake political talks with Turkey and Libya to seek help in cracking down on people-smuggling rings and stemming the flow of undocumented migrants to Europe. At a meeting of EU justice and home affairs ministers in Stockholm in July, EU Justice Commissioner Jacques Barrot told reporters that he was planning to travel to Libya after the summer break and to Turkey in September or October. He said that the EU wanted Turkey and Libya to agree to take back undocumented migrants who departed from their coasts, and that it was asking Libya – whose government has not signed the Geneva Convention on human rights – to agree to protect persecuted people and make it easier for them to seek asylum there. Human rights organisations and the UNHCR have harshly criticised bilateral readmission agreements between Italy and Libya (see, for example, <http://www.statewatch.org/news/2009/jul/italy-libya.htm>), and even the European Commission itself has examined whether Italy is breaching international law by returning migrants to the North African country (see preceding item). Source: http://www.google.com/hostednews/afp/article/ALeqM5gbe-kxWEV_VNW3IrdBmmrPfrEmwg.

4. Health Care

- The Italian NGO EveryOne conducted surveys in several hospitals in Rome and Milan, announcing on 2 July 2009 that it had found that the number of migrants seeking medical care had dramatically fallen due to migrants' fear of being denounced to the police after the introduction of Italy's new Alien Law. (See PICUM Newsletters June and July 2009.) The number had fallen by almost 35% in the three weeks preceding the publication of the survey results, with one hospital in Milan experiencing a 75% drop in the number of migrants who sought medical care. Source: Migration News Sheet August 2009, p. 6.

- A network of interest groups, organised in the Broad Medical Consultation (Breed Medisch Overleg - BMO), has issued a report on the new Dutch health care system for undocumented migrants that has been implemented through the Health Care Insurance Board (College voor Zorgverzekeringen – CVZ) since 1 January 2009. (Cf. PICUM Newsletters July and November 2008 and January 2009.) The report surveys the first six months of the system's implementation, from January through June 2009, and highlights issues such as the insufficient provision of information to health care professionals and patients, the limited number of pharmacies and hospitals that provide services to undocumented migrants who are unable to pay, and the lack of access to compensation for certain types of care, such as dental care (for patients older than 22) and physiotherapy. The report is available at <http://www.lampion.info/home/nieuws/7/332>. In its first official monitoring report to the Ministry of Health, Welfare and Sport on 31 March 2009 (http://www.lampion.info/uploads/site_1/Pdf/Documenten/Lampion/Monitor%20gefinancierde%20Ozorgverlening%20illegale%20vreemdelingen.pdf), CVZ had reported that, with the introduction of the new system, medical care for undocumented migrants in the Netherlands was well organised.
- In a new report published by the Dutch organisation Pharos (a “knowledge and advisory centre on refugees, migrants and health”), Janneke Wolswinkel concludes that undocumented migrants less frequently seek treatment by general practitioners and for more serious illnesses than other patients. Having collected data on 1,147 undocumented patients at the offices of 11 general practitioners in the Netherlands, Wolswinkel found that undocumented women were less likely to use birth control, and that undocumented migrants with dental problems often visited their general practitioner rather than a dentist. The report (in Dutch) is available online at http://www.lampion.info/uploads/site_1/Pdf/Documenten/Lampion/Morbiditeitongedocumenteerd2009.pdf.
- A study conducted at two urban health care centres for vulnerable populations in Lausanne, Switzerland, has found a high prevalence of tuberculosis in undocumented migrants. The authors argue that undocumented patients' lack of health insurance increases their risk of developing the disease unnoticed, and that the low adherence to treatment is an important public health concern. “Screening for latent tuberculosis infection among undocumented immigrants in Swiss healthcare centres; a descriptive exploratory study” is available online at <http://www.pubmedcentral.nih.gov/articlerender.fcgi?artid=2667187>.
- By stating that “there should not be any significant change for either primary or secondary care”, a press release issued on 20 July by the joint Department of Health/Home Office review group on foreign nationals' access to treatment under the National Health Service (NHS) in England has dispelled rights groups' fears that it would introduce restrictions on undocumented migrants' access to primary health care and other health services. While undocumented migrants and failed asylum seekers may currently obtain free access to primary healthcare at general practitioners' discretion, the government had expressed its intention to apply a charging regime similar to that employed for secondary care (e.g. hospital treatment and specialist care) for those not “ordinarily resident” in the UK. A new set of proposals – including the proposition that unaccompanied children and refused asylum seekers who cannot be returned to their country of origin should be exempt from NHS charges – will be discussed during a government consultation later this year. Source: Migrants Rights News, August 2009, pp. 4-5, available online at http://www.migrantsrights.org.uk/downloads/newsletters/MRN_Newsletter_Aug09.pdf.
- Health care for undocumented migrants has emerged as one of the most divisive issues in the current debate about health care reform in the United States. While opponents of Barack Obama's reform plans claim that he intends to provide health insurance to undocumented

migrants, the US President has insisted that, while undocumented migrants will continue to have access to emergency care, they will be excluded from any coverage under the proposed new health insurance legislation. Source: <http://features.csmonitor.com/politics/2009/08/25/healthcare-and-immigration-converge-explosively>.

- Doctors without Borders (Médecins Sans Frontières – MSF) has published a report entitled “Migrants, refugees and asylum seekers: Vulnerable people at Europe’s doorstep”, which discusses the organisation’s projects for migrants in Italy, Greece, Malta and Morocco. MSF highlights the lack of adequate medical assistance on the border shores of Europe, calls for minimum standards in the reception of migrants, and denounces the systematic detention of asylum seekers and vulnerable groups. Source: <http://doctorswithoutborders.org/publications/article.cfm?id=3693&cat=special-report>.
- Dokters van de Wereld (Médecins du Monde) will organise a seminar on the duty to provide health care to undocumented migrants in Amsterdam on 15 October 2009. The event will examine measures that can be taken to overcome the obstacles health care providers face in treating undocumented migrants. For more information, please visit www.doktersvandewereld.org.
- Santé Mentale et Exclusion Sociale (SMES) Europa will hold a seminar entitled “Invisible Wounds - Dignity and Vulnerability: Integration through active participation and inclusive solidarity” in Athens on 18-20 November 2009. The seminar will examine mental health issues within the context of migration. Please visit www.smes-europa.org for more information.
- A new informational video by MEDOC/ Dokters van de Wereld (Médecins du Monde), entitled “Looking for Care and Undocumented” (“Op zoek naar zorg en zonder papieren”), provides practical advice to undocumented migrants on how to seek medical care in the Netherlands. The DVD is in Dutch, but is also available with a French or English voice-over track. It can be ordered online at <http://www.doktersvandewereld.org/cms/publish/content/showpage.asp?pageid=967> or through the Dokters van de Wereld secretariat (phone: +31 (0)20 4652866, email: info@doktersvandewereld.org).

5. Labour and Working Conditions

- The Spanish government decided on 12 June 2009 to grant a residence permit on exceptional grounds to Edgar Franns Rilles, an undocumented Bolivian migrant whose arm was cut off in May by a kneading machine in a bakery in Real de Gandia, Valencia, where he was working without a contract. (See PICUM Newsletter July 2009.) The man had alleged that, after the incident, the bakery’s owner and his two sons had left him 200 metres from the local hospital and had warned him not to tell the authorities where the incident had occurred. The Minister for Employment and Immigration, Celestino Corbacho, promised that if these accusations were found to be true, the bakery owner would be punished to the fullest extent of the law. During the labour inspections which followed the incident, inspectors had also been shocked to find that all safety mechanisms had either been removed or were not used, so that the bakery could work more quickly and produce more bread. They had ordered the bakery to be closed due to a lack of hygiene and the poor state of its equipment and electrical system. Source: Migration News Sheet July 2009, p. 5.
- A team from the International Organization for Migration (IOM) completed an assessment mission in San Nicola Varco, a town approximately 100 kilometres south of Naples, Italy, where up to a

thousand irregular migrants are squatting in abandoned structures, amid piles of rubbish and without running water or electricity. The migrants, all of them young men from Morocco who are employed without contracts as seasonal workers in the agricultural sector, said they were being exploited by employers who pay them between €15 and €25 a day to work from 4:30 am to 4:00 pm. The Italian Ministry of Interior and local authorities asked the IOM to carry out an assessment in the area, and IOM's Chief of Mission in Italy, Peter Schatzer, said that the migrants' living and working conditions were unsafe, insalubrious and undignified. He added that the mission found that most of them were victims of fraud: they had paid someone in their country of origin to find a job for them, but upon arriving in Italy they had found that their employers had either disappeared or refused to employ them. Without a work permit, many became victims of systematic exploitation. The IOM team interviewed more than 200 migrants. Source:

<http://www.iom.int/jahia/Jahia/media/press-briefing-notes/pbnEU/cache/offonce?entryId=25741>.

- A 56-year-old Uruguayan undocumented worker died in Playa Paraíso on the Canary island of Tenerife on 25 July after suffering a heart attack while working on renovations in a local bar. The witness who called the emergency services accused the owner of the bar of refusing to provide immediate assistance and of asking for help in dragging Luis Beltrán Larrosa into the street. The victim's son moreover believes that three hours passed before his father was taken to the hospital. The owner of the bar, whose family denied he had ever employed the victim, is now being investigated for a possible failure to provide first aid and for reckless homicide. Sources: <http://www.publico.es/espana/243837/papeles/muere/omision/socorro> and <http://www.laopinion.es/sucesos/2009/08/13/larrosa-llego-hospital-tres-horas-despues-desvanecerse/237462.html>.
- More than 1,300 German police and customs agents were involved in nationwide raids on 180 Chinese restaurants on 17 August. The restaurants were suspected of having falsified documents to obtain visas for Chinese specialty cooks, who were then exploited as "modern-day slaves" and forced to work for hourly wages of less than €3. The victims' passports were taken away by the restaurants' owners, who are now being investigated for organised smuggling and trafficking in human beings, labour exploitation, and for their failure to pay social security contributions for their employees. The newspaper "Neue Osnabrücker Zeitung" moreover reported that, according to the State Investigation Bureau (Landeskriminalamt – LKA) of the federal state of Lower Saxony, catalogues circulate among Chinese restaurants that allow them to easily "order" workers from China. Sources: <http://www.spiegel.de/wirtschaft/soziales/0,1518,643274,00.html> and http://www.neue-oz.de/information/noz_print/nordwest/20090817_china_restaurants.html.
- The General, Municipal, and Boilermakers' Union (GMB) in the UK declared at its Annual Congress 2009 that "strong consideration" should be given to an amnesty or sustainable regularisation of undocumented migrant workers as a step towards ending workplace exploitation. The union argued that the work registration scheme and civil penalty regime introduced in February 2008 has had a serious impact on the employment rights of a wide range of migrant workers, and that it has increased discrimination and exploitation. Sources: Final Agenda of the GMB Congress 2009, <http://www.gmb.org.uk/files/98741/FileName/FinalAgenda20092.pdf>, page 44, and http://www.morningstaronline.co.uk/britain/gmb_agrees_to_back_immigrant_amnesty.
- A new report by the International Labour Organization, entitled "The global economic crisis and migrant workers: Impact and response", analyses the actual and potential impact of the global crisis on both regular and irregular migrant workers. The report finds that the impact of the crisis has been differentiated, and that factors such as the destination country, the sector of employment, regularity vs. irregularity of status, and the occupational distribution of migrant

workers have played an important role. It argues that the application of labour laws to migrant workers should be closely monitored so as to ensure that legal conditions of work are respected, and that migrant workers' civil, economic, social and cultural rights should be strictly observed in efforts to curb irregular migration. The report is available at http://www.ilo.org/public/english/protection/migrant/download/global_crisis.pdf.

- The Cato Institute's Center for Trade Policy Studies has published a report by Peter B. Dixon and Maureen T. Rimmer which examines the possible economic benefits of the regularisation of undocumented migrants in the United States. Entitled "Restriction or Legalization? Measuring the Economic Benefits of Immigration Reform", the study finds that a regularisation of low-skilled undocumented workers could lead to a 1.27 percent increase in GDP, amounting to USD 180 billion, and create more openings for US Americans in higher-skilled positions. The report is available at <http://www.freetrade.org/pubs/pas/tpa-040es.html>.
- A new report on violations of employment and labour laws in the United States calls for policy initiatives that prioritise equal protection for both documented and undocumented workers and ensure status-blind enforcement of employment and labour laws. Based on a 2008 survey of 4,387 workers in low-wage industries in New York City, Los Angeles and Chicago, the study, titled "Broken Laws, Unprotected Workers: Violations of Employment and Labor Laws in America's Cities", finds severe and widespread violations and systematic wage theft across all industries. It reports an especially high rate of violations for undocumented women, 47.4 percent of whom had experienced minimum wage violations in the week prior to the survey. The full report is available at http://nelp.3cdn.net/1797b93dd1ccdf9e7d_sdm6bc50n.pdf.
- Migrant Rights Centre Ireland will hold a seminar on "Strategies for Tackling Forced Labour" in conjunction with the Irish Congress of Trade Unions and the Anti Human Trafficking Unit of the Department of Justice, Equality and Law Reform in Dublin on 1 October 2009. Roger Plant of the Special Action Programme to Combat Forced Labour, International Labour Organisation, will give the keynote address. For more information, please email edel@mrci.ie.

6. Undocumented Children

- Italian magistrates have warned that the government's new security bill will violate the basic human rights of immigrants and their children. (See PICUM Newsletters June and July 2009.) The judiciary's self-governing body, the Supreme Council of Magistrates (Consiglio Superiore della Magistratura – CSM), has said that undocumented children would be "deprived of their identity" by a measure requiring parents to show a residence permit when requesting a birth certificate. The CSM stated that this violates the United Nations Convention on the Rights of the Child, which guarantees minors the right to personal identity and to citizenship from birth. The CSM also warned that the measure could result in children being more vulnerable to illegal adoptions. Source: FEANTSA Flash newsletter for June/July 2009, available at <http://feantsa.horus.be/code/EN/pg.asp?Page=1218>.
- The Swedish government has appointed a commission with the task of determining whether undocumented children have the right to attend school under Swedish law. Speaking to "Sveriges Radio", Education Minister Jan Björklund said that, if his party stayed in power after the next election, legislation would be passed to give all children in Sweden access to schooling. Source: <http://www.thelocal.se/21514/20090817>.

- French human rights organisations such as CIMADE and Ligue des Droits de l'Homme (the League for Human Rights) have expressed their concern about the increasing number of undocumented children who are held in French detention centres with their parents. The organisations argue that the detention of children in the centres' family zones is illegal under the International Convention on the Rights of the Child. Moreover, the French Ombudsperson for Children (Défenseure des enfants), Dominique Versini, has rejected the argument of Eric Besson, the French Minister of Immigration, that it is necessary to detain children with their parents in order to preserve family unity. In a statement on 14 August, she argued that children who have not committed any offence should not be deprived of their freedom and suggested that families awaiting deportation should be put under house arrest instead. Sources: http://www.lexpress.fr/actualite/societe/debat-autour-de-la-retention-des-enfants_780179.html and http://www.lexpress.fr/actualites/1/retention-la-defenseure-des-enfants-preconise-l-assignation-a-residence_780390.html.
- The UNHCR said it was “shocked” at the conditions at the detention centre at Pagani on the Greek Island of Lesbos and “alarmed” by the detention of unaccompanied children. A delegation from the UN refugee agency visited the detention facility after activists released a video recorded inside the centre by unaccompanied minors. The video (available online at <http://lesvos09.antira.info/2009/08/voices-from-the-inside-of-pagani-detention-centre-children>) showed the cramped and unsanitary conditions at the centre, which has a capacity of 250 but houses a total of more than 800 persons. The detainees reported that even seriously ill minors did not receive medical treatment, and an estimated 150 children, ages 12 to 17, went on a hunger strike between 18 and 21 August and released a letter protesting the conditions in which they were kept. The UNHCR and human rights organisations called for the creation of a greater number of special centres for unaccompanied minors, and the Greek Ministry of Health and Social Solidarity responded by announcing that the unaccompanied minors at Pagani would be transferred to special reception facilities by the end of the month and that new reception centres would be created. However, Human Rights Watch reported that the release of around 120 children to open accommodation centres on August 20 and 22 was putting additional pressure on facilities which already run beyond their capacity and accused Greece of neglecting its obligations under the Convention on the Rights of the Child. Possibly more than 100 unaccompanied minors remain in detention. Sources: <http://www.un.org/apps/news/story.asp?NewsID=31876&Cr=UNHCR&Cr1=>, <http://www.hrw.org/en/news/2009/08/23/greece-create-open-centers-migrant-children>, http://www.monstersandcritics.com/news/europe/news/article_1497366.php/UNHCR-calls-for-creation-of-more-child-immigrant-centres-reported-in-142-on-Monday, and UNHCR Greece Press Review 14 – 21 August 2009 (sources cited: Rizospastis 15 August, www.tvxs.gr, 20 August / Eleftherotypia, 19 August / Eleftherotypia, 18 & 21 August, Ta Nea, Avgi 21 August).
- The UN Special Rapporteur on the human rights of migrants, Jorge Bustamante, has submitted a report to the Human Rights Council highlighting his concerns regarding migrant children in 2008. Stressing states' obligation to ensure that children are protected in all stages of the migration process, the Rapporteur presents an overview of the international legal framework applicable to migrant children and refers to the human rights issues facing three categories of children affected by the migration process: those left behind by migrating family members; migrant children moving across borders; and migrant children in host countries. The report makes numerous references to undocumented children, both unaccompanied and with their families, whose rights are eroded through the criminalisation of irregular migration. Often unable to have their births registered, these children face barriers in accessing health and education services, while the lack of regularisation and employment possibilities for irregular migrants also has an adverse impact on

these children's standard of living. The full report is available online at <http://www2.ohchr.org/english/bodies/hrcouncil/docs/11session/A.HRC.11.7.pdf>.

7. Undocumented Women

- The OSCE has published a "Guide on Gender-Sensitive Labour Migration Policies". This guide aims to encourage states to include gender-sensitive measures in their labour migration policies. Its main focus is on the fact that female migrant workers often experience different disadvantages than men at all stages of the migration process, due to their status, the nature of the employment sector and type of educational requirements, as well as due to stereotyped roles of men and women. The lack of policies geared towards female migrant workers' specific needs, limited legal channels for female migrant workers, and other exclusion from legislation make women particularly vulnerable to discrimination and exploitation. In the worst case, they risk becoming victims of human trafficking. The report is available at <http://www.osce.org/item/37689.html>.
- The International Labour Organization (ILO) has published a working paper entitled "The Gender Dimension of Domestic Work in Western Europe", which focuses on women migrant workers, many of whom are undocumented. While these women occupy one of the largest female-dominated occupations, they are among the least protected workers under labour legislation. Due to the absence of specific provisions to grant regular entry for this sector and the increasing demand for household and care services, domestic work attracts a large number of undocumented women. Hidden from law enforcement authorities, including labour inspectors, they often find themselves excluded from the effective protection of existing labour law and isolated from the support networks of the family and community. The report seeks to identify existing regulations, rules and practices in selected countries and highlights strategies various actors can adopt to improve their situation. It is available online at <http://www.ilo.org/public/english/protection/migrant/download/imp/imp96.pdf>.
- The United Nations Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the body of independent experts that monitors implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families by its State parties, will hold a day of general discussion on Migrant Domestic Workers in Geneva on 14 October 2009. The discussion day will assist the Committee in responding to concerns about migrant domestic workers during its examination of states' reports and in formulating recommendations that may contribute to the International Labour Conference in June 2010, which will take up the issue of domestic workers and discuss the need for drafting an international instrument for their protection. The discussion day is a public meeting and government representatives, United Nations bodies and specialised agencies, inter-governmental organisations, non-governmental organisations and individual experts are welcome to attend. For more information, please visit <http://www2.ohchr.org/english/bodies/cmw/index.htm>.
- An "International Centre on Development and Decent Work" was established at the University of Kassel in Germany in July 2009. One of the centre's first projects is entitled "Empowering migrant domestic workers" and focuses on strategies and experiences from Latin America, Asia, South Africa and Europe. Research will also be conducted on the ILO process of a standard-setting instrument for domestic work and on how labour rights can also be achieved for undocumented domestic workers. The project's coordinator, Helen Schwenken, can be contacted at Helena.Schwenken@uni-kassel.de.

- The Belgian NGO Le Monde selon les femmes is seeking materials for inclusion in its catalogue “Femmes migrantes aux reflets multiples”, which provides information to associations about available awareness-raising tools and artwork on the subject of women and migration. If you have any materials you would like to share (including CDs, films, photos, etc.), please contact Françoise Mukazi at fm@mondesfemmes.org or +32 (0) 2 211 00 26. The 2006 edition of the catalogue is available online at <http://www.mondefemmes.org/pdf/docpdf/catmig.pdf>.

8. Upcoming Events

- The Department of Sociology at City University in London will host an “International Workshop on Undocumented Migrants: Policy, Politics, Motives and Everyday Lives” on 10 September 2009. Scholars from several countries will present the drafts of seven papers whose final versions will later be published in a special issue of the journal Ethnic and Racial Studies. A small group of experts in the field of undocumented migrants has also been invited to participate in the workshop. For more information, please contact Alice Bloch, Professor of Sociology, at a.bloch@city.ac.uk.
- Both regular and irregular migrant children and adolescents joined grown-up artists to create pictures and posters as part of an art competition in Switzerland. Some of their artwork is now being shown in a travelling exhibition, which will premiere at the Quartierszentrum of the Bäckeranlage in Zurich from 3 to 13 September. For more information, please visit <http://www.sans-papiers.ch/site/index.php?id=134>.
- The theme of the 14th International Metropolis Conference in Copenhagen on 14-18 September will be “Migration and Mobility: National Responses to Cultural Diversity”. The conference will examine various migration and diversity issues and will include a plenary session on “Irregular Migration and Labour Market Activities”. For more information, visit www.metropolis2009.org.
- The Italian documentary film “Come un Uomo sulla Terra” (“Like a Man on Earth”), about the detention of African migrants in Libya, will be presented as part of the “Festival International Millenium” at the Vendôme cinema in Brussels at 7:45 pm on 25 September. For more information, please visit <http://comeunuomosullaterra.blogspot.com/2008/01/since-2003-italy-and-europe-have-asked.html> and http://www.festivalmillenium.org/index_fr.html.
- “Entering Europe”, an exhibition of photos by Joël van Houdt at Gemak in The Hague, documents a Moroccan man’s journey from Morocco to the Spanish island of Lanzarote. Van Houdt accompanied the man, named Mohamed, as he tried to escape from what he saw as a dead-end life in his native land, and van Houdt’s photos show the preparations for the trip, failed attempts to reach Europe, and Mohamed’s immediate arrest when he eventually arrives in Spain aboard a ramshackle little boat carrying 28 undocumented migrants. The “Entering Europe” exhibition continues at Gemak until 27 September 2009. For more information, please visit www.gemak.org.
- The EU Ministerial Conference “Towards Global EU Action Against Trafficking in Human Beings” will be held in Brussels on 19-20 October 2009 on the occasion of the third EU Anti-Trafficking Day. The Swedish EU Presidency seeks to bring together high-level representatives from a number of EU agencies, the European Commission and intergovernmental and non-governmental organisations to identify practices and recommendations on how to best prevent and combat trafficking in human beings through the formation and strengthening of global partnerships. For

more information, please visit http://www.se2009.eu/en/meetings_news/2009/10/19/towards_eu_global_action_against_trafficking_in_human_beings.

9. Publications

- A new paper by Stephen H. Legomsky of the Washington University School of Law in St. Louis uses a dialogue between two fictional professors to examine different views on undocumented migration and the appropriate policy responses. The paper encourages a fuller and more balanced public discourse on proposed immigration policies and argues for generally lenient policy responses to undocumented immigration. "Portraits of the Undocumented Immigrant: Epiphany Through Dialectic" was published in the Georgia Law Review and is available online at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1372171.
- The fifth edition of "Sans-papiers mais pas sans droits" ("Undocumented but not without rights") assesses and clarifies the fundamental rights of undocumented migrants in France. Addressed to undocumented migrants and those who accompany them, the publication examines several different categories of rights: health, family, children, financial assistance, daily life, work, rights of the elderly, housing, justice and citizenship. Source: http://www.gisti.org/publication_pres.php?id_article=1615.
- A special issue of the German-language borderline-europe magazine examines the European Union's border policies and their deadly consequences. "Das Sterben an den EU-Außengrenzen" ("Death at the EU's External Borders") uses both text and images to document the situation along the EU's external borders, and also discusses issues such as the criminalisation of assistance to migrants. For more information and to purchase a copy of the magazine, please visit http://www.borderline-europe.de/news/news.php?news_id=49.

10. PICUM News

- PICUM is currently an associate partner in the European project "NowHereLand: Improving services for Undocumented Migrants in Europe", coordinated by the Danube University Krems (Austria) and financially supported by the European Commission – DG SANCO. As part of this project, the Task Force on Migrant-friendly Culturally Competent Healthcare of the Health Promoting Hospital and Health Services network (HPH-TF MFCCH) is collecting information regarding health care services available for undocumented migrants in Europe. This collection will serve to establish a publically accessible database of practices and select 3-5 models of good practice to promote at the EU level. NGO providers of health care services to undocumented migrants are invited to complete the online questionnaire on the NowHereLand project website at <http://www.nowhereland.info>. For more information on this questionnaire, please contact Antonio Chiarenza and Benedetta Riboldi at TFMFCCH@ausl.re.it.

11. Miscellaneous

- The Global Development Network (GDN) is accepting submissions of research proposals and/or completed research papers on the theme of "International Migration: Crossing Borders, Changing Lives" as part of the Global Development Awards and Medals Competition 2009. The GDN is an international organisation of researchers, policy and research institutes promoting the generation,

sharing and application to policy of multidisciplinary knowledge for the purpose of development, and the Global Development Awards and Medals Competition is one of the biggest annual international contests in the field of development research. The competition is open to researchers from developing and transition countries and submissions are welcome from all social science disciplines. For more information, please visit www.gdnet.org/~2009awards or send an email to awards@gdnet.org.

- The “Sisyphus” working group of the German organisation Zusammenarbeit mit Osteuropa (ZMO, “Cooperation with Eastern Europe”) has produced a film documenting its project “Unsichtbares sichtbar machen” (“Making the invisible visible”). The project examines issues such as asylum, deportation and detention in the Treptow-Köpenick area of Berlin. The project DVD can be ordered at a cost of €10 by emailing gruppesisyphus@gmx.de or calling +49 30 567 33 754.

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