



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

## PICUM Newsletter April 2006

*Finalized on April 6, 2006*

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](http://www.picum.org)) in the following languages: English, German, Dutch, Spanish, French, Italian and Portuguese. You are invited to distribute this newsletter widely.

**Do you want to contribute to a humane policy of respect of human rights of undocumented migrants?**

**DONATE TO PICUM!**

Your contribution means we can continue to fight the marginalisation and exploitation of undocumented migrants.

You are invited to donate to PICUM by transferring your singular or regular contribution to account number 001-3666785-67 (Fortisbank, Schepdaal (B), IBAN: BE93 001366678567). Please mention your name and address, and reference: "donation".

**THANK YOU !**

### Index

- [1. Death at the Border](#)
- [2. News from EU Member States + Switzerland + U.S.A.](#)
- [3. European Policy Developments](#)
- [4. Upcoming Events](#)
- [5. Publications](#)
- [6. Miscellaneous](#)

### **1. Death at the Border**

- An immigrant drowned and five others were detained on the islet of Oinousses, close to Chios (Greece), after their inflatable dinghy sunk 30 meters from shore on 19 February. The 25-year-old Afghan national did not know how to swim and his compatriots were unable to help him. A patrol boat later found the man's body about 300 meters from shore. The five survivors told police they had set off from the Turkish coast to cross into Greece. (*Kathimerini*, 20 February)

- The body of an unidentified migrant woman, who was apparently trying to cross the Greek-Bulgarian borders on foot and died of exposure to extreme cold, was found on Mount Falakron. (*Kathimerini*, 16 February)
- The conditions under which a 15-year-old Afghan was injured and his 16-year-old cousin died on 13 February in Patras (Greece) remain unclear. According to some Afghan migrants, who have been living in a camp near the port, the boy was beaten by coast guards while he was trying to sneak into a truck due to board a ferry to Italy. The group also testified that the 16-year-old died of shock upon seeing the alleged beating of his cousin. The Greek Port Authority refuted the beating charges and said the boy had sustained his injuries after jumping off some railings during the chase. (*Kathimerini*, *Rizospastis*, *Traffic*, *Ta Nea*, *Eleftherotypia*, *Ethnos*, *Rizospastis*, 15 February / *Ethnos*, *Rizospastis*, *Avgi*, 16 February; *Eleftherotypia*, *Chora*, *Epohi*, 21 February)
- Hundreds of undocumented migrants continue to arrive to the Canary Islands from Mauritania. Mr. Ahmed Ould Haya, Director of the Red Crescent in Mauritania, said that more than 1,200 people have died in the past months while trying to reach the Spanish islands. Most of these migrants are young, Sub-Saharan Africans, who face great risks since nearly 40% of all of the small boats that make the crossing from Mauritania to the Canary Islands result in shipwrecks. (See sections on "Spain" and "European Policy Developments" in this month's newsletter for related news items).  
[http://www.canalsolidario.org/web/noticias/noticia/?id\\_noticia=7523](http://www.canalsolidario.org/web/noticias/noticia/?id_noticia=7523)  
<http://fr.allafrica.com/stories/200603090379.html>

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

### **General**

- In the last five years, the number of asylum-seekers arriving in all industrialized countries has fallen by half, according to preliminary annual figures released on 17 March by the United Nations High Commissioner for Refugees António Guterres. "These figures show that talk in the industrialized countries of a growing asylum problem does not reflect the reality," said High Commissioner António Guterres. In the 25 countries of the European Union, as well as in Europe as a whole, the number of asylum-seekers last year was the lowest since 1988. "Despite public perceptions, the majority of refugees in the world are still hosted by developing countries such as Tanzania, Iran and Pakistan," said Guterres. [www.un.org/apps/news/story.asp?NewsID=17838&Cr=asylum&Cr1=](http://www.un.org/apps/news/story.asp?NewsID=17838&Cr=asylum&Cr1=)
- More than 900 people have registered for the Second World Social Forum on Migration, which will take place in Rivas-Vaciamadrid (Spain) from 22-24 June 2006. The worldwide reunion will stimulate dialogue and the sharing of proposals, workshops, seminars, and cultural activities related with different themes of the forum: Impact of globalization; Rights; Migratory Movements and Regulations of Flows; Asylum and Refuge, Models of Coexistence; Public Politics; Social Exclusion, Co-development; Communication. <http://www.fsmm2006.org/>

### **France**

- From 30,000 to 50,000 people demonstrated in Paris on 2 April to protest against "throw-away immigration" ("Non à l'immigration jetable"), towards which the government is moving with a law proposal that it intends to propose in French parliament in the first week of May. The demonstration was organized by a network of more than 350 organizations, activists and undocumented migrants. [www.contreimmigrationjetable.org](http://www.contreimmigrationjetable.org) and [www.gisti.org/doc/actions/2006/ceseda/bilan2avril.html](http://www.gisti.org/doc/actions/2006/ceseda/bilan2avril.html)

- For the first time in the Bouches-du-Rhône region in the South of France, the Social Agricultural Insurance (Mutualité Sociale Agricole) officially recognized the right of a seasonal migrant worker to continue to receive social security coverage even after his temporary work contract (contrat "OMI") had expired. The case concerned Mustapha L., who finished his 8-month contract as a seasonal worker on 3 September 2004, and had dental work done at the end of the same month. When he asked the Social Agricultural Insurance in the beginning of October 2004 to be reimbursed for his dental care (according to provisions in the Social Security code), he was refused, and thus undertook legal proceedings which lasted 18 months and required five court sessions in the Court handling social security cases. For more info, contact CODETRAS: [codetras@espace.asso.fr](mailto:codetras@espace.asso.fr)
- In 2005, one out of five cases registered by the Lyon Court of Appeals concerned the repatriation of foreigners. During his presentation of the annual report for 2005, Court of Appeals President Daniel Chabanol stated that 269 out of 410 cases involving deportations of foreigners received judgments in 2005, but only 8% of foreigners were allowed to remain in France. Mr. Chabanol also pointed out that these type of cases were decided upon in the record time of less than 104 days, "so that the foreigner can know in the shortest time possible if s/he will be deported or has to plan to return to his/her country of origin."  
[http://www.20minutes.fr/articles/2006/03/08/Lyon\\_La\\_cour\\_d\\_appel\\_fait\\_le\\_point\\_sur\\_les\\_expulsions.php](http://www.20minutes.fr/articles/2006/03/08/Lyon_La_cour_d_appel_fait_le_point_sur_les_expulsions.php)

## Spain

- Several organizations (Medicos Mundi, UNHCR, Red Cross and CEAR) are currently coordinating their work to provide emergency assistance to migrants in the Canary Islands, although there is still a serious need of personnel, food, hygiene products and centres meeting basic conditions. (See related news items in "Death at the Border" and "European Policy Developments" in this month's newsletter). [http://www.canalsolidario.org/web/noticias/noticia/?id\\_noticia=7523](http://www.canalsolidario.org/web/noticias/noticia/?id_noticia=7523)
- In the meantime, a number of emergency measures have been adopted by the Spanish government as well as an emergency cooperation plan with Mauritania, consisting basically of the creation of reception centres managed by the Red Cross and the Red Crescent, the provision of patrol boats and the reactivation of a bilateral agreement to repatriate undocumented migrants from Spain to Mauritania. (Source: El País, 16.3.06. For details: [www.aphda.es](http://www.aphda.es)).  
So far, the Mauritanian government has accepted 170 people who were removed from Spain. However, the Red Cross and the Red Crescent have informed that none of these people have arrived in the specific reception centres that have been set up to provide basic assistance. In addition, these organizations believe that Mauritanian authorities have not yet repatriated the migrants to Senegal and Mali, their countries of origin. ([www.migrar.org](http://www.migrar.org))

## Italy

- On 14 March 2006, more than 480,000 migrant workers applied for working permits within the quota system, but only 170,000 available working permits will be issued this year. In theory, these permits are issued to third-country nationals, still resident in their countries, who come to Italy after having found a job. However, in practice, they are usually issued to undocumented workers who are already based in Italy. The government has stated that the quota system is not a regularization, but NGOs, trade unions and immigrants' associations have criticized the hypocrisy of the system, which is essentially a hidden regularization and which is repeated on a yearly basis.  
[http://www.rtbef.be/rtbf\\_2000/bin/view\\_something.cgi?type=article&id=0186596\\_article&menu=default&pub=RTBF.PORTAIL%2FPORTAIL.FR.la\\_taille.SP.INTE](http://www.rtbef.be/rtbf_2000/bin/view_something.cgi?type=article&id=0186596_article&menu=default&pub=RTBF.PORTAIL%2FPORTAIL.FR.la_taille.SP.INTE)

- Minister of Interior Giuseppe Pisanu is currently under official investigation for his role in the deportations to Libya of undocumented migrants who arrived in Lampedusa from 2004-2005, as reported in the 16 March 2006 edition of the daily "la Repubblica". Minister Pisanu is accused of violating legal procedures and duties while in office under Article 328 of the Italian Penal Code. In particular, he is accused of illegally deporting undocumented migrants to Libya. As a result of the immediate deportations, immigrants' rights associations were unable to give any type of legal or humanitarian assistance to the undocumented migrants.  
<http://www.repubblica.it/2006/c/sezioni/cronaca/immigrati/legapisanu/legapisanu.html>
- The Italian press is not allowed to enter into detention centers for foreigners ("Centri di permanenza temporanea e assistenza). The Ministry of the Interior forbids entry to journalists because it claims that it wants to guarantee privacy to the immigrants. Recently, the Ministry also denied the press access to a center which has not yet opened, arguing that Point 7 of Article 21 of the Regulation on Immigration establishes that only relatives of the detained immigrants, religious ministers, lawyers, and representatives of embassies are entitled to enter the detention centers. The press protests against this regulation because it is a breach of freedom of the press, which is assured in the Italian constitution. <http://www.meltingpot.org/articolo6996.html> and <http://www.statewatch.org/news/2006/mar/06italy-journalists-appeal.htm>
- A demonstration was held in Gorizia on 18 March to protest against the opening of a new detention center in Gradisca d'Isonzo. Demonstrators denounced that this new structure will violate human rights, illegally imprison minors, divide migrants by gender and ethnicity, and deny access to legal protection and to the asylum system. <http://www.meltingpot.org/articolo6899.html>
- The Italian Minister of Interior Affairs and the UNHCR (United Nations High Commissioner for Refugees) underwrote a common agreement concerning asylum rights, which became effective as of 1 March 2006. The agreement is part of a wider scheme involving the International Organisation for Migration (IOM) and the Italian Red Cross. Under the agreement the latter two organisations will set up office on the isle of Lampedusa. UNHCR dispatched its own delegate in Lampedusa on March 3, tasked with cooperating with the Italian Interior Ministry as a means to identify asylum seekers eligible to be granted refugee status as per Italian and international laws.  
<http://www.ami.mr/fr/Archives%202006/mars/9/9.htm> and [www.unhcr.it](http://www.unhcr.it)

## Greece

- The General Secretary of the Interior Ministry Athanassios Vezyrgiannis declared that the government expects only 100,000 undocumented migrants to legalize their status but as many as 250,000 others to eventually secure long-term resident status. Source: (*Athens News*, 10 February).
- A hunger strike was started on 10 March by fourteen of the twenty-eight irregular immigrants housed at an immigration center on the Aegean island of Samos. The immigrants are protesting against a local authority's decision to turn down their request to be freed earlier than the three-month minimum period dictated by law. Source: (*Kathimerini*, 11 March)  
<http://www.statewatch.org/news/2006/mar/08greece-imm-news-3.htm>
- Judges in the Athens Court of Appeals significantly reduced (from 12,000 to 3,000 Euros) the damages awarded to a man from Bangladesh who spent one year in jail in Piraeus waiting for authorities to deport him. According to Habib's lawyer, his client had suffered "inhuman" treatment during his detention, since he did not have access to fresh air, medical care or exercise and his cell

was overcrowded and unsanitary. (*Ta Nea, Athens News, 10 March / Avgi, Karfi, Rizospastis, 11 March*) In its appeal against the original court decision to provide financial compensation of 12,000 Euros, the Greek State argued that "irregular migrants are responsible for the increasing criminality rate. For this reason and for the sake of public order, degrading detention conditions do not constitute a serious offense against human dignity." (*Nea, 28 February / Rizospastis, 1 March / Apogevmatini, 2 March*)

- Following a report by the Greek Ombudsman condemning the appalling conditions under which foreigners are held in various police stations, the Supreme Court issued a circular saying that all foreigners who have either served their sentences or are on conditional release should remain in prison until they are deported, and not be transferred to detention facilities in police stations. (*Estia, Avgi, Avriani, Rizospastis, Kathimerini, Eleftheros, Ta Nea, Eleftherotypia, Ethnos, 10 March*)
- Following pressure from Greece's Ombudsman, the Public Order Ministry has allowed police officers to confirm the signature of immigrants who wish to authorise a lawyer in order to fight deportation proceedings against them, especially if their expulsion from the country is legally impossible. (*Athens News, 10 March*)
- According to the preliminary annual figures released by the UN refugee agency, the number of asylum applications is falling in every industrialized country (see related news item in "General" in this month's newsletter), except for Greece, where there is an increase in the number of asylum requests. The Ministry of Public Order declared that in 2005 there were 9,050 asylum applications registered by the Greek authorities, representing a 102% increase compared to 4,469 asylum seekers registered in 2004. (*Kathimerini / Akropoli / Niki / Eleftherotypia / Chora, 21 March / Athens News Agency, 20 March*) <http://www.statewatch.org/news/2006/mar/08greece-imm-news-3.htm>

## UK

- The efforts of the "Glasgow Girls," a group of secondary school pupils who have been battling the government over the treatment of immigrant children, appear to have won an extraordinary concession from the Home Office. Families of failed asylum seekers have now been given assurances that they will not be deported while their children are sitting exams. <http://www.theherald.co.uk/news/58377.html>
- The UK government has launched a new immigration strategy in which only migrants having the right skills would be allowed to work in Great Britain. The existing work permit schemes will be changed in order to allow the residence only of qualified migrants. In addition, Home Secretary Charles Clarke declared the end of the automatic right to settle for immigrants' families and the end of the permanent leave for the genuine refugees, who will receive permission to stay in the country only for five years before it is decided whether it is safe for them to return to their countries of origin. [http://news.bbc.co.uk/2/hi/uk\\_news/politics/4241989.stm](http://news.bbc.co.uk/2/hi/uk_news/politics/4241989.stm)
- "Stop Detaining Children Now" is an online campaign organized by the "No Place for a Child" coalition. The UK government currently detains more than 2,000 children, including babies, in immigration detention centers every year. The UK government's use of detention for children and families is in contravention of international human rights standards. The "No Place for a Child" coalition demands that the UK government ends the detention of these vulnerable children and babies and trials more viable alternatives to detention, examples of which can be found in other countries. <http://www.ncadc.org.uk/>

- According to Home Office data in the ten months from April 2005 to January 31<sup>st</sup> 2006, about 185 people attempted self-harm in detention centers and about 1,467 persons were considered to be a danger to them and put on self-harm watch. The Home Office defines self-harm as "any act where a detainee deliberately harms themselves irrespective of the method, intent or severity of any injury." The Home Office claims that they take each incident seriously and that most incidents of self-harm "occur at the lower end of severity". The National Coalition of Anti-Deportation Campaigns seriously questions the quality of some of these data, especially since over the 10-month period covered by these statistics, the NCADC has received many more reports of actual self-harm than those recorded by the Home Office. <http://www.ncadc.org.uk/> and <http://www.info4local.gov.uk/searchreport.asp?frompage=search&id=28431>
- The first annual international action against immigration detention will be held in countries around the world in April 2006 in order to spread opposition to detention and to create contacts between anti-detention groups in different countries. The main objective of this initiative in the UK (held on 8, 15 and 29 April) is to develop a network of people opposed to internal and external borders and to put to an end to the detention of people who are imprisoned without trial and with no automatic bail review after having experienced torture and trauma in their countries. [www.barbedwirebritain.org.uk](http://www.barbedwirebritain.org.uk)

## Belgium

- While the government is preparing a thorough revision of the Foreigners' Law, in which no regularisation criteria are planned, Minister Patrick Dewael has approved the regularisation of the majority of undocumented migrants who were occupying the St. Boniface church in Brussels during the past five and a half months. Nonetheless, UDEP (Union de défense des sans-papiers) has stated that a number of files of undocumented Moroccans who were also part of the church occupation and hunger strike have not yet been examined. Three more churches are currently being occupied in two other Brussels districts (by Iranians in Etterbeek and by Afghans in Ixelles), and in the city of Charleroi. While the federal government has said that it "only can and will apply the law," the Forum Asiel en Migraties finds it contradictory that undocumented migrants must occupy churches in order for the law to be applied. The Forum Asiel en Migraties has been striving for clear regularization criteria for a long time, and had a press conference on this issue on 4 April. [www.f-a-m.be](http://www.f-a-m.be) and [www.lesoir.be/rubriques/belgique/page\\_5718\\_422579.shtml](http://www.lesoir.be/rubriques/belgique/page_5718_422579.shtml)
- The organisation Vluchtelingenwerk Antwerpen has set up a campaign ("Hulp aan illegalen: mag da? Ja, da mag?") in which people are urged to send postcards to the Minister of Internal Affairs, Mr. Dewael. The message on the cards is "to me, someone who is 'illegal' is a human being. Will you stand for a humane policy?" <http://www.de8.be/magda.htm>
- A law proposal was approved in Belgian Parliament on 14 March, according to which hospitalisation in psychiatric centers will henceforth be included in the urgent medical care provided for by public welfare centers for undocumented migrants. (De Morgen, 15/03/2006).
- The Court of Appeals has confirmed that undocumented migrants whose temporary residence permits have expired cannot apply for family reunification with non-EU citizens within Article 10.4 of the Residency Law ruling of 12 December 2005. Nonetheless, Article 9.3 of the same law states that exceptions should be made in specific situations. And in fact, based on the ruling of the Court of Arbitration of 19 July 2005 that there is serious discrimination between these sections of the law, the Foreigners' Office (Dienst Vreemdelingenzaken - DVZ) will only apply the judgment of the Court of Arbitration in cases involving undocumented minors who have serious medical problems and who would like to be reunited with a non-EU foreigner in Belgium. [www.cass.be](http://www.cass.be) (Source: VMC)

- In response to questions from some members of parliament about the growing number of children that are held in custody with their parents, Minister of Internal Affairs Patrick Dewael said that the government was inquiring into the feasibility of organising teaching activities within closed detention centres. The Minister maintained that it would be illicit discrimination “only to detain asylum seekers without families in the closed centres”. (Source: De Standaard, 24 03 2006)
- The organisation Kinderen Zonder Papieren will hold a protest meeting on 22 April at the Merksplas detention centre to protest the growing number of undocumented children who are held in detention centers. The organisation urges participants to bring balls of all sizes and colours (symbols of play in open air), to have them thrown over the gate at the end of the demonstration.  
[www.kinderenzonderpapieren.be](http://www.kinderenzonderpapieren.be)
- To commemorate its 10<sup>th</sup> anniversary, the organization “Point d’appui,” which is based in Liege and provides support to undocumented migrants, will look at themes such as exile, immigration and cultural differences in a cultural evening of song and dance on 18 April in Liege. The evening will include the production of the play “Hannah et Hanna,” which describes the daily life of a Kosovar family seeking refuge in the UK. For more info, contact Point d’Appui: [pointdappui@tiscali.be](mailto:pointdappui@tiscali.be)
- On 30 March the organization Link=Brussel held an information session for undocumented migrants, focusing specifically on the informal economy. A representative from the ACV-CSC trade union discussed themes such as labor laws in Belgium, undocumented workers’ rights, employers’ obligations and the role of trade unions. Contact: [linkmeeting@belgacom.net](mailto:linkmeeting@belgacom.net)
- “Femmes migrantes en Europe 2006” (Women Migrants in Europe – 2006) is the theme of an exhibit that will be held from 29 May-4 June, Brussels. The non-profit organization “Le Monde selon les femmes” has launched a call for materials (audio, video, visual, etc.) that describe the realities faced by women migrants in Belgium. The deadline for sending in materials is the end of April. To find out more about the exhibit, which is organized within the framework of a European project on women migrants, contact Marcela de la Peña, Le Monde selon les femmes.  
[marcela@mondefemmes.org](mailto:marcela@mondefemmes.org).

## Netherlands

- Pharos, the Dutch knowledge center on refugees and health, is keeping a file on the cases of approximately 250 Syrian asylum seekers who were deported to Syria. Dutch Minister of Internal Affairs Verdonck was questioned in Parliament, because following the rejection of their asylum requests and before they were deported, most of these asylum seekers were interrogated by a Syrian delegation, which included members of the Syrian secret services. Some of these asylum seekers have alarmingly disappeared after their deportation to Syria.  
<http://www.nd.nl/htm/dossier/syrie/rechts.htm>
- During the season of Lent, a series of vigils is being held to try to draw public attention to the detention of innocent people, among them women and children, because they are undocumented migrants. Each of the vigils will be organised by different religious groups, with the final vigil on Easter Sunday being ecumenical. The vigils will be held near the Bijlmer prison in Amsterdam.  
[www.onschuldig-gevangen.tripod.com](http://www.onschuldig-gevangen.tripod.com) (Source : LOS)
- In honour of Maria van den Muijsenbergh, winner of the 2006 Corrie Hermann Prize, a symposium was held in Utrecht on 25 March on health and access to health care for female undocumented

migrants. The symposium ("Geen papieren. Wel een verhaal") focused on the origins and the number of these women, the kind of health problems they are likely to encounter and the rights these women actually have regarding health care. [www.vnva.nl](http://www.vnva.nl)

- Local authorities are under no obligation to grant welfare to undocumented children residing in the Netherlands. However, in urgent cases, children awaiting the outcome of an application for a residence permit are entitled to welfare. State Secretary of Social Affairs and Employment Henk van Hoof informed the Second Chamber of this in a letter he sent on behalf of his ministry and Immigration and Integration Minister Rita Verdonk. (See also similar news item in PICUM October 2005 newsletter).  
[http://internationalezaken.szw.nl/index.cfm?fuseaction=dsp\\_document&link\\_id=86336&rubriek\\_id=13002&lijstm=0,322\\_6457](http://internationalezaken.szw.nl/index.cfm?fuseaction=dsp_document&link_id=86336&rubriek_id=13002&lijstm=0,322_6457)
- In 2004, Dutch businesses hired around 65,000 to 90,000 undocumented workers, of which 40% were from Poland and other eastern European countries (which joined the EU in 2004). These figures were included in a recent survey carried out at the request of State Secretary of Social Affairs and Employment Henk van Hoof. As employers are reluctant to admit to the practice of hiring undocumented workers for fear of getting fined, the figures contained in the study are estimates. The figure of 65,000 - 90,000 is significantly lower than figures from other research into illegal labour, which put the number between 100,000 and 180,000 undocumented workers. This estimate covers the number of undocumented workers hired by businesses but does not include those hired by private citizens. Undocumented workers are mainly concentrated in the construction sector, the agricultural and horticultural branch and the catering sector. According to the latest survey, 28% of construction companies employed undocumented workers in 2005. This figure was 23% and 20% respectively for catering and the agricultural and horticultural sector. These figures are also highly speculative and the researchers say that the actual figures in catering and agriculture could be 50% higher or lower.  
[http://internationalezaken.szw.nl/index.cfm?fuseaction=dsp\\_document&link\\_id=86304&rubriek\\_id=13002&lijstm=0,322\\_6457](http://internationalezaken.szw.nl/index.cfm?fuseaction=dsp_document&link_id=86304&rubriek_id=13002&lijstm=0,322_6457)
- The Labour Inspectorate intends to increase checks on illegal labour by more than a quarter in 2006, raising the number from 8,000 to 10,500. The checks will mainly be held in the agriculture and horticulture sector, construction, the hotel and catering branch and the temporary employment sector, where undocumented workers are concentrated. The Labour Inspectorate is authorised to impose immediate fines on employers who hire undocumented workers, with fines of € 8,000 for each undocumented worker. Private contractors are liable for a fine of € 4,000 per undocumented worker. The Second Chamber is currently considering a proposal to introduce a new fine of € 8,000 for employers who refuse to supply information about the identity of suspected undocumented workers. This is intended to prevent employers from avoiding a fine by saying the worker in question refused to provide the necessary information. Many employers use this ploy in an attempt to avoid being fined.  
[http://internationalezaken.szw.nl/index.cfm?fuseaction=dsp\\_document&link\\_id=84160&rubriek\\_id=13002&lijstm=0,322\\_6457](http://internationalezaken.szw.nl/index.cfm?fuseaction=dsp_document&link_id=84160&rubriek_id=13002&lijstm=0,322_6457)

## Germany

- The German Bishops' Conference issued a statement on 7 March concerning various problems of immigration policy in Germany, criticizing – amongst other points – the way in which many asylum seekers whose applications for asylum have been rejected are sent back to their countries of origin. A very important point was also the call for a right to stay in Germany for those who definitely

cannot return to their countries of origin and who sometimes live in Germany for many years without getting a long-term residence permit. Cardinal Lehmann, Chairman of the Conference, has called for basic social rights (e.g. schooling for children, basic health care and protection against economic exploitation) for undocumented migrants. The statements made by Cardinal Lehmann and Bishop Voß, Chairman of the Migration Commission, are available in German at [www.dbk.de](http://www.dbk.de) under "Humanitäre Probleme der Zuwanderungspolitik" (7.3.2006).

## **Czech Republic**

- In a second follow-up response published on 20 March with its agreement, the Czech Government provides additional information concerning the implementation of recommendations made by the European Committee for the Prevention of Torture (CPT) after its visit to the Czech Republic in April 2002. The CPT visit report focused on the safeguards offered to persons detained by the police and for the first time in the Czech Republic, examined the conditions of stay in holding facilities for foreigners, as well as the treatment of psychiatric patients. Building on its initial response and the first follow-up response, which cover the years 2003 and 2004, the Czech Government indicates the steps taken in 2005 to further implement the CPT's recommendations and highlights planned action for the future. <http://www.cpt.coe.int/documents/cze/2006-03-20-eng.htm>

## **Poland**

- The NGO "La Strada" estimates that approximately 10,000 Polish citizens are victims of forced prostitution in EU Member States every year. Even after EU enlargement, the situation has not changed because of the partial opening of the job market, which causes exploitation and irregular migration. <http://listes.rezo.net/archives/migreurop/2006-03/msg00076.html>

## **Finland**

- In recent weeks, public debate in Finland has focused on the fact that there are most likely hundreds of people living underground as undocumented migrants. The question of church asylum has also been brought up. In several interviews with the media, the Unit for Diaconia and Society of the Evangelical Church of Finland as well as refugee and human rights organizations have tried to divert the focus towards the situation of the undocumented migrants themselves and to question why this type of situation exists in Finland. Nonetheless, there are contradictory opinions about undocumented migrants in Finland, especially because of a long history of trust and obedience to government officials. Contact: Marja-Liisa Laihia, Coordinator, Finnish Ev. Lutheran Church Council [marja-liisa.laihia@evl.fi](mailto:marja-liisa.laihia@evl.fi)

## **Lithuania**

- The Committee on the Elimination of Racial Discrimination concluded its sixty-eighth session on 10 March 2006, issuing its concluding observations and recommendations on the reports of Lithuania and other countries. Regarding Lithuania, the Committee welcomes the adoption of a new penal code criminalizing incitement to racial hatred, as well as the adoption of a new law on equal opportunities that prohibited direct or indirect discrimination. In addition, the Committee recommends the detention of the asylum seekers only when absolutely necessary and in accordance with UNHCR guidelines. <http://www.enar-eu.org/en/wmail/index.shtml> and [http://www.unog.ch/unog/website/news\\_media.nsf/\(httpNewsByYear\\_en\)/720EBDE7A0175805C125712D003BA560?OpenDocument&cntxt=6A1CB&cookielang=fr](http://www.unog.ch/unog/website/news_media.nsf/(httpNewsByYear_en)/720EBDE7A0175805C125712D003BA560?OpenDocument&cntxt=6A1CB&cookielang=fr)

## USA

- On December 16, 2005, the "Sensenbrenner Bill" was passed through the House. The bill gained fame as the most anti-immigrant legislation in recent history: it proposes to build a wall between Arizona and Mexico, classify all 11 million undocumented migrants currently in the U.S. as criminals and would charge anyone who provides assistance to undocumented migrants in any way with a crime. Throughout the month of March, hundreds of thousands of demonstrators protested the bill in cities across the United States, with 500,000 demonstrating on 25 March in the city of Los Angeles alone. On 27 March, the Senate Judiciary Committee approved legislation that would create a path for undocumented migrants to gain permanent residence or citizenship, would toughen enforcement of immigration laws and create two programs allowing additional foreigners to enter the country as temporary workers, but the debate is still continuing now in the Senate. For analyses on the proposed legislation and issues at stake in the debate, visit the Migration Policy Institute's website: <http://www.migrationpolicy.org/>

## 3. European Policy Developments

### General

- The six largest countries in the European Union are considering having immigrants sign a 'contract' that would require them to learn the language of their adopted country and accept its social norms - or risk being expelled. The so-called integration contract is still to be discussed with the other 19 EU member states. Nicolas Sarkozy, French interior minister, proposed this during a meeting of ministers from the 'G6' countries - Germany, Britain, France, Poland, Spain and Italy. <https://registration.ft.com/registration/barrier?referer=&location=http%3A//news.ft.com/cms/s/31191946-ba92-11da-980d-0000779e2340,s01=1.html>
- A meeting was held in Brussels on 28 March to discuss the free movement of workers in EU Member States. Some EU governments (e.g. Finland, Spain, Portugal) have already made clear they will no longer maintain restrictions on workers from eight new Member States. The meeting provided a final opportunity for all concerned to discuss their experiences of labor flows prior to the April 30 deadline, by when they have to decide whether to maintain restrictions on the free movement of workers for another three years. For the countries which have already indicated that they will maintain restrictions (e.g. Austria, Germany), the meeting provided an opportunity to look at how they will eventually phase in Community law (i.e. no restrictions). [http://www.europa.eu.int/comm/employment\\_social/emplweb/news/index\\_en.cfm](http://www.europa.eu.int/comm/employment_social/emplweb/news/index_en.cfm)
- *Our "freedom," their labor: a "tradesman's" entrance for Fortress Europe*, by Ben Hayes of Statewatch, is a viewpoint about the European Commission's "Policy Plan on Legal Migration." The viewpoint states that the policy plan will introduce fast-track migration with settlement rights for skilled workers and temporary admission with no rights for unskilled workers. <http://www.statewatch.org/news/2006/mar/bh-viewpoint-legal-migration.pdf>
- Fifty African experts met in Alger on 5 April to achieve a common position on the phenomenon of migration and its implications. They adopted some recommendations to be approved by the African Union in the light of the joint-ministerial conference between the African and the European Union on migratory pressure, which will be held on 5-6 June 2006 in Tripoli. [http://www.jeuneafrique.com/jeune\\_afrique/article\\_depeche.asp?art\\_cle=AFP70526migraeulcev0](http://www.jeuneafrique.com/jeune_afrique/article_depeche.asp?art_cle=AFP70526migraeulcev0)

### European Commission

- The Commission has issued an open consultation on action at EU level to promote the active inclusion of the people furthest from the labor market. Comprehensive social assistance policies are in place in most Member States and activation policies have been implemented to bring excluded people back to the labor market, but there is still a sizeable 'hard core' of people with little prospect of finding a job who, for that reason, remain at high risk of falling into poverty and social exclusion. Closing date for comments is 19 April 2006.  
[http://www.europa.eu.int/comm/employment\\_social/social\\_inclusion/news\\_en.htm](http://www.europa.eu.int/comm/employment_social/social_inclusion/news_en.htm)
- The EU will take immediate measures to help Member States address the problem of undocumented immigration, European Justice and Home Affairs Commissioner Franco Frattini said on 4 April. Mr. Frattini remarked that he will propose to make available, in the framework of the ARGO programme, €2.7 million which could be used immediately by Member States for urgent situations, such as those faced by Malta, singled out because of the large amount of immigrants it is getting from Africa. Mr. Frattini also told MEPs who were discussing the conditions of detention centers for immigrants in Malta, that he will propose amendments to the European Refugee Fund.  
<http://euobserver.com/22/21309> After meeting Greek Interior Minister Prokopis Pavlopoulos, Mr. Frattini said that Greece will help ensure that Balkan countries are accepting immigrants in accordance with European Union guidelines and that immigrants' rights are being protected. "I encouraged the Interior Minister to take on initiatives so that Greece can be even more present in the Mediterranean region regarding illegal immigrants", said Frattini.  
<http://press.jrc.it/NewsBrief/alertedition/en/FrancoFrattini.html> and  
[http://www.athensnews.gr/athweb/nathens.prnt\\_article?e=C&f=13174&t=11&m=A17&aa=1](http://www.athensnews.gr/athweb/nathens.prnt_article?e=C&f=13174&t=11&m=A17&aa=1)

## European Parliament

- Leftist MEPs have launched a campaign to close down all detention centers for undocumented immigrants such as Lampedusa in Italy. The campaign was launched on 7 March 2006 by Italian MEPs Giusto Catania and Luisa Morgantini on behalf of the European United Left / Nordic Green Left group in the European Parliament. Mr. Catania said detention centers such as Lampedusa encourage more undocumented immigration. There are about 170 detention centers around Europe that are on the MEPs' wish-list to be closed down. The proposal to shut down the detention centers will be presented to the European Parliament but it is unclear how much support it will obtain from other political groups in the parliament. <http://euobserver.com/22/21068>. To sign the petition: [www.no-fortress-europe.org](http://www.no-fortress-europe.org)
- In adopting a joint resolution on the situation of refugees in Malta, MEPs firmly believe that Malta and other EU Member States must respect their obligations under international law as regards asylum seekers. Parliament deplores the unacceptable living conditions of the migrants and asylum seekers in Malta's administrative detention centers. Moreover, the House recognizes the difficulties encountered by Malta in managing the migration emergency of the last few years.  
[http://www.europarl.eu.int/news/expert/infopress\\_page/019-6959-094-04-14-902-20060330IPR06845-04-04-2006-2006-false/default\\_en.htm](http://www.europarl.eu.int/news/expert/infopress_page/019-6959-094-04-14-902-20060330IPR06845-04-04-2006-2006-false/default_en.htm)
- The EU must show the red card to forced prostitution and fight trafficking in human beings for sexual purposes, said participants in a seminar organized by the European Parliament's Committee on Women's Rights on the occasion of the International Women's Day on 8 March. Fellow Vice-President Franco Frattini outlined some proposals to tackle the problem, including stronger external border control and the introduction of a short-term visa during the World Cup for citizens from countries seen as the origin of trafficking. [http://www.europarl.eu.int/news/public/story\\_page/014-](http://www.europarl.eu.int/news/public/story_page/014-)

## European Council

- EU foreign ministers agreed on 24 March to grant €2 million in aid to migrants in Mauritania and Spain. The Spanish Red Cross estimates that at least 1,200 irregular migrants have drowned off the coast of Mauritania in an attempt to reach the Spanish Canary Islands since the beginning of the year. (See related news items in this month's newsletter in "Death at the Border" and "Spain"). The aid will enable the EU to express solidarity with Mauritania and Spain to deal with humanitarian problems, said Ursula Plassnik, Austria's Foreign Minister. European Commissioner for External Relations, Benita Ferrero-Waldner said that the Commission will make use of the 'rapid reaction mechanism' to give practical assistance to Mauritania. The mechanism is a measure to manage sudden migratory pressures. According to Agence Europe, the Spanish Secretary for Foreign Affairs Albert Navarro said that this is the first time that a mechanism like this will be used for migratory issues. <http://www.ecre.org/Update/Index.shtml>

## Council of Europe

- The first Council of Europe Commissioner for Human Rights, Alvaro Gil-Robles, presented a final report on his six years in office on 29 March 2006. The report analyses the challenges faced in establishing the new institution, the direction given to it and its potential for future development. It concludes with an assessment of the human rights situation in Europe and a warning against the lowering of standards in the fight against terrorism. The Commissioner insists on the need for greater efforts to combat discrimination and integrate national minorities and immigrant communities. Greater efforts are also called for to end Europe's continuing and frozen conflicts. The report will be presented to the Committee of Ministers, transmitted to the Parliamentary Assembly and made public. To access the report in English: [http://www.coe.int/T/E/Commissioner\\_H.R/Communication\\_Unit/CommDH%282006%2917\\_E.doc](http://www.coe.int/T/E/Commissioner_H.R/Communication_Unit/CommDH%282006%2917_E.doc)

## 4. Upcoming Events

- The European network IMISCOE (International Migration, Integration and Social Cohesion) will hold a conference on "Irregular Migration and the Informal Economy" in Madrid from 5-7 June 2006. The conference aims to highlight empirical research and evidence concerning irregular migratory systems and the market for domestic and construction workers. [www.imiscoe.org](http://www.imiscoe.org)
- "Ethics, Human Rights and Development" is the theme of the annual conference of the Norwegian Association for Development Research, which will be held in Oslo, Norway, from 13-15 September 2006. The conference aims to provide an arena to discuss a broad range of issues concerning the place of ethics and human rights in development research, policy and practice. <http://www.sum.uio.no/nfu/>
- "Towards Global Access to Health" is the theme of the Geneva Forum that will be held in Geneva, Switzerland from 30 August-1 September 2006. The forum is planned by the Geneva University Hospitals and the Faculty of Medicine of the University of Geneva, in partnership with major national and international organizations in the health sector. Five main tracks have been identified for the symposia and the workshops: Health systems and access; Health and inequalities; Drugs, vaccines and diagnostics; Civil society and social issues in health; Capacity building and partnerships. <http://www.hcuge.ch/genevahealthforum>

- "Minimum Wages in Europe - Towards a European Minimum Wage Policy?" is the theme of a conference that will be held by the European Trade Union Institute for Research, Education and Health (ETUI-REHS) on 2-3 May in Brussels. The conference aims to discuss the development of the low wage sector, national experiences with minimum wage policies, as well as the issue of a European minimum wage policy. [http://www.etui-rehs.org/media/files/events/conference\\_minimumwages](http://www.etui-rehs.org/media/files/events/conference_minimumwages)
- The EIUC Summer School on Cinema and Human Rights will be held in Venice from 24 August to 13 September 2006. The summer school, which is organized by the European Inter-University Center for Human Rights and Democratisation, aims to bring together students and professionals involved in both the fields of human rights and cinema to reflect on the use of cinema as an instrument for enhancing human rights awareness. [www.eiuc.org](http://www.eiuc.org)

## **5. Publications**

*Irregular Migration in the UK: An ippr Factfile*, by the Institute for Public Policy Research (London, UK). The report says that effective immigration controls, including deportation procedures, are crucial to a well-managed migration system. But it argues that deporting hundreds of thousands of irregular migrants, particularly those who have been in the UK for many years, is simply not feasible or desirable. The report calculates that the forced deportation of all irregular migrants could cost the taxpayer around £4.7 billion, while regularising work status could net the Treasury around £1 billion a year. [www.ippr.org/publicationsandreports](http://www.ippr.org/publicationsandreports)

*Undocumented Workers Are Taxpayers, Too*, by the Oregon Center for Public Policy (USA). This issue brief estimates the total contributions by undocumented Oregon workers in state income taxes, property taxes, and excise taxes (taxes on certain goods and commodities and on licenses for certain activities). In addition, this issue brief computes the approximate amount undocumented workers pay in federal Social Security and Medicare taxes, which are matched by employers. Last, it also estimates the amount Oregon employers pay in state unemployment insurance taxes on behalf of undocumented workers. <http://www.ocpp.org/cgi-bin/display.cgi?page=issue060401immig>

*More Harm Than Good: Responding to States' Misguided Efforts to Regulate Immigration*, by the National Employment Law Project – NELP (USA). This guide describes some of the anti-immigrant worker provisions currently pending in state legislatures in the United States and arguments explaining why these provisions will be bad for workers (including undocumented workers), bad for communities and bad for states. Finally, this guide provides some affirmative proposals of steps states can take to ensure that workers (including undocumented workers) are not being exploited and that employers are complying with state labor and employment laws. <http://www.nelp.org/docUploads/MORE%20HARM%20THAN%20GOOD%2Epdf>

## **6. Miscellaneous**

### **PICUM News:**

- On March 23-24, 2006, PICUM held two international events in Brussels on the protection of undocumented migrant workers. More than 200 representatives of NGOs, trade unions, governmental entities, consulates, researchers and other actors based throughout Europe were present over the two-day event, and shared experiences and ideas about the protection of undocumented workers. The reports of these events are now available on the following websites:

- "Protecting Undocumented Migrant Workers in Europe: Successes and Strategies," March 23, 2006. Event organized by PICUM with the support of the European Trade Union Confederation. Report available at: [www.picum.org](http://www.picum.org)
- "Regularization is not the only policy: *Ten Ways to Protect Undocumented Migrant Workers*," March 24, 2006. PICUM/ European Policy Centre/ King Baudouin Foundation dialogue. Report available at: [www.theepc.be](http://www.theepc.be)
- Michele LeVoy is the new director of PICUM, having taken over from H elis ene Habart, who acted as director in the beginning of this year. Michele looks forward to continuing to expand PICUM's network and influence by working with a variety of actors to promote the basic social rights of undocumented migrants.

---

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

---