



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

PICUM Newsletter August 2006

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

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1. Death at the Border

- 11,155 undocumented migrants arrived in the Canary Islands from 1 January - 5 July 2006, according to data released by the Spanish Ministry of Foreign Affairs in July. In comparison, there were 4,751 arrivals to the Canary Islands for the entire year of 2005. The Asociación Pro Derechos Humanos de Andalucía (APDHA) estimates that approximately 3,000 undocumented migrants died during the period from December 2005 to June 2006.
www.elmundo.es/elmundo/2006/07/10/espana/1152547026.html
<http://www.apdha.org/documentos/InformeCanariasJunio2006.doc>

- Two undocumented migrants died on 3 July 2006 in the first major climbing of the fence in Melilla on the Spanish/Moroccan border since September 2005 (see *PICUM Newsletters September and October 2005*). One of the victims was on the Spanish side and although authorities believed he died from falling from the six-meter high fence, an investigation is underway to determine if he was shot at by border guards since it appeared that he had a bullet hole in his sternum. Several NGOs have denounced the deaths and are demanding the Spanish government to make an exhaustive inquiry. In their opinion, the fence is a mortal trap for people whose only fault is to pursue a better future for themselves.
http://www.elpais.es/articulo/espana/inmigrantes/mueren/intento/masivo/cruzar/Espana/valla/Melilla/elpporesp/20060703elpepunac_2/Tes/
<http://www.elmundo.es/elmundo/2006/07/05/solidaridad/1152098487.html>
<http://www.apdha.org>
- The bodies of three sub-Saharan African migrants, one of a girl less than three years old, were found off the coast of Western Sahara, stated authorities on 6 July. It was still unclear if they were part of a group whose small fishing boat (*patera*) sunk off the Western Saharan coast earlier in the same week. The bodies of 26 sub-Saharan Africans were found on 3-4 July off the Western Saharan coast. One of the seven survivors said that there were a total of 37 undocumented migrants on their *patera*, all from sub-Saharan Africa, when they started off their journey towards the Canary Islands. <http://www.lavanguardia.es/lv24h/20060706/51275719906.html>
http://www.elpais.es/articulo/internacional/Mueren/subsaharianos/naufraagar/patera/costas/saharauis/elpporint/20060703elpepuint_11/Tes/
- Three undocumented migrants were found dead in a small boat (*cayuco*) that arrived on 7 July in Tenerife (Spain) with 50 people on board. Another migrant on board was in a critical state. The victims were three males who died during the crossing.
http://www.elpais.es/articulo/espana/Hallados/inmigrantes/muertos/cayuco/Tenerife/elpporesp/20060707elpepunac_3/Tes/
- A 5-year-old boy drowned on 6 June 2006 after sailing with a group of 22 undocumented migrants in a boat that sank some 2.5 kilometres north of the Aegean island of Samos, Greece. The coast guard launched a large search operation for the immigrants, who said they were from Somalia, after they were picked up by a boat which found them trying to swim to safety. (*Vradyni, Rizospastis, Kathimerini, 7 June*)
- A seven-month old baby boy died of heart failure after arriving on the island of Fuerteventura (Canary Islands, Spain) on 18 July 2006 on board a boat transporting 42 African undocumented migrants. The baby was brought by helicopter to the hospital immediately upon arrival but could not be resuscitated. The reason for the heart failure was unknown but could have been linked to hypothermia. <http://www.elmundo.es/elmundo/2006/07/18/espana/1153247478.html>).
- Two undocumented migrants of Asian origin died on 25 July from an explosion in a minefield in Evros, Greece. The soldiers who found the migrants' bodies said that the two men carried no identity documents. According to unofficial data, more than 70 persons, including five Greeks, have lost their lives in Evros minefields since 1990. (*Ethnos, 26 July*)
- 70 undocumented migrants, mainly from Guatemala, were discovered by a police officer on 18 July in central Arizona (USA). The migrants - many of whom were badly dehydrated - had run out of water and said three of their group had already died, though officials had not yet discovered any

bodies. They told the police officer that their “coyote” (smuggler) had left them stranded in the desert where they spent three days in temperatures above 38 degrees Celsius with no supplies.
<http://news.independent.co.uk/world/americas/article1188868.ece>

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

General

- On 15 June the International Detention Coalition was launched in Italy, with an inter-religious round table discussion on the detention of refugees, asylum seekers and migrants. The coalition, which includes over one hundred members in 36 countries, has been set up to raise awareness of governments’ detention policies and practices and to promote greater protection and respect for the human rights of detainees. It advocates limiting the use of, seeking alternatives to, and using the least restrictive forms of, immigration detention <http://www.idcoalition.org/portal/index.php>
<http://www.enar-eu.org/en/wmail/index.shtml> Weekly mail 47

France

- Interior Minister Nicolas Sarkozy said on 24 July that he would grant residency papers to about 6,000 undocumented migrants, but he also said that more than twice as many would be expelled.
<http://www.iht.com/articles/2006/07/24/news/france.php>
- The upper house of the French parliament has passed a tough new immigration bill, weeks after it was adopted by the lower chamber, reported BBC News on 17 June. The bill makes it harder for unskilled migrants to settle in France and abolishes the rights of undocumented migrants to remain after 10 years. Mr Sarkozy, who is seen as a potential contender in presidential elections next year, says France must be in control of immigration, rather than a passive recipient. Civil society has strongly criticized this bill. July 1st was declared a national day of protest against the law and demonstrations were organized by RUSF(Réseau Universitaires sans Frontières) and UCIJ (Unies contre l’immigration jetable) in Paris and in many other towns such as Marseille, Nantes, Avignon, Metz, etc. For more info see:
<http://news.bbc.co.uk/2/hi/europe/5089744.stm>
<http://contreimmigrationjetable.org>, <http://www.educationsansfrontieres.org>
http://www.gisti.org/doc/actions/2006/ceseda/uni_com_06-28.html,
<http://enfantsetrangers.hautetfort.com>, <http://terra.rezo.net/article461.html>
- 359 undocumented migrants started a hunger strike on 29 May in Poitiers to protest against their failed regularization. They are nationals of Guinea, Senegal and Sierra Leone and they cannot return to their countries because of violence, lack of democratisation and high pollution. The National Coordination of Undocumented Migrants (Coordination Nationale des Sans Papiers) is working to promote their regularization. Contact: coordonatsanspap@wanadoo.fr
- The organization Emmaus International launched a national petition in order to encourage the French government’s signature and ratification of the UN Convention on Migrant Workers’ Rights.
<http://www.emmaus-international.org/fr/petition/petition.php>

Spain

- The Spanish Senate has asked the government to give temporary residence and work permits to undocumented migrants waiting to be repatriated. Many undocumented sub-Saharaners are now in

different Spanish cities without any kind of documentation after forty days in reception centres.
www.diariodenoticias.com/ediciones/2006/06/21/sociedad/espana-mundo/d21

Italy

- Italian police liberated 113 Polish workers from forced labour camps in southern Italy where they were reportedly raped and tortured if unwilling to work, with four cases of suicide being investigated. The Italian police said the Poles were forced to do agricultural work for up to 15 hours a day and were fed little more than bread and water. The Polish news agency PAP said more than 1,000 Poles may have been victims of the ring. Apart from the four suicides being investigated, the police in both countries did not rule out the possibility that more people might have been killed or died from exhaustion. <http://euobserver.com/9/22128?rk=1>
<http://select.nytimes.com/gst/abstract.html?res=F70B1EFA3D5B0C7A8DDDAE0894DE404482>
- Italy has taken the decision to end the so-called transitory measures, which prevent workers from eight central-eastern European countries from trying to find a job. <http://www.euractiv.com/en/italy-opens-borders-workers-central-eastern-europe/article-156904>
- The Italian newspaper “Il Manifesto” denounced the brutal treatment of potential Moroccan migrants to Italy detained in the Libyan detention centres. Young migrants who arrive in Libya, hoping to reach Italy, are victims of brutal imprisonment and have to pay to come back home. Italy is financing the Libyan detention centres and EU could participate in that financial operation soon. <http://www.ilmanifesto.it/Quotidiano-archivio/07-Luglio-2006/art36.html>
- After the publication of a “White Book” denouncing the violation of human rights and the brutal treatment of undocumented migrants detained in the detention centers (CPTs), the Interior Minister, Mr. Giuliano Amato, created an investigatory commission to inspect the CPTs over a six-month period. www.liberation.fr/actualite/monde/195042.FR.php
<http://www.ilmanifesto.it/Quotidiano-archivio/19-Luglio-2006/art50.html>

Greece

- Migrants or the children of migrants who are currently studying in Greece and do not have a residence permit can apply to legalize their stay in the country, according to the Interior Ministry. The amendment applies to people who are studying at state institutions of secondary or higher education and people who have graduated from these institutions after three years of study. Also the children of migrants who are at school in Greece will receive residence permits. (*Avgi, Nea, Apogevmatini, Vradini, Ethnos 23 Jun /Kathimerini 24 June / Rizospastis, 27 June*)
- Nearly one in three female immigrants working in Greece (mainly as cleaners, waitresses or factory staff) are uninsured and many are exploited by their employers, according to the Hellenic Migration Policy Institute. (*Naftemporiki / Kathimerini, 4 July*)
- In a report following his mission to Greece, the Special Rapporteur of the UN Commission on the Human Rights on Children regretted the absence of an institutionalized child protection system, the lack of adequate structures for unaccompanied minors, as well as the distant relationship between the government and NGOs and urges the government to tackle these problems. The report highlights also some good examples, such as the Anogeia Centre for unaccompanied minors in Crete, considered as a model of its kind. (*Eleftherotypia, 23 July*)

UK

- On 13 June 2006, the new Immigration Minister, Liam Byrne, said that new tougher measures to combat illegal work, including higher fines, might not be enough to discourage unscrupulous employers. (Source: *Migration Policy Group, Migration News Sheet, p. 10, July 2006*) Directors whose companies employ undocumented immigrants - even indirectly - could be disqualified if they are caught twice, under proposals being considered by ministers.
<http://www.guardian.co.uk/immigration/story/0,,1822147,00.html>, 17 July 2006
- On 14 June 2006, Immigration Minister Liam Byrne said that he refused to rule out an amnesty for foreigners without authorization of stay. Mr Byrne added that he would have to wait for a report before making any decisions on whether to have an amnesty. (Source: *Migration Policy Group, Migration News Sheet, p. 10, July 2006*) The Institute for Public Policy Research has released research (see *PICUM Newsletter April 2006*) which shows that it would be in the British economy's best interest to apply an amnesty to undocumented migrant workers.
<http://www.ippr.org.uk/pressreleases/?id=2169>, 14 June 2006
- The Joint Council for the Welfare of Immigrants (JCWI) is calling for a cross-party consensus on a regularisation programme to address the predicament of up to 570,000 people living irregularly in the UK, including those who have overstayed work and student visas, failed asylum seekers, and trafficked persons. <http://www.ncadc.org.uk/newszine72/jcwiFAQs.htm> and <http://www.ncadc.org.uk>, 12 July 2006
- "Fair, Effective, Transparent and Trusted: Rebuilding Confidence in our Immigration System," a paper setting out the Home Secretary's vision on how the Government can work to improve the way the Immigration and Nationality Department tackles immigration in the 21st Century, was unveiled on 15 July 2006. The document sets out four key objectives, which will build on the Government's five year strategy for asylum and immigration and develop proposals to strengthen its borders, fast track asylum decisions, enforce its immigration law and boost Britain's economy.
<http://www.homeoffice.gov.uk/documents/ind-review-250706>
- Great Britain intends to reinforce within the next eight years the monitoring of its borders by re-establishing the control of the exits of the territory, which will make it possible to evaluate the number of foreigners present in the country, announced 25 July 2006 the Secretary of State for the Home Office John Reid. This measure will be taken to identify those who stay longer than the duration of their visa. Mr Reid has also announced measures against employers who employ undocumented migrants.
<http://www.cyberpresse.ca/article/20060725/CPMONDE/607251205/5279/CPMONDE>, 25 July 2006
- A Kurdish teenager killed himself after spending more than four months in an immigration detention centre. Ramazan Kumluca, 18, is the youngest asylum-seeker to have committed suicide while facing deportation from Britain. http://news.independent.co.uk/uk/this_britain/article1190590.ece, 22 July 2006. 120 immigration detainees started a hunger strike on 14 June at Campsfield IRC following the suicide of a Somali man detained at Campsfield on 12 June.
<http://www.indymedia.org.uk/en/2006/06/342930.html> On 5 July 2006, a 35-year-old Ethiopian asylum seeker, Abiy Fessfha Abebe, was found hanged in accommodation in Liverpool, after recently being told his asylum claim had been refused. <http://www.irr.org.uk/2006/july/ha000020.html>
- Anne Owers, Chief Inspector of Prisons, is still expressing concerns about the detention of children at Yarl's Wood IRC detention center. Ms Owers made her second inspection of Yarl's Wood IRC in

February 2006 and published her report on 26 July 2006. In her first inspection in February 2005 she made a number of recommendations to the Home Office. One year later, thirty recommendations made at that inspection had not been achieved and a further 25 recommendations had only been partly achieved. Parents incarcerated in Yarl's Wood IRC started a hunger strike on 27 July 2006 and also refused to send their children to the school or the nursery. They want to know what crimes their children have committed to be incarcerated indefinitely. <http://www.ncadc.org.uk/>

- Since 2003 there has been a 15-fold increase in the number of failed asylum seekers who are receiving so-called Section 4 support, on the basis that they are temporarily unable to leave the UK for reasons beyond their control. The Home Office's National Asylum Support Service (NASS) failed to adequately respond to this increase and, during 2005, delay and error in the processing of applications and the delivery of support became commonplace. This resulted in numerous cases of avoidable destitution. <http://www.ncadc.org.uk>
- The British government is violating the right of failed asylum seekers to health care, according to an editorial in the 17 July edition of the British Medical Journal. Destitute failed asylum seekers are being refused hospital treatment and being hounded by debt collectors if they have received emergency treatment. In restricting their access to free secondary healthcare, the British government is violating the right of failed asylum seekers to the highest attainable standard of health, guaranteed by the International Covenant on Economic, Social and Cultural Rights. <http://www.medicalnewstoday.com/medicalnews.php?newsid=47276>, 17 July 2006) and http://www.refugeecouncil.org.uk/downloads/rc_reports/Health_access_report_jun06.pdf

Germany

- On 13 June 2006, in the prelude to the Federal Conference of Commissioners for Aliens and Integration Affairs at the Federal, Regional and Local levels, held in Potsdam, the Federal Commissioner, Maria Böhmer (CDU) called for a right of residence for asylum-seekers denied refugee status but whose stay in Germany has been "tolerated" for at least six years. Mrs Böhmer said that she was quite confident that the Conference of Interior Ministers (IMK) would agree to have such a regulation on so-called old cases (Altfallregelung) when they hold their next meeting in fall 2006. (*Migration Policy Group, Migration News Sheet, p. 13, July 2006*)
- With more than 200,000 so-called "tolerated" rejected asylum-seekers in Germany and the inability of the federal and regional ministers of Interior to agree to a law setting out the conditions for eligibility to stay, the authorities are constantly confronted with strong humanitarian cases, especially those concerning families with children attending school. (*Migration Policy Group, Migration News Sheet, p. 13, July 2006*)
- The Committee on Internal Affairs of the Bundestag, the German national parliament, held a hearing on 26 June on two legislative initiatives concerning the situation of undocumented migrants in Germany. The basis of the hearing was a draft law of the German Green Party BÜNDNIS 90/DIE GRÜNEN on the improvement of the social situation of undocumented migrants in Germany (BT print 16/445), and a request made by the parliamentary left fraction Die Linke for the unrestricted validity of human rights in Germany (BT print 16/1202). <http://www.proasyl.de/de/archiv/newsletter-ausgaben/nl-2006/newsletter-nr-113/index.html> (June 2006)
- On 7 May 2006 a 57-year old Chinese woman committed suicide while in custody pending deportation in the Neuss detention centre. Since 1993, 49 suicides in detention have been documented, but it is estimated that the real numbers are much higher.

<http://www.proasyl.de/de/archiv/newsletter-ausgaben/nl-2006/newsletter-nr-113/index.html> (June 2006)

Belgium

- Approximately 50 undocumented migrants who were occupying a church in the Brussels district of Anderlecht to demand their regularization were removed by force and transferred by the police to a detention centre on 4 July. Between the transfer from the church to the Vottem detention center they were victims of deliberate policy brutalities. The NGO CIRE filed a complaint against the Belgian police for the brutalities, and joined several other NGOs in demanding the authorities to ensure that the victims remain in Belgium while the investigation is ongoing. 35 detainees in the Vottem detention center signed a letter denouncing conditions in the center. Kerkasiel.anders, an offspring of KMS (Kerkerk Multicultureel Samenleven), also protested against the police actions and urges an open discussion of the crisis with guarantees that those arrested will be treated humanely and be provided with adequate legal help. <http://www.cire.be/>
<http://listes.rezo.net/archives/migreurop/2006-07/msg00076.html> and kerkasiel.anders@kms.be
- The Asylum and Migration Forum (FAM) has denounced the arbitrariness of the decision made by the Minister of Foreigners' Affairs to regularize the undocumented migrants who were on a hunger strike in the "Minimes" church in Brussels. Although it welcomes the solution proposed to these people, it repudiates the fact that this was only possible after a hunger strike. FAM urges politicians and political parties to set up a regularisation policy that is based on clear and objective criteria. <http://www.f-a-m.be>
- On 12 July Minister of the Interior Dewael's two bills for the reform of the asylum procedure and the Residency Law were approved without changes, despite various protests by civil society leading up to the vote calling for clear and objective regularisation criteria. Organisations pleading for such criteria such as UDEP (Union of Undocumented Migrants), FAM (Asylum and Migration Forum) and Antwaarps Asiel (an assembly of religious and secular supportive organisations), will keep up the pressure. (Source : Newsletter De Acht, July 14 - vluchtelingenteam@de8.be)
- The Court of Arbitration has laid down in a ruling that while Belgian children of undocumented migrants have the right to sufficient social services, they are not entitled to receive child allowances. The basis of the verdict is Article 1 of the July 20, 1971 law, which states that the foreign parent legally responsible for the child must be legally residing in Belgium. (Source : Newsletter De Acht, July 7 - More info : www.arbitrage.be)

Netherlands

- Dutch poet and performer Joke Kaviaar has recently started a black book on the 'detention boats' the Dutch government is using for undocumented migrants. Everybody is invited to add information on the exact locations, the household regimes, treatment and experiences on the boats and information on what categories of people exactly will be held there. The black book can be found on www.jokekaviaar.nl/bajesboten.html, stories can be sent to : info@jokekaviaar.nl.
- According to a new code of conduct of the Dutch Organisation for Paediatrics (NVK) their members should protest against the expulsion of children they have under their care if the expulsion will have damaging consequences for the child involved. If necessary for the children under their care, they also should protest involuntary removals, be it within the Netherlands or abroad. (Source: Newsletter LOS 3-12 – info@stichtinglos.nl)

Austria

- According to the latest figures provided by the Ministry of Interior, 13,232 foreigners were removed from the country in the first four months of this year. These expulsions come under the so-called category of “Aliens Police Measures”, which includes both voluntary and forced departures. In view of the elections in autumn this year, one of the campaign promises made by the leading candidate of the far-right party “Alliance for the Future of Austria” (BZÖ), Peter Westenthaler, is the expulsion of 300,000 foreigners in the next three-year period. Those targeted for expulsion would be foreigners “unwilling” to integrate and unemployed for a long period of time. According to Mr Westenthaler, 300,000 is the number of foreigners living in Austria without authorization. (*Migration Policy Group “Migration News Sheet”, p.5, July 2006*)

Denmark

- On 12 June 2006, Romano, a Danish advocacy group in support of Roma people, informed that they had filed lawsuits against the Danish Red Cross for its alleged maltreatment of rejected Roma asylum-seekers in two reception centres, Sandholm and Anvstrup. Entire families have been forced to live in single rooms in the camps for several years and subjected to a range of other pressures to get them to leave Denmark. According to the President of Romano, Eric Stottrup, 40% of the adults living in Sandholm and Anvstrup have psychiatric problems and the Red Cross “have made these people insane”. (*Migration Policy Group “Migration News Sheet”, p.12, July 2006*)

Malta

- More than 300 undocumented immigrants currently detained in the Safi detention centre escaped on 26 June with the aim of marching to the Prime Minister's office in the Maltese capital Valletta. Malta currently detains undocumented migrants for up to 18 months, in an attempt to discourage further landings of African immigrants on the island. More than 600 undocumented migrants have already landed on Malta this year - a large number for an island of just 400,000 inhabitants. <http://euobserver.com/9/21973/?rk=1>, 28 June 2006
- Maltese NGOs and the Jesuit Refugee Service (JRS), who are members of a newly formed International Coalition on the Detention of Refugees, Asylum-Seekers and Migrants (*see “General” news items in this month’s newsletter*), held a press conference on 22 June to urge the government to set up an independent body to monitor conditions inside detention centres. (*Migration Policy Group, Migration News Sheet, p. 14, July 2006*)
- A Spanish fishing boat rescued a group of 51 African migrants from a stranded boat off the coast of Libya on 16 July 2006. This act resulted in a diplomatic standoff between Spain, Malta, Libya and the European Union that left the migrants, the captain and the crew stranded for days on the open sea with nowhere to go. Malta had initially refused to allow the ship to dock, saying the Africans were rescued outside its territorial waters. The migrants were finally allowed to disembark in the Maltese capital La Valletta on 21 July after Spain agreed to take on most of the group who are mainly from Eritrea. Malta said that it would take three migrants and the others will be taken in by Spain, Italy and Andorra. <http://news.bbc.co.uk/2/hi/europe/5205084.stm>

Switzerland

- On 9 June 2006, the Senate approved by 22 votes in favour and seven abstentions a bill regulating measures to be used throughout the country when carrying out forced expulsions. The bill rules out

the use of many means that can pose an obstacle to breathing, such as gagging or helmets, which cover a large part of the face. Also banned is the use of medication to tranquillise or render unconscious a person putting up strong resistance to his expulsion. Initially, the draft bill authorized the use of electro-shock pistols, but this was abandoned in the face of considerable protests. (*Migration Policy Group, Migration News Sheet, p. 17, July 2006*)

- On 23 June 2006, a court in Basel acquitted a priest and his assistant accused of sheltering rejected asylum-seekers. Both of them were fined for carrying out their humanitarian duty, but the court ruled that they were not guilty. (*Migration Policy Group, Migration News Sheet, p. 17, July 2006*)

3. European Policy Developments

General

- A series of common actions have been agreed between Europe and African countries in order to tackle the growing problem of illegal immigration in the EU. The common actions, which were agreed at the Euro-African Ministerial Conference on Migration and Development in Rabat, Morocco, on 10-11 July, include joint monitoring of sea and border routes and the tackling of poverty, one of the root causes of immigration, through aid. Other actions, which will be included in a draft plan to be presented at the UN High Level Dialogue in September, include a migration observatory to track people's movements and the use of awareness raising measures to alert poor countries' citizens to the dangers of illegal migration. The Rabat Conference, which brought together ministers and representatives from almost 60 EU and African countries, was organised in response to the incident in Morocco last September where hundreds of African migrants tried to break down the border fence separating the country from the two Spanish enclaves of Ceuta and Melilla (see "*Death at the Border*" in this month's PICUM newsletter for related items). The EU has argued that the main response to the dramatic increase in immigration flows from Africa to Europe should be more financial aid to the region, with a grant of 18 billion Euros earmarked for Africa between 2007-2013. According to the EU Development Commissioner, Louis Michel, "the only long term and sustainable response to migration pressure is not putting more barriers in place, sending people back or selective migration policies. The true response is investing massively in development." <http://www.ecre.org/Update/Weekly%20Update%2013%20July%20FinalVersion.doc>
- Prior to the inter-governmental conference, NGOs from sub-Saharan and North Africa and Europe met in Rabat from 30 June-1 July and adopted the "Rabat Manifesto" on migration, fundamental rights, and freedom of movement. The signatories call on governments to go beyond their security concerns and develop admission and integration policies that can restore the rights of asylum and secure the recognition of immigrants' rights as workers and citizens. <http://www.migreurop.org/article926.html>
- In an article published in the French newspaper Libération on 13 June, Migreurop denounced the tendency in EU policy debates to often refer to "illegal emigration," since according to international conventions is not illegal to *emigrate* from one's country. For this reason, the use of this expression by EU institutions can be potentially considered as a form of non-respect of the 1948 Universal Declaration of Human Rights which states that every human being has the right to emigrate from his/her country of origin. www.liberation.fr/page.php?Article=389672

European Commission

- Employers of undocumented migrants could face jail under a new EU directive that could be tabled next year, the European commission decided. Justice commissioner Franco Frattini is seeking a EU crackdown on bosses that employ migrants in the black economy and create “pull factors” for undocumented migrants. Mr. Frattini is concerned that some employers are pocketing huge profits while exploiting migrants. “When there are clear and intentional violations we have to punish, not the victim, but the violator, the employers”. Frattini is concerned that sanctions vary widely across the EU and that some member states may be tolerating the black economy at the expense of a level playing field in the single market. <http://www.eupolitix.com/EN/News/200607/a9ecf792-bb3f-4ac5-96a3-33f87de59a3b.htm>
- The European Commission has issued a warning to Italy that it could face EU sanctions if its move to legalise up to 350,000 immigrants breaches union law. Justice commissioner Franco Frattini said that the Italian authorities would have to check each one of the thousands of applications for regularisation to make sure they comply with EU law. Mr Frattini's warning comes after Rome announced in the third week of July that it intended to put in place a quota of 350,000 non-EU citizens who would be able to legalise their status in Italy as well as regularising more than 500,000 workers already in the country. The EU would like to create an early warning system to be put in place when governments are considering immigration procedures that will affect other countries. <http://euobserver.com/9/22186>
- The Commission adopted a Communication on 19 July taking stock of the progress made in fighting illegal immigration and identifying the EU's policy priorities in this area. The Communication addresses measures at all stages of the illegal immigration process, in particular cooperation with third countries, further strengthening the external borders, fight against human trafficking, tackling illegal employment, regularisation of undocumented migrants, return policy, improved information exchange and policy evaluation. <http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/06/296&format=HTML&aged=0&language=EN&guiLanguage=en>
- The European Commission will use the Rapid Reaction Mechanism to finance a 2.45 million Euro programme in response to the influx of migrants into the Canary Islands coming from Mauritania, the Commission stated on 10 July 2006. The programme includes capacity building for border patrols, resources for detention and return of migrants to their home countries, discouragement of Mauritians from leaving their homes in the first place by raising awareness of the dangerous sea journey and support for Mauritania's newly created Immigration Unit. <http://europa.eu>
- Pilot cooperation projects are to be set up between European Member States and African, Caribbean and Pacific (ACP) countries, in response to the increase in migratory flows from African states. A high level meeting between the Commission, Spain, the Canary Islands and ECOWAS (Economic Community of Western African States) and the African Union in September would allow a pilot cooperation scheme to be launched between the European Union and the outlying regions for the development of ACP countries. Agence Europe – 9.06.06 Website: <http://www.ecre.org/>

European Parliament

- A delegation of the European Parliament's Committee for Civil Liberties, Justice and Home Affairs visited detention centres in the Canary Islands on 8-9 June 2006. The aim of the visit was to gather information on illegal immigration and analyse both the reasons for and consequences of it. The delegation of MEPs expressed its concerns to some NGOs about the situation in the “Las Raíces” centre where, as Médicos del Mundo and the Spanish Red Cross have indicated, there is overcrowding and there have been cases of unauthorised blood testing of undocumented migrants.

(Sources: *Migration News Sheet*, July 2006

<http://www.canarias7.es/imprensa/articulo.cfm?id=1427176>

http://www.europarl.europa.eu/meetdocs/2004_2009/organes/libe/libe_20060712

- MEP Patrick Gaubert's (EPP-ED) report on mutual information sharing was adopted with amendments at the European Parliament (EP) plenary session in Strasbourg on 6 July 2006. In its legislative resolution on the proposal for a Council decision on the establishment of a mutual information procedure concerning Member States' measures in the areas of asylum and immigration, the Parliament asks for national reports to be sent to the Commission twice yearly, in addition to the information database, for the database to be open to the public and for a more open debate in the Council on immigration issues. <http://www.europarl.europa.eu/>, Agence Europe - 11/7/06
- The president of the European Parliament, Mr Josep Borrell, has stressed that police intervention alone cannot deal with the problem of illegal immigration as "the problem is more serious – development policy is needed in the countries of origin". Speaking at the Parliament's summer university on the future of Europe, Mr Borrell also said that immigration to Europe was a "European problem" which needs a European solution. Agence Europe - 25/07/2006
- MEP Manfred Weber's (EPP) draft report on the Commission's proposal for a Returns Directive has recommended that the maximum period for temporary custody be increased to 12 months. Mr Weber added that the 12-month maximum would not mean that countries with shorter maximum detention periods, such as France, would have to increase them. The report also suggested definitions for definition of transit zones, which it was felt may restrict the scope of the Directive even further. Several MEPs, including Jeanine Hennis-Plasschaert (ALDE) and Jean Lambert (Greens/EFA), felt that the provisions on the re-entry ban were too rigid, saying they should the exception rather than the rule. To access the report see: www.europarl.europa.eu

European Council

- Taking over the EU presidency from Austria on 1 July 2006, Finland will continue to identify practical cooperation, especially the sharing of Country of Origin Information (COI), as one of the key issues in the Justice and Home Affairs area. Having prepared a joint Council program for 2006, Finland will mainly continue the work of the Austrian Presidency. A major theme in the field of justice and home affairs will be the mid-term review of the Hague Program, which will take the form of a political analysis in December of the achievements in the area of justice, security and freedom in order to identify key priorities for future action. Improving the functioning of the common asylum system is one of three priority areas for the Finnish Presidency, the other two being the harmonization of return policy and the management of migration flows and prevention of illegal immigration. <http://www.intermin.fi> and http://www.eu2006.fi/en_GB Agence Europe 01/07/2006 and 03/07/2006
- EU leaders have agreed they must find some common principles on how to tackle immigration, with Austrian chancellor Wolfgang Schussel stressing that immigrants must accept some European values if they want to settle in the continent. <http://euobserver.com/9/21882/?rk=1> and <http://www.enar-eu.org/en/wmail/index.shtml> Weekly mail 48
- EU interior ministers at the Justice and Home Affairs Council of 24 July said the 25 Member States had to work together to combat illegal immigration. Ministers discussed measures proposed by the European Commission for fighting illegal immigration, including coastal patrols in the Mediterranean. The director of the Frontex Agency, Ilkka Laitinen, explained that the patrols

planned off of the Canary Islands, Senegal and Mauritania were expected to continue for up to seven years, subject to funding. In response, EU Justice, Liberty and Security Commissioner Franco Frattini said the Commission aimed to extend patrols in the Eastern Mediterranean. For further information see: Agence Europe – 25/07/2006

The Council of Europe

- In an address to the European Parliament's sub-committee on human rights in Strasbourg on 3 July, The Council of Europe Commissioner for Human Rights, Thomas Hammarberg, presented his views on key human rights problems and emphasised that the EU must increase cooperation in the area of immigration policy. "The rights of irregular migrants (whom I do not wish to refer to as "illegal" migrants) are often undermined in Europe and I believe that EU governments should share the responsibility for resolving the challenges posed by such immigration trends," he said. He stressed that irregular migrants are entitled to a number of rights (including the right to due process, education and health care) under the established human rights order, and pledged to prepare recommendations on the practical aspects of according these rights.
http://www.coe.int/T/Commissioner/Media/News_2006/060704EP_en.asp
- The Committee on Migration, Refugees and Population of the Council of Europe's Parliamentary Assembly (PACE) released a statement on 19 June in which it said that Member states of the Council of Europe must re-examine what are becoming "fortress policies" towards refugees and asylum seekers. "Particular concern should be raised about the continuing death-toll on refugees and asylum seekers using ever more desperate measures and dangerous routes to enter Europe as states secure even more tightly their frontiers. Once in Europe, asylum seekers and refugees face many hardships. Concerns can be raised over the growing recourse to detention, the length of this detention and the conditions of detention. For those who are not detained there are mounting restrictions on social benefits affecting the dignity of these persons, and what appears to be a developing competition between states to see who can be the toughest on asylum seekers and refugees in order to dissuade as many as possible from entering Europe."
<http://assembly.coe.int/ASP/Press/StopPressView.asp?CPID=1778>

4. Upcoming Events

- The Ökumenische Netzwerk Asyl in der Kirche in NRW (Ecumenical Network Church Asylum in North Rhine Westphalia) and kein mensch ist illegal NRW (No one is illegal NRW) will hold a conference entitled "'Papiere für alle! Kampagnen und Initiativen gegen Illegalisierung. Zwischenbilanz und Perspektiven für Papierlose und UnterstützerInnen" ('Papers for all! Campaigns against illegalisation. A provisional appraisal and perspectives for those without papers and for their supporters) on 9 September 2006 in the Evangelische Akademie Iserlohn (Evangelical Academy Iserlohn). The conference is still open for participants from European neighbouring countries who are currently engaged in regularization campaigns or campaigns against criminalization of undocumented migrants. Undocumented migrants are also welcome to participate. Contact: Mercedes Pascual Iglesias, Ökumenisches Netzwerk Asyl in der Kirche in NRW e.V., Tel: +49/221/33.82.281, kirchenasyl.nrw@t-online.de.

5. Publications

- *Irregular Migrants: access to minimum social rights* (2006), by Ryszard Cholewinski, Council of Europe publication. This book examines the issues in light of the Council of Europe's concern to promote human rights, maintain social cohesion and prevent racism and xenophobia, and pinpoints

a number of political difficulties encountered by governments. It stresses the potential role of the Council of Europe in counterbalancing the restrictive approach to illegal migration adopted by the European Union. book.coe.int/EN/ficheouvrage.php?PAGEID=36&lang=EN&produit_aliasid=1969.

- *Migration, a Journey into Poverty?* is the title of the third report on poverty in Europe by Caritas Europe. The report states that even though poverty and migration are not necessarily connected to one another, the situation of the 56.1 million migrants in Europe, some 10% of them undocumented, is clearly worse than that of local inhabitants, whether it be in the spheres of housing, health, education or that of social participation. <http://www.caritas-europa.org>
- *Unheard Voices- listening to the views of asylum seekers and refugees* is a new report that has been published by the Commission for Patient and Public Involvement in Health (CPPIH) on the provision of mental health services to asylum seekers and refugees in London, the most 'vulnerable and socially excluded people in our society'. The research for the report was carried out on behalf of the network of eleven Mental Health Patient and Public Involvement Forums in London and is based on interviews with thirty-one asylum seekers and refugees in London. <http://www.irr.org.uk/2006/june/ha000024.html>

6. PICUM News

- PICUM will hold a workshop on "Protecting Undocumented Migrant Workers in Europe" at the 11th Annual Metropolis Conference, which will be held in Lisbon, 2-6 October 2006. The workshop aims to present pragmatic ways in which NGOs, trade unions and other actors work with and advocate for undocumented workers. <http://www.ceg.ul.pt/metropolis2006/metro2006workshops.pdf>
- The report of "Protecting Undocumented Migrant Workers in Europe: Successes and Strategies," March 23, 2006, an event organized by PICUM with the support of the European Trade Union Confederation, is now available at: www.picum.org.
- PICUM staff and board members have recently spoke at the following events:
 - Participation in an international planning meeting organized by Migrant Rights' International in preparation for activities at the July 2006 UN informal hearings on migration, 16-22 June, Geneva.
 - PICUM submitted a comment on the Report of the United Nations Secretary-General on International Migration and Development and presented it at the **Informal Interactive Hearings of the General Assembly**, held on 12 July at the **United Nations Headquarters** in New York. PICUM's comment addressed the following issues: irregular migration has developed out of badly managed national migration schemes; undocumented migrants experience injustice as a consequence of badly managed schemes; the phenomenon of undocumented migration cannot be dealt with through repressive enforcement measures alone; civil society is working to ensure that undocumented migrants are not permanently marginalised as a result of their insecure position; and the issue of irregular migration cannot be addressed without the full participation of civil society in policy discussions.
 - PICUM presentation on "Ten Ways to Protect Undocumented Migrant Workers" at the following events:

Meeting organized by the Churches Commission for Migrants in Europe (CCME) for the **“Trafficking in human beings: new challenges, new partnerships”** CAT project, held on 25-28 June 2006, Prague.

“Action against trafficking and forced labour exploitation of migrant workers in Europe,” organized by the International Labor Organization (ILO), 29-30 June, Lisbon.

“Migration and Rights Workshop, Bellagio Dialogue on Migration,” 26 June-1 July, Bellagio, Italy. Organized by the German Marshall Fund of the United States (GMF) and the Rockefeller Foundation.

“Trade unions and migrant workers,” organized by the Union Ideas Network (UIN), 19 July, Trades Union Congress building, London.

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