



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

PICUM Newsletter July 2008

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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

- At least 40 migrants drowned and 100 disappeared off the coast of Libya, after the shipwreck of a boat transporting undocumented migrants from Libya to Italy. The incident took place on 7 June, just after the boat departed from the Libyan port of Zouwaira, close to Tunisia. The only two survivors are a Bangladeshi and an Egyptian, the latter of whom confirms that there were 150 people on board the ship when it set off. Although the Libyan authorities were unable to identify the deceased, according to the Egyptian they were largely of Egyptian, Moroccan and Bangladeshi origin. <http://www.romandie.com/infos/afp/display.asp?id=080616160515.82ih1brt.asp>

- 56 miles south of Malta a boat split in two after crashing into the tuna cages of a fishing boat, on 15 June. Six Somalians, of whom two were children, died after being sucked into the cages. The other 28 survived by attaching themselves to the cages and to small boats thrown into the water by the fishermen. <http://ricerca.repubblica.it/repubblica/archivio/repubblica/2008/06/16/215il.html>. According to Antonio Sardo, the commandant of the Italian fishing boat the Gambero, one of the women rescued gave birth to a dead baby during the voyage at sea. http://fortresseurope.blogspot.com/2006/02/immigrants-dead-at-frontiers-of-europe_16.html
- The death of a young Iraqi Kurd due to overheating in a truck during his journey from Greece to Italy on 23 June has reopened the debate regarding the Italian border. The other four migrants travelling with him in the same truck reported that he had been turned away from the Italian border the week before, without having had the chance to ask for asylum. It is thought that this is the case with the majority of migrants who arrive at Italian ports. More than 1,000 immediate rejections take place each year which result in the expulsion of migrants from Italy to Greece. http://www.ilmanifesto.it/argomenti-settimana/articolo_0e598b683680c84fccb9d553da06b9d4.html

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

France

- A fire started by arson nearly destroyed the administrative detention centre of Vincennes (Val-de-Marne), one of the largest of its kind, on 22 June. 273 migrants with expulsion orders were being held there. Two fires were started simultaneously the day after the death of a Tunisian inmate and badly damaged the buildings, though there were no serious injuries. Twenty people were intoxicated by the fumes and transferred to hospital, whilst it was reported by the prefecture of the police that fourteen others took flight. The inmates who remained were evacuated and transferred to the gymnasium of the police school situated nearby before being sent to other detention centres across France. Much controversy surrounds the death of the Tunisian man, with police and officials saying that the staff at the centre are in no way to blame for his heart attack but organisations calling for protests against the detention centre whose policies of cruelty, brutality, inhumanity and criminalisation of migration led, they say, to the incident. http://www.lemonde.fr/societe/article/2008/06/22/un-incendie-detruit-le-centre-de-retention-de-sans-papiers-de-vincennes_1061471_3224.html?xtor=RSS-3208
- The French government has, for several years, refused to grant a Visa to Zakia, a Moroccan national and widow of a Frenchman who has a French son aged 4. Zakia and her late husband were married in Morocco in 2003, however the French consulate suspected a “fake marriage” and were reluctant to issue the couple with a marriage transcript, resulting in the state prosecutor of Nantes carrying out an investigation. Zakia was finally provided with her marriage transcript in July 2006, one year after the death of her husband in a car accident. Zakia was refused residence in France several times with the reason given that she was not participating in the upbringing and education of her child. To learn more about this or to sign the petition, visit <http://placeauxdroits.net/petition/?petition=31>. Also, to read the report “Peu meilleur et trop de pire” (Little better, much worse) published on 17 April 2008, visit <http://www.cimade.org/publications/15>. This report studies the administrative difficulties and family dramas which mixed couples in France live through and is published by the movement “Amoureux au Ban Public”, whose main aim is to ensure the collective protection of the right to a family life. <http://amoureuxauban.net>

- Various strikes of undocumented migrants have taken place around Paris from 15 April onwards, supported by such organisations as the CGT, Droits Devant, the CNT and Solidaires. The strikes have aimed to draw attention to the exploitation of tens of thousands of undocumented workers. Three Malian women, Mariam, Fanta and Sali, all working as cleaning women, joined the strike. Their aim was to fulfill the requirement of article 40 of the law of 20 November 2007, and the bill of 7 January 2008, which offer the possibility of regularisation upon request to an employer with the conditions that the migrant is working in a sector with low recruitment levels and is contracted for a minimum of one year. Droits Devant has highlighted the particular difficulties that female undocumented migrants face when working, especially if they have a family. Gracieuse Lesaffre, from this organisation, says that almost one hundred women would be willing to mobilise themselves in order to obtain their regularisation, even though only about ten have gone through the procedure so far. http://www.lemonde.fr/archives/article/2008/05/28/a-paris-la-fronde-singuliere-de-femmes-sans-papiers_1050650_0.html
- Six organisations from the League of Human Rights at the Federation of Councils of Students' Parents (FCPE) have warned against the dangers of a proposal for future programmes of study which uphold the idea that undocumented migrants are not entitled to the protection of their fundamental rights. The project in question, currently under review, is for the new curricular programme of civic education classes, which are taught in secondary school, and in the section on 'citizenship and nationality' it is stated that civil, economic and social rights are available for all *regular* inhabitants of a country. According to the organisations who oppose this programme, this idea gives weight to the notion that foreigners who are installed irregularly are not entitled to these same, basic rights, even though fundamental human rights comprise everybody, no matter what nationality. The League of Human Rights (LDH), the FCPE, the trade unions Snés, FSU and Ferc-CGT, the Immigrants' Information and Support Group (Gisti), and the network Education Without Borders (RESF) all affirm this. On this subject, see http://resf86.ouvaton.org/article.php3?id_article=95 and the Gisti publication 'Without papers but not without rights', which can be downloaded at http://www.gisti.org/IMG/pdf/np_sans-pap-pas-sans-droits_4.pdf

Spain

- The Spanish Congress recommended on the 11 June that the Government should sign the international convention that prohibits the massive expulsion of migrants, when a collective consensus is reached on this matter within the European Union. The Commission of Foreign Affairs discussed on 11 June the proposal presented by IU-ICV which asks the government to sign the UN convention on migrant workers, in vigor since 2003 and ratified by only 37 States, none of them of the EU. <http://www.europapress.es/epsocial/inmigracion-00329/noticia-congreso-pide-promover-firma-acuerdo-internacional-prohibe-expulsiones-colectivas-inmigrantes-20080611122123.html>
- The Basque Government has hardened the government bill on Social Services to avoid fraud, above all, to stop some irregular migrants registering (*empadronarse*) in the Basque Region in order to demand services or subsidies while maintaining their real residence in another place. The law will continue to recognise undocumented migrants' right to the same social services as documented ones. The new aspects introduced are some of several additional conditions imposed on people who want the right to register: to gain "effective" residence in the Basque Country migrants must show that they have resided in the country, uninterrupted, for the immediately previous twelve months. <http://www.diariovasco.com/20080612/al-dia-sociedad/gobierno-vasco-endurece-acceso-20080612.html>

Italy

- Italian Prime Minister Silvio Berlusconi has backtracked over a controversial bill that would make irregular immigration a criminal offence following heavy criticism from the United Nations, the Vatican and the European Parliament. Two weeks after signing the draft law, Berlusconi appears to be having second thoughts, and is now making a distinction between the irregular presence of foreigners and their eventual criminal behaviour. But Italian Interior Minister Roberto Maroni said he was surprised by his Prime Minister's statement. "The law is already in force, it considers illegal migration a crime, it has been approved two weeks ago by the Government with unanimity and bears Berlusconi's signature," Maroni said. The act of the Italian Government represents an "immediately applicable law" which is already in force, but needs to be endorsed by the Parliament within 60 days. <http://www.euractiv.com/en/mobility/berlusconi-backs-jailing-immigrants/article-173018>
- UNHCR welcomed the final approval by the Italian Council of Journalists' Associations of a code of conduct on reporting of asylum and migration issues. The document, known as the "Rome Charter" was drafted by the Journalists' Association and the Italian National Press Federation in collaboration with UNHCR. The Rome Charter will provide Italian journalists with guidelines to ensure that information on asylum seekers, refugees, migrants and victims of human trafficking is balanced and accurate. The charter also calls for migration and asylum issues to be included in journalism courses and establishes an independent monitoring centre which will monitor media coverage of asylum seekers, refugees and migrants. <http://www.unhcr.org/news/NEWS/485250ee2.html>

Greece

- According to an article published by the daily newspaper "Kathimerini", there is a growing number of undocumented migrants living in bad housing conditions in central areas of Athens. The houses are old buildings that do not comply with any security and hygiene standards. Undocumented migrants pay a high fee to share a room with four to five other migrants. Along with the bad housing conditions, undocumented migrants complain about violent police behavior. http://news.kathimerini.gr/4dcqi/w/articles_ell_100039_22/05/2008_270832
- The Greek Minister of Internal Affairs during his speech to Parliament claimed that the Turkish Government does not respect the bilateral agreements of the two countries, related to the entrance of undocumented migrants in Europe. He went on to say that he has evidence to prove that the Turkish government encourages the smuggling of people via the sea. He added that Greece is going to file complaint at the ministerial council in Luxembourg. At the same time he admitted that there is a lot to be done in terms of facilities and services for asylum seekers at the border areas in order to safeguard human rights. <http://www.tanea.gr/Article.aspx?d=20080611&nid=8818700>

UK

- Beginning in the autumn of 2008, employers will need to prove that native workers are unable to fill vacancies before offering them to migrants. In keeping with the new points-based immigration system, only immigrants with skills particularly needed in Britain will be granted permission to work. Points will be awarded on the basis of salary expectations, qualifications, and age. The system will make it particularly difficult for migrants from outside the European Economic Area to reside and work in the UK. With eventual effects on highly-skilled workers, temporary workers, students, entertainers, and athletes, the points-based system intends to create a much tighter regime for non-European migrants while preserving free movement for European Economic Area residents. <http://www.guardian.co.uk/politics/2008/may/06/immigrationpolicy.immigration>

- Equality organisations continue to criticise the Home Office Green Paper 'The Path to Citizenship.' The proposed legislation is said to create a system by which immigrants, as probationary citizens, would be required to earn the right to full citizenship. As probationary citizens, migrants would face greater surveillance and would be required to pay a greater tax contribution. Organisations such as the Runnymede Trust and the Equality and Diversity Forum fear that the proposal would lead to direct and indirect discrimination of migrants with this temporary status. <http://www.migrantsrights.org.uk/enews/2008/june.htm>
- In a recent development on a story from the June 2008 PICUM Newsletter, a rejected asylum seeker from Palestine has been granted access to treatment for his chronic liver condition at the West Midlands University Hospital after formerly having been denied on the basis of his immigration status. Current policies prohibit free hospital treatment for undocumented migrants, though individual GPs have been able to grant free primary care. This exception, though under appeal by the Department of Health in England, has been supported by the Welsh Department of Health. <http://www.migrantsrights.org.uk/enews/2008/june.htm>
- The National Coalition of Anti-Deportation Campaigns found that incidents of serious self-harm at removal centres increased 54% from the last quarter of 2007 to the first quarter of 2008. Similar increases were found for incidents of self-harm requiring medical treatment and for persons formally considered at risk of self-harming. All information was obtained by virtue of the Freedom of Information Act, and analysis was performed by the NCADC. <http://www.ncadc.org.uk/resources/self-harm2006.html>

Ireland

- According to the Immigrant Council of Ireland – Independent Law Centre, Ireland faces new immigration legislation potentially bringing restrictive changes to policy regarding undocumented migrants. The Immigration, Residence and Protection Bill intends to allow deportation without notice of any person appearing to be unlawfully present. The current policy allows 15 working days to submit reasons to be exempted from removal, whereas the new policy includes no such provision. Despite conflict with both the European Convention on Human Rights and the Irish Constitution, the bill intends further to limit migrants' access to justice via hastened judicial review of decisions. The bill would impose costs on legal representatives for cases deemed frivolous or vexatious, which may deter representatives from taking migrants' cases. http://www.immigrantcouncil.ie/images/7670_irpbillanalysisplusamendments.pdf
- The Irish Supreme Court has limited the power of the Minister of Justice to deport the parents of Irish-born children. The ruling directly affects two couples, Mr. and Mrs. Oguekwe and Mr. and Mrs. Dumbo. Prior to January 2005, Irish nationality law afforded parents of Irish-born children the right to remain in Ireland. In January 2005 the law was amended to deny residence to parents of Irish-born children following reports of women rushing from Irish airports directly to hospitals to give birth. The law did so by restricting the qualifications for the children themselves to become citizens, though born on Irish soil. The two undocumented couples in question have children born in Ireland before January 2005, yet they were denied residence nonetheless. The Supreme Court ruling would grant residence to these couples and may apply to other families in similar situations. (Migration News Sheet, June 2008)

Belgium

- The Belgian government is divided on the idea of regularising thousands of undocumented migrants. Although a common policy on immigration is expected to be introduced during the French

presidency, bringing about harsher requirements for migrants, the coalition Prime Minister Yves Leterme (Christian Democratic and Flemish Party) is still not completely in agreement with this idea. Annemie Turtelboom, the Liberal Flemish Minister of Migration, has attempted to reach a consensus by suggesting a system of points which take into account 'durable local anchorage' of asylum seekers. She recognises three categories of undocumented migrants who could claim for regularisation: those who put in a demand for asylum four (for families with children in school) or five (for lone asylum seekers) years earlier with no response; those who have been in the country since March 2007 and have a work permit; and more generally those who can justify an aforementioned 'anchorage'. This method of integration will be judged using various criteria, including a system of points, for example 40 points for a job, 20 points for speaking one of the national languages, etc. The right and extreme right accuse the government of aspiring to regularise the poorly-educated, even though the system would in fact introduce a 'value added' work immigration system. http://www.lemonde.fr/europe/article/2008/06/02/la-regularisation-des-sans-papiers-suscite-des-tensions-dans-la-coalition-belge_1052625_3214.html

- Forty Belgian organisations and labour unions pleaded for basic rights for undocumented migrants on World Refugee Day, 20 June. They aimed to draw attention to the campaign, "No papers, no rights?" (Zonder papieren, dus zonder rechten?) More information at <http://www.zonderpapieren-zonderrechten.be>.
- A National manifestation for the regularisation of undocumented migrants was held on 29 June. Undocumented migrants living in Belgium have been waiting for over two years to obtain the criteria for regularization. In the coalition agreement of the government criteria were promised, but up until now no circular has been presented. Therefore, the Flemish refugee council (Vluchtelingenwerk Vlaanderen) and Forum Asylum and Migration (Forum Asiel en Migratie) called for this rally <http://www.f-a-m.be>

Netherlands

- Dutch detention of migrants does not measure up to international standards, Amnesty International stated in a report released on 27 June. Each year, around 20,000 foreigners are detained. In the Netherlands detention is a common and obvious phenomenon, whereas in international law it is supposed to be the last resort. Amnesty condemns the length and conditions of detention, and the lack of care for vulnerable persons such as children, the elderly and victims of human trafficking and torture. The full report, "The Netherlands: The Detention of Irregular Migrants and Asylum Seekers" can be downloaded: http://www.amnesty.nl/documenten/wereldnieuws/rapport_vreemdelingendetentie.pdf
- To increase knowledge about rejected asylum seekers and homeless migrants, IOM Netherlands published the report 'Reaching out to the unknown' - Native counselling and the decision making process of irregular immigrants and rejected asylum seekers on voluntary return'. The report contains suggestions to reach these target groups through native counselling. It is based on the Randstad Return Initiative, a project to inform undocumented migrants <http://www.ncadc.org.uk/resources/self-harm2006.html> about their options for return and reintegration in their country of origin, carried out in The Hague, Rotterdam, Amsterdam and Utrecht. <http://www.iom-nederland.nl/dsresource?objectid=1353&type=org>
- Financing of health care for undocumented migrants is to change, the Lower House decided on the 22 April. The principle is that undocumented patients pay for their own care, and when this is not possible a financial fund will cover the expenses. A distinction is made between direct and non-direct care and acute and planned care. Every care centre has to provide for acute care, and

planned care is taken care of by contracted institutions. Pharmacists are also contracted. Care at contracted institutions and obstetric care will be compensated for 100%, other care for 80%. www.lampion.info

Sweden

- The Swedish government put forth a formal proposal to liberalise the recruitment of workers who come from outside the European Economic Area. The new rule would allow individual employers to recruit non-EEA nationals, provided the positions had first been offered to EEA and Swiss nationals. The work permit would find migrants eligible for permanent residence should the job be maintained for a period of at least four years. The proposal includes a provision that undocumented migrants would not be required to leave the country before applying for work authorization and would be allowed to reside in Sweden during the processing of the permit. (Migration News Sheet, June 2008)
- The Swedish parliament approved a proposal to deny subsidised health care to undocumented migrants, effective 1 July. The law prohibits access to emergency care unless migrants can pay for it out of pocket. Both the Green Party and the Left Party voted against the law on humanitarian grounds, but the proposal received strong majority approval with 265-33 in favour. The government plans to create a commission later this year to examine whether some groups within the categories of people who will not receive subsidized health care should be entitled to it. All parties in parliament are, for instance, in favour of giving undocumented children the right to subsidized medical care. <http://www.thelocal.se/11924/20080522/>

Denmark

- Four Iraqi men aged 28 to 45 are at risk of being forcibly returned to Iraq by the Danish government, but they are not alone. The Danish police report that eight Iraqis have already been forcibly returned to Baghdad since the beginning of May 2008. Though party to international law forbidding forcible return while a credible threat exists, the Danish government intends to send 364 rejected asylum seekers to Iraq. In related news, demonstrators protesting the forcible return of Iraqis were arrested in the Copenhagen airport on 28 May. <http://www.amnesty.org/en/library/asset/EUR18/003/2008/en/6149e933-3709-11dd-bf2d-0dc52725567a/eur180032008eng.pdf>

Poland

- In an article published on 6 June 2008, The Polish daily *Gazeta Wyborcza* revealed the controversial employment of Chinese migrant workers in the construction industry in Poland. *Gazeta Wyborcza* reported that luxury condominiums on the Vistula Spit near Stegna on the Baltic coast (25 kilometres east of Gdańsk) are being built by Chinese workers from whom middlemen take away three quarters of their pay. The workers are kept an eye on around the clock by Chinese security agents, eat on site, sleep in rooms as tiny as two square metres per person. According to Janusz Grzyb, Director of the Labour Ministry's Migration Department, 600 Chinese workers were employed on such a basis in Poland last year. However, *Gazeta's* sources cite a figure ten times higher. While this type of export of workers from China is lawful in theory, it is in practice slave labour. According to Adam Kozieł, expert on China at the Helsinki Federation for Human Rights in Poland, "This is exploitation in pure form. That's how the Chinese triads send workers to the US, that's how Polish workers were exploited in plantations in Italy. Only there it's the mafia that profits and here it's all legal. The saddest thing is that these people won't rebel - a migrant worker in China makes some \$100 a month". Source: Piotr Głuchowski, Marcin Kowalski,

"Chinese Slaves Building Polish Luxury Homes" (article in English), Gazeta Wyborcza, [http://wyborcza.pl/1,86871,5284636,Chinese Slaves Building Polish Luxury Homes.html](http://wyborcza.pl/1,86871,5284636,Chinese_Slaves_Building_Polish_Luxury_Homes.html).

Switzerland

- Several problems have been recorded at the Frambois detention centre, in Geneva, by the Swiss League of Human Rights (LSDH) in their report on the centre which denounces its use of violence and poor access to care. The former was confirmed by interviews with around fifty of the centre's detainees, and the latter was revealed to be just as much of a problem, especially regarding psychological care. As a consequence of their report, the LSDH has demanded the presence of neutral observers in the centre, in addition to access to legal and medical aid. http://www.lsdh.net/spip.php?article76&var_recherche=rapport%20frambois
- The Swiss Federal Office of Migration (ODM) will not be able to construct an adequate detention centre before March 2009, deputies in Geneva recently learned. A recent hearing of two figures of the ODM by a parliamentary commission revealed that a centre which respects international norms, expected to be completed by the end of 2008, will in fact not be finalised until March 2009. Since 1 January 2008, asylum demands of people arriving in Switzerland have had to be made exclusively from airports, resulting in many people residing in them for up to 60 days without the possibility of leaving. The association Elisa1 has denounced the situation in Geneva which, it says, is particularly alarming. The problems include inadequate lodging, a lack of fresh air and little access to means of communication. <http://www.lecourrier.ch/index.php?name=NewsPaper&file=article&sid=439766>

USA

- A recent visit to two detention centres in Texas by the organization Human Rights First found numerous abuses of undocumented migrants' rights. Human Rights First visited the Willacy Detention Center, which holds 2,000 detainees in tent-like structures, and the Pearson Detention Center, which holds 1,904 detainees. In these facilities, medical and mental health attention was found to be lacking, as was access to legal services. Located long distances from *pro bono* legal service providers, these facilities offer no recourse for indigent detainees. Rather than traditional courtrooms in these facilities, these centres use televisions and video cameras in the place of live immigration judges. <http://www.humanrightsfirst.org/blog/rpp/>
- Two bills have been introduced in the U.S. legislature proposing improved access to physical and mental health care for detained immigrants and asylum seekers. The Detainee Basic Medical Care Act of 2008 (HR 5950), introduced by Representative Zoe Lofgren (D-CA), and a companion bill, introduced by Senator Robert Menendez (D-NJ), would require the Department of Homeland Security to ensure the timely examination of detainees by qualified medical professionals. In addition, the bills would require detention centres to report all detainee deaths to the Inspector General of both the Department of Homeland Security itself as well as the Department of Justice. http://www.humanrightsfirst.org/asylum/asylum_03.htm
- President Bush signed an executive order on 9 June requiring all federal government contractors to use the E-Verify system. This system links Social Security numbers to an immigration database in order to confirm their veracity. Civil liberties and immigrant advocacy organizations have criticized the program for its high error rates, high cost (estimated at \$838 million for implementation), breaches of privacy, and potential for pre-employment discrimination. Though technically required by law to use the program, enforcement of corporate compliance with E-Verify has been lacking. For example, the owner and management of the Agriprocessors, Inc. meat packing plant, which saw 389 of its workers arrested in an ICE raid on 12 May, have not had any criminal charges

brought against them, though 306 of their undocumented workers have.
<http://www.migrationinformation.org/USFocus/display.cfm?ID=686>
<http://www.gao.gov/new.items/d08895t.pdf>

- The first ever national conference for domestic workers was held in New York in June 2008. Domestic Workers United, the host organisation, urged state lawmakers to sign a Domestic Workers' Bill of Rights. This legislation, the first of its kind in the United States, would require that domestic workers receive some of the same employment securities as other workers, such as one day of rest per week and adequate notice of termination. The Census Bureau estimates that 1.5 million domestic workers are employed in the United States.
<http://www.wtop.com/?nid=104&sid=1415254>

3. European Policy Developments

General

- The French government is pushing for a controversial 'European Immigration Pact' to be agreed during its presidency of the European Union, from July to December 2008. According to French Immigration Minister Brice Hortefeux, the planned Pact would rest on three pillars, applicable across EU member states: "The refusal of 'en masse' regularizations," Harmonization of asylum policies", and "Rules for the return of undocumented migrants". Whilst development of harmonized EU asylum policy and rules on the return of undocumented migrants has been in progress since the Finnish presidency in 1999, the debate on regularization is more recent. Also integration will be a priority for the next EU Presidency. France plans to suggest its model of 'Integration Contract' as a viable EU-wide solution. This model will be included into the proposal for an EU Pact on Immigration and Asylum, which the French Presidency hopes to see adopted by all Member States during its presidency, in a move towards a higher level of EU harmonisation in this area. Sources: <http://www.migrantsrights.org.uk/enews/2008/june.htm> and <http://www.caritas-europa.org/code/EN/migr.asp?Page=838>
- The EU is putting pressure on the government in Ankara, Turkey, to clamp down on undocumented migrants, *Le Figaro* reports. Brussels believes that Turkey can do more to stop irregular migration, but the Turks say they need more assistance from Europe to stop the thousands of people travelling through their country from war zones in Iran, Iraq, Palestine and Afghanistan. Source: <http://www.lefigaro.fr/international/2008/06/23/01003-20080623ARTFIG00340-la-turquie-carrefour-migratoire-vers-l-europe.php>
- President Hugo Chavez threatened to shut off oil exports to European countries that enforce the new EU rules on return of undocumented migrants. Just as European nations could return undocumented immigrants to their country of origin, Latin American countries could also decide "the return of European investments," Chavez said. Chavez said that his government would "review the investments that they (the Europeans) have here to see if we can also apply a 'return directive'". Source: http://news.yahoo.com/s/afp/20080619/wl_afp/euimmigrationvenezuela
- During the meeting of the European Interior Affairs Ministers on 12 June in Luxembourg, with reference to the multiplication of the shipwrecks of boats with undocumented migrants between Libya and Malta, Maltese Justice Minister Tonio Borg invited member states to study the distribution between European countries of the African migrants caught in this zone of the Mediterranean. At the same time, another issue came to stain the Maltese image when Valetta refused to deal with 18 bodies fished out by a French frigate. Malta made the point that as the undocumented migrants had

been found in the Libyan zone, towards Tripoli where the French ship was to turn. The migrants were finally buried on June 7 in Toulon. <http://news.bbc.co.uk/2/hi/europe/6283736.stm>

European Commission

- The European Commission claimed to have taken a step forward in the fight against irregular immigration on 5 June, after signing “mobility partnership” agreements with Cape Verde and Moldova. Each agreement lists offers of support from the Commission and from participating member states in exchange for commitments to crack down on irregular immigration to the EU. Support includes member state commitments to increase labor market access for migrants from these countries, and assistance from Frontex, the EU’s external border agency, on border security. Moldova has received offers from 15 member states, while Spain, France, Luxembourg and Portugal are involved in the Cape Verde agreement. These are the first two mobility partnerships signed by the EU since the Commission proposed the concept in May 2007. <http://www.europeanvoice.com/article/2008/06/0208/partnerships-against-illegal-immigration/61092.aspx>

European Parliament

- The compromise reached between Parliament negotiators and the Council on the directive on the return of irregular immigrants was approved at first reading by the Parliament on June 18. The vote paves the way for a first-reading agreement with the Council. The draft directive was adopted by Parliament under the co-decision procedure by 369 votes to 197, with 106 abstentions. The House approved the compromise amendments tabled by the EPP-ED group. Other amendments, by the PES, Greens/EFA and GUE/NGL groups, seeking to make the legislation more favorable to individuals who are the subject of an expulsion order, were thrown out, as was a proposal to reject the directive outright, which was tabled by the last two groups. The approved text stipulates that people who have committed no crime can be detained for up to 18 months pending removal, including children and families. Five-year entry bans will be imposed on anyone who does not leave in a certain departure period (that can be as little as seven days) and on all persons detained prior to removal. The agreement has now to be approved officially by the ministers at a Council meeting in July. Once the directive is adopted, Member States will have 24 months to bring it into effect. Two more directives are also awaiting approval by the Parliament: measures to promote legal immigration by skilled workers (the so-called 'Blue Card' directive) and another directive that would punish employers of undocumented migrants, thus discouraging clandestine work Sources: http://www.europarl.europa.eu/news/expert/infopress_page/018-31787-168-06-25-902-20080616IPR31785-16-06-2008-2008-true/default_en.htm and ECRAN Weekly Update 20 June 2008 <http://www.ecre.org/> and <http://www.euractiv.com/en/mobility/eu-rules-illegal-migrants-anger-human-rights-groups/article-173477>
- On Wednesday, 25 June, a lunch discussion on forced returns/deportations from Europe took place in the European Parliament. The conference was co-organised by the Churches Commission for Migrants in Europe (CCME), the Protestant Church in Germany (EKD), Pro Asyl and ECRE, and hosted by MEP Manfred Weber (EPP-ED, Ger). Source: ECRAN Weekly Update 20 June 2008 <http://www.ecre.org>
- The European Parliament approved on Wednesday, 18 June, the new Commissioner for Justice, Freedom and Security, Jacques Barrot, by 489 votes in favor to 52 against with 19 abstentions. Barrot, previously Commissioner for Transport, has been allocated the portfolio for Justice, Freedom and Security after Franco Frattini resigned from the post in May. Before the vote, on 16

June, Barrot faced a hearing organised by the Committee for Civil Liberties, Justice and Home Affairs (LIBE). The Commissioner then set out his priorities on immigration: he declared to be in favor of integrating legal immigrants while tightening up measures against illegal immigration and external border controls, following on from action taken by his predecessor. Sources: ECRAN Weekly Update 20 June 2008 <http://www.ecre.org> and http://www.europarl.europa.eu/news/expert/infopress_page/019-31445-168-06-25-902-20080612IPR31443-16-06-2008-2008-false/default_en.htm

- The draft directive for a Blue Card, intended to overcome labor shortages in some sectors of the economy by attracting highly skilled staff from non-EU countries, was debated by MEPs and experts at a hearing of the EP Civil Liberties Committee on 25 June. An EP report is being compiled and will be examined by the Civil Liberties Committee on 14 and 15 July. In the view of Ewa Klamt (EPP-ED, DE), who is drafting Parliament's report, the problem is that the EU is not regarded as attractive by skilled staff from non-EU countries. Source: http://www.europarl.europa.eu/news/expert/infopress_page/018-32501-176-06-26-902-20080623IPR32500-24-06-2008-2008-false/default_en.htm

Council of the European Union

- EU justice ministers have failed to reach agreement on proposals that would grant new rights to long-term refugees. The Slovenian presidency had made intensive efforts to secure agreement on the dossier prior to the ministerial meeting, held in Luxembourg on 5 June. However, it was unable to broker a deal due to opposition from Belgium, Finland, the Netherlands, Luxembourg and Sweden. These countries insisted that the new rights should cover not only refugees and beneficiaries of subsidiary protection – as proposed by the presidency – but also people granted other types of ‘leave to remain’ under national law. Jacques Barrot, the European commissioner for justice, freedom and security, said that the Commission would carry out a study of the issue and present its findings in 2009. France has not yet indicated whether it will continue work on the dossier when it takes up the presidency of the EU on 1 July. The proposals would have extended the scope of the existing EU long-term residency directive to cover refugees and people granted subsidiary protection, a type of ‘leave to remain’, defined at EU level, that is, granted to people who do not qualify for full refugee status. Long-term residency status, which grants third-country nationals rights such as the same access to employment as EU citizens, and the right to move to different member states for work purposes, is currently only available to legal economic migrants who have lived in the EU for five years. Sources: <http://www.europeanvoice.com/article/2008/06/0208/eu-presidency-fails-to-secure-agreement-on-asylum-rights/61097.aspx> and http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/100983.pdf
- Justice and home affairs ministers have set deadlines for the European Commission to initiate measures to strengthen EU border control and surveillance. At a meeting on 5 June, they invited the Commission to propose an entry/exit scheme and a registered traveler programme for non-EU nationals by the beginning of 2010. They also asked the Commission to study the creation of an electronic travel authorization scheme for people wishing to visit the EU, to be presented in the first half of 2009. Ministers also urged the Commission to take forward work on developing a European border surveillance system, and to report back on progress in the first half of 2009. The deadlines are a response to the border management package presented by the Commission in February. Source: <http://www.europeanvoice.com/article/2008/06/0208/ministers-set-border-management-deadlines/61090.aspx>

- On 19 and 20 June, the EU Heads of State and Governments met in Brussels for the European Council. The European Council particularly welcomed the Commission's Policy Plan on asylum ("An integrated approach to protection across the EU") and underlined the need for progressing on the future Common European Asylum System with a view to its realisation by 2010. The Council also looked forward to the forthcoming proposal of a pact on immigration and asylum by the upcoming French Presidency. France will take over the EU Presidency on 1 July and has announced to push for the adoption of a 'European Pact on Immigration and Asylum', which will be presented to Justice and Home Affairs Ministers on 6/7 July. Member States also called for the further development of the integrated border management strategy, including improvement of burden sharing and the enhancement of operational coordination within FRONTEX. Source: ECRAN Weekly Update 27 June 2008 <http://www.ecre.org/> and http://www.eu2008.si/en/Meetings_Calendar/Dates/June/0619_EC.html

4. Undocumented Children

- The inauguration of a new hostel for undocumented minors took place on June 2008 at Amyglaleza, Greece. The hostel has the capacity to offer accommodation to 54 people. In the camp, there are facilities such as a sport field, library, health centre etc. The average stay ranges from seventeen to twenty days. After this period the undocumented minors are either deported or sent to other hostels run by NGOs. Emphasis should be put on the fact that it is the first time that the Ministry of Internal affairs and NGOs have worked together on the issue of undocumented migrants to create facilities under shared responsibility. http://news.kathimerini.gr/4dcgi/w_articles_ell_2_17/04/2008_266853
- Greece's UNHCR Office called on the government on 18 June to improve its care for unaccompanied minors seeking asylum. A report conducted on behalf of UNHCR Greece, which was released on the same day, had found that Greek authorities are failing to care adequately for unaccompanied minors. The report, entitled "Asylum seeking unaccompanied minors in Greece: A study regarding the treatment of unaccompanied minors that seek asylum in Greece" identified serious shortcomings with regard to access to the asylum procedure for minors, the duration of the examination of asylum claims, the quality of reception conditions and the number of reception facilities available. http://www.ekathimerini.com/4dcgi/w_articles_politics_100002_19/06/2008_97804
- France Terre d'Asile called on French MEPs to reject the so-called "return directive" in the vote on 18 June on the grounds that there is no safeguard clause for minors. Their appeal, made on 11 June, said that the directive was a clear regression with respect not only to the French norms currently in force, but also to international standards, in particular the International Convention on the Rights of the Child (CRC). http://www.newspress.fr/communiqu_203407_3488.aspx
- Children of parents possibly involved in war crimes, so-called 1F children, staying in the Netherlands for over 10 years, are being considered for a residence permit. Justice Minister Hirsch Ballin and State Secretary Albayrak acknowledge that children's interests based on the International Convention on the Rights of the Child have to be put over public order interests. More information: www.defenceforchildren.nl

5. Upcoming Events

The European Regional and Local Authorities for the Integration of Migrants (ERLAIM) will hold on 15 July in Brussels a conference entitled "European Regional and Local Authorities for the Integration of Migrants". The aim of the conference is to highlight the results of the comparative analysis of legal

frameworks in South European countries, Slovenia and the UK and to promote the flow of information from a European to a regional level. <http://www.erlaim.eu/wcm/erlaim/sezioni/Conferences.htm>

Italian NGO ARCI Nazionale has organised a meeting, to take place on 15 July from 10:00 to 13:00 in Cecina (Livorno, Italy) in the framework of the XIV International Anti-Racist Meeting for the Assembly "For a European Campaign for Migrants' Rights". More information can be obtained by contacting Filippo Miraglia miraglia@arci.it or Alessandra Capodanno capodanno@arci.it or + 39 06 416 06 217

The ERLAIM Partners and the ERLAI Network are hosting the final event of the Project 'European Regional and Local Authorities for the Integration of Migrants' on 15 July in Brussels. The two key aims of this conference are firstly to highlight the main results of the project, a comparative analysis of several legal frameworks for the integration of migrants and the collection of regional/local integration strategies and projects, and secondly to improve the information flow from the European level down to regional and local policy makers and practitioners on EU policy developments on migration. It will include speakers from the European Commission, the Committee of the Regions and the Social and Economic Committee. The buffet lunch at the end of the event will be an opportunity for networking and informal discussion. All ERLAIM project partners will also be present and available to answer questions. Policy makers and practitioners working on migration at all levels (regional / local authorities, associations, NGOs, etc), as well as representatives from the EU Institutions and international organisations are invited. Places are limited and therefore registration is on a first-come-first-served basis. Those interested in attending this conference must complete the registration form at the latest by 3 July 2008. <http://www.erlaim.eu/wcm/erlaim/notizie/finalevent.htm>

Within the context of the ARCI anti-racist gatherings, an open meeting will be organized by Migreurop on the "Borders Observatory" on 18 July from 10:00 to 14:00 in Cecina (Italy). The meeting will provide the opportunity for presenting the project and for drawing attention to several geographical zones in view of the annual publication of the « Report on Human Rights at the Borders » <http://www.migreurop.org/article1295.html?lang=en>

The Club of Madrid will hold this summer an international seminar on "Globalization, International Migration and Development" within the framework of the summer courses of the Universidad Internacional Menéndez Pelayo (UIMP) in Santander, from 18-19 August. <http://database.clubmadrid.org/boletines/VistaPrevia.aspx?idBoletin=44>

The International Training Centre of the International Labour Organisation (ILO), in collaboration with the ILO's Programme for International Migration, will organise from 8 to 19 September 2008 its first French-speaking course on "International Workforce Migration" in Turin, Italy. The main objective of this interregional training course is to strengthen the knowledge of the principal actors working on the question of migration (governments, social partners, civil society), in countries of destination as well as countries of origin, in order to evaluate the opportunities and challenges at both national and regional levels of international workforce migration. More information at <http://socialprotection.itcilo.org/index4.php?mod=catalog&act=detail&id=17>

6. Publications

Zonder Papieren: over de positie van irreguliere migranten en de rol van het vreemdelingenbeleid in België is a book written by Masja van Meeteren, Marion van San and Godfried Engbersen and published by the Onderzoeksgroep Armoede, Sociale uitsluiting en de Stad' (Research Unit on Poverty, Social Exclusion and the City). The publication covers the position of undocumented migrants in Belgium and the policies towards them, along with ideas for improving the assistance provided by organisations working with undocumented migrants. http://www.acco.be/acco_publishing/promotion/promotion_detail.php?qs_promotion_id=18006

"Tackling undeclared work in the European Union" is an overview report published by the "European Foundation for the Improvement of Living and Working Conditions". The report looks specifically at the effectiveness of the policy measures used in five countries – Belgium, Denmark, Italy, Poland and the United Kingdom. The central finding is that EU countries currently remain heavily embedded in a 'deterrence approach', which seeks to increase the actual or perceived likelihood of detection and penalties. <http://www.eurofound.europa.eu/publications/htmlfiles/ef0813.htm>

"Irregular Migration from West Africa to the Maghreb and the European Union: An Overview of Recent Trends" is a study that tries to achieve a more empirically and quantitatively founded understanding of the nature, scale and recent evolution of irregular West African migration to the Maghreb and Europe. Furthermore, the study evaluates how policies that aim to manage trans-Saharan and trans-Mediterranean migration have affected the current migration patterns. http://www.iom.int/jahia/webdav/site/myjahiasite/shared/shared/mainsite/published_docs/serial_publications/MRS-32_EN.pdf

Duez Denis, "L'Union européenne et l'immigration clandestine. De la sécurité intérieure à la construction de la communauté politique", Editions de l'Université de Bruxelles, Collection Etudes européennes. This report questions why European immigration policies, which lead to a deterioration of the security of migrants, are so rarely held accountable and also explores the idea that immigration controls are part of a larger political process which helps to maintain governmental power by strengthening the notion of borders and creating an atmosphere of 'inclusion' and 'exclusion'. <http://www.decitre.fr/livres/L-Union-europeenne-et-l-immigration-clandestine.aspx/9782800414164>

7. PICUM News

- Migrants Rights Network will hold a sponsored walk along the River Thames in London, in order to raise money for PICUM. The walk will take place on Saturday 5 July 2008. The starting point is Greenwich and the final destination the London Eye. www.migrantsrights.org.uk/enews/2008/june.htm#upcomingevents

8. Miscellaneous

- The film "The Class" (original title "Entre les Murs") was awarded with the "Palm d'Or" at the 2008 Cannes Film Festival. The film was shot in a school in a Parisian suburb. Real teachers and students participated in the film, several of whom were undocumented. Laurent Cantet, the film's director, is a member of the movement RESF that supports the universal right to education for all children despite their immigration status. <http://www.festival-cannes.fr/en/archives/ficheFilm/id/10804699.html>

- An Italian television station produced a documentary, which describes the phenomenon of migration in Malta and Lampedusa. The film is the story of 27 migrants found attached to tuna cages in May 2007 whom Malta, Italy and Libya refused to help. The documentary illustrates the arrival of migrants from the perspective of the migrants themselves (notably in the Maltese open centres or the ports in Lampedusa), support organisations and local authorities. It also gives the opinion of the fishermen and the people living on the island.
http://www.unmondoacolori.rai.it/sito/scheda_puntata.asp?progid=753

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