



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

PICUM Newsletter March 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

- An unknown number of migrants drowned after their boat capsized, probably off the coast of Cadiz (Spain), on New Year's Eve. Eight dead bodies were found off the coast by the Spanish authorities by 15 January 2008. Another vessel carrying 88 irregular migrants arrived on the Canary Island of Tenerife on 11 January 2008. Three of the passengers were already dead on arrival. Eleven days later, a vessel, believed to be carrying at least 32 migrants capsized off the coast of Conil de la Frontera, on the Costa de la Luz in Andalucía on 22 January 2008. While 17 were rescued and 7

were subsequently apprehended, 2 dead bodies were recovered from the sea and 6 were listed as missing. Source: Migration Fact Sheet, February 2008, page 8

- Eleven Sub-saharan African survivors were reported of a shipwreck that occurred on 13 February, when they were rescued in a beach near the city of Tarfaya (Morocco). According to the official version given by the Moroccan agency Map, the group was made by 35 people and there are still 24 persons missing. <http://medios.mugak.eu/noticias/noticia/132969>

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

UN

- A UNHCR report has recently been published by John Gibson on 'The removal of failed asylum seekers: international norms and procedures'. The paper reviews existing norms and best practice in removals procedures and asylum/appeals procedures relevant to the removal process in chosen countries. It is informed by regional and international standards and refers to the particular situation in the 15 pre-enlargement EU member states, Norway, Switzerland and Australia and with some references to law and practice in New Zealand and Canada. It concentrates on standards that impact the removal process, in binding international and regional treaties, regional directives and recommendations, UNHCR Excom conclusions and other guidelines. <http://www.unhcr.org/research/RESEARCH/476651262.pdf>

France

- The Ministry of Immigration issued a circular, requesting prefectures to examine "with benevolence" applications lodged by employers who unknowingly hired foreigners without a valid work permit for the regularisation of these staff members. To benefit from the circular, foreign workers must satisfy several conditions. Their skills or experience must be relevant for one of the 30 professions given on a list that is open to workers from third countries and the profession in question must be one that is suffering from a lack of manpower offer in the region in which the application is submitted. Moreover a firm offer of employment with a contract of unlimited duration or, in exceptional cases, limited in time, but valid for more than one year. Source: Migration Fact Sheet, February 2008, p. 6
- Between 5,000 and 8,000 people demonstrated across France on 19 January against new proposals to allow undocumented migrants to be detained for up to 18 months. Currently France can only hold or undocumented migrants for up to 32 days but a new EU directive aims to harmonize the maximum period across member states at 18 months. <http://news.bbc.co.uk/go/rss/-/2/hi/americas/7261204.stm>
- The French NGO GISTI held a public demonstration for the respect of the migrant workers rights and their regularisation on 10 February. They protested against the recent wave of dismissals of undocumented migrant workers and to affirm the engagement of trade unions for migrant workers' rights. They called for migrant workers to engage with a union to help them to defend their rights and underlined that all workers, even if undocumented or undeclared, have labor rights. <http://www.gisti.org/spip.php?article1079>
- For couples where one of the partners is undocumented it is proving increasingly difficult to get married officially in France. In the name of the fight against false marriages and family reunification, the French administration has strengthened the procedures involved. Therefore on Valentine's Day, 14 February, dozens of couples gathered in Bobigny, in front of the prefecture in charge of weddings to denounce the current situation and launch the association "Amoureux au ban public" to

fight for the right to marry regardless of the status of either of the partners.
<http://www.afrik.com/article13616.html> and <http://amoureuxauban.net/index.php>

- Migrants' organisations in the French overseas department Mayotte are protesting against plans to remove birthright from the constitution. The state secretary for overseas territories is considering adopting an exceptional measure, concerning only Mayotte, which would mean that "any child born from parents in an irregular situation" can no longer 'claim' French nationality. Migrants' organisations point out that such a measure was already proposed in 2006 and was then refuted because any amendment to the constitution has to cover all French territories, therefore migrant organizations in Mayotte are asking the state secretary to revise its proposal.
http://www.gisti.org/spip.php?article1094&var_mode=calcul#top
- In February many organisations and news sources reported on the events at the closed detention centre of Vincennes. There have been various reports on the poor condition of the rooms, out-of-date and non-hallal meat, a torn Koran and destroyed phone chargers after a room search, no heating or warm water and aspirin as only medication. This situation has led several detainees to go on hunger strike, perform auto-mutilation or set fire to their room and creates escalating tensions between the occupants of the centre and the guards. The use of a taser gun on an undocumented migrant inside the centre resulted in an hospitalisation. Migrant organisations are calling for a closure of the detention centre which keep undocumented migrant in inhumane conditions.
<http://www.gisti.org/spip.php?article1092> , http://www.lemonde.fr/societe/article/2008/02/26/les-etrangers-en-retention-a-vincennes-on-se-sent-des-moins-que-rien_1015806_3224.html?xtor=RSS-3208 and <http://www.migreurop.org/article1256.html>

Spain

- Some 200 immigrants from India and Bangladesh staying in the Centro de Estancia Temporal de Inmigrantes (CETI) (Center of Temporary Stay of Immigrants) in Melilla started a hunger strike on 21 February asking for a regularization and not to be repatriated. Around a hundred camped in the Plaza de España in front of the palace of the Delegation of the Government in order to raise their claims in front of the government while the others still stay in the CETI. http://www.no-fortaleza-europa.eu/showPage.jsp?ID=2729&PR=0&AREA=2518&GRP=0&SITE=0&CH=1&TYPE=1&FILEN_AME=showPage.jsp&INTERNAL=1&ISSUE=0&POPUP=0
- Some 2,000 people joined on 24 February the demonstration organized by the National Network for the Rights of Immigrants (Red Estatal por los Derechos de los Inmigrantes - REDI) in Seville. The manifestation was organized in various points of the country and asked for an 'immediate regularization for all immigrants'. REDI is asking for three main measures: 'no more precariousness neither expulsion', 'Cessation of the repression posed by the Government' and 'immediate Regularization for all the irregular migrants'. http://www.no-fortaleza-europa.eu/showPage.jsp?ID=2730&PR=0&AREA=2518&GRP=0&SITE=0&CH=1&TYPE=1&FILEN_AME=showPage.jsp&INTERNAL=1&ISSUE=0&POPUP=0

Italy

- In a press released posted on 18 January various Italian NGOs defending the right of asylum expressed deep concerns regarding the declaration made by the Libyan government which announced that all irregular immigrants in Libya would be expelled without exceptions. This measure would affect around 2 million people, the majority from the Horn of Africa, and among them also asylum seekers women and children. The condition of the irregular migrants, arrested or detained in Libya, denounced from different humanitarian agencies, and confirmed from the

testimonies of the migrants that arrive in Italy, is particularly alarming for terrible condition of detention and the violence that they suffered. <http://www.amnesty.it/pressroom/comunicati/CS07-2008.html>

Greece

- A refugee camp near the port of Patra will be demolished by Greek officials. The operation conducted jointly by the police department and the harbour authorities aims at the expulsion from the city of Patra of nearly 3,000 undocumented migrants. The police have continued to transfer migrants from the camp to a holding centre in Athens but aid organizations said that many younger children remain unaccounted for. Aid workers say the unaccompanied children, mostly Afghans, are falling victim to human traffickers and have called for the intervention of authorities to protect them. A demonstration of about 400 refugees took place in Patra on 29 January 2008. The number of participants increased to approximately 2000 people on the way to the centre, including many Greek people joining the demonstration. The day after state affiliated doctors arrived at the camp to offer medical help to the migrants.
<http://www.no-fortress-europe.eu/showPage.jsp?ID=2698&PR=0&AREA=2518&GRP=0&SITE=0&CH=1&TYPE=1&FILENAME=showPage.jsp&INTERNAL=1&ISSUE=0&POPUP=0>
- The Council of Europe Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) published its report on Greece. It contains information gathered during a 2007 ad hoc visit to Greece, where a delegation of the CPT visited a number of police and border guard stations in the Attica and Evros Regions, as well as several holding facilities for undocumented migrants. It indicates that there has been no improvement to its former visit in 2005 as regards the manner in which persons detained by law enforcement agencies are treated and that once again the delegation heard a considerable number of allegations of ill-treatment of detained persons by law enforcement officials as well as ill-treatment occurring at Athens International Airport following failed deportation attempts. The report moreover criticizes the inappropriate detention facilities as regards material deficiencies as well as suitability for prolonged stays. It concludes that persons deprived of their liberty by law enforcement officials in Greece still run a real risk of being ill-treated and it questions whether the Greek authorities have afforded this matter the serious attention it merits. <http://www.cpt.coe.int/documents/grc/2008-03-inf-eng.htm>
- Amnesty International called on the Greek authorities to investigate human rights violations that appear to have been perpetrated by members of the Greek coast guard in the Aegean Sea. Amnesty International representatives interviewed 13 individuals who stated that they had been prevented from accessing Greek land by sea and had instead been ill-treated by uniformed men whom they believed to be members of the Greek coast guard. They described being beaten and kicked before being pushed back into Turkish waters in boats that were not seaworthy. They are presently being held in detention in the Ayvalik region of Turkey after being picked up by the Turkish coast guard. All of them are male and of Afghan nationality. Eight of them are minors. They reported that they had been trying to reach the Greek island of Mytilene when they were intercepted by uniformed individuals, some of whom were masked, on two boats flying Greek flags. Amnesty international emphasized Greece's international and regional obligation –which also apply to the marine areas under the law of the sea- to ensure protection against violations that occur within its jurisdiction and therefore called on the Greek government to launch a proper investigation in the case. Source: <http://www.amnestyusa.org/document.php?lang=e&id=ENGEUR250012008>

UK

- The Chief Executive of the Border and Immigration Agency (BIA), Lin Homer, stated that the expulsion of a terminally-ill Ghanaian woman, Ana Sumani, was heart rending, but far from exceptional. Ana Sumani, whose student visa had expired in 2005, was taken from a Cardiff hospital on 9 January 2008 where she has been receiving dialysis after cancer damaged her kidneys and was repatriated on the same day. While Ms Homer affirmed that there were many other undocumented migrants and rejected asylum-seekers in the same position, bishops in Wales urged the authorities to deal with this case with compassion since what is at stake is the life of a human being and "not commodities". They pointed out that "it is never appropriate for a civilized, wealthy society to turn, literally, a sick woman out of her bed and put her on a plane to a very worrying future" and questioned "what sort of moral example does that send to the rest of the world". Ms Sumani, who is unable to pay for the medical care by herself, is nonetheless able to resume the medical treatment in Ghana for the next three months. A Dutch woman living in Wales has offered to pay an amount of around US \$ 5,000 which covers the cost of the indispensable treatment for the implied period. Source: Migration Fact Sheet, February 2008, page 4-5
- A long-expected overhaul of the UK's immigration system has come into force with the launch of a point-based system for foreign workers. The first stage of the system became operational on 29 February and will apply fully by the end of the summer. Ministers say the changes are the biggest for a generation - and will allow the UK to better control migrants from outside EU. Under the system, migrant workers will need to show they have sufficient skills under new rules that assess whether or not the economy needs them. The first of five tiers to come into force only affects highly-skilled people. The next tiers to come into operation cover skilled workers who have a job offer, temporary workers and young people allowed to come in for a short time. Businesses who want to bring in skilled workers from the autumn will need licences.
<http://news.bbc.co.uk/1/hi/uk/7269790.stm>

Ireland

- On 7 February Metro Eireann revealed that migrants who became undocumented due to exploitation would be set to earn a reprieve under a new Government scheme. The Department of Justice confirmed that a "formal scheme" giving those who became undocumented "through no fault of their own" the chance to legally re-enter the workforce is being looked at by the Minister for Justice. A Department of Justice spokesperson emphasised that Justice Minister Brian Lenihan was not considering introducing a general amnesty "or any form of mass regularisation (...)" However, the minister is looking at introducing a formal scheme that would give temporary permission (or bridging visa) to persons who previously held work permits and who can satisfy him that they became undocumented through no fault of their own.
http://www.metroeireann.com/index.php?option=com_content&task=view&id=1040&Itemid=50

Belgium

- After the launch of the Silent Circles in Brussels in January, the action is spreading to at least 15 other cities in Belgium. The meetings take place every Wednesday at 6pm, in the centre of the cities, to remind the interim government about past pledges on undocumented migrant issues. Undocumented migrants, citizens, lawyers and organisations supporting them gather in silence because everything has already been said; now it's time for the politicians to act. For a list of the cities involved, the meeting places and the local contacts: <http://www.papieren-papiers.be/spip.php?article274>

- On 14 February a march for regularisation was held by UDEP Gent with the following message: "14th of February is Valentine's Day, we wish everybody a lot of love and happiness, but we also want to raise awareness for the situation of people without papers in Belgium. We love Belgium and we want to work on our future here. For this reason we ask for the regularisation of people without papers, our heart belongs to Belgium!" Source: Odice newsletter nr. 2 February 2008
- The National Coordination of Undocumented migrants in Belgium (CNSP) held a demonstration for regularisation in Brussels on 16 February, calling on all undocumented migrants, Belgian citizens, political activists and unionists to include in the governmental negotiations a new mass regularisation campaign. The demonstration was held in memory of all the undocumented migrants who died in detention centres and to remember the thousands that die every day at the border of Fortress Europe. <http://www.no-fortress-europe.eu/showPage.jsp?ID=2705&PR=0&AREA=2518&GRP=0&SITE=0&CH=1&TYPE=1&FILENAME=showPage.jsp&INTERNAL=1&ISSUE=0&POPUP=0>

Netherlands

- The Netherlands approved the regularisation of 27,500 asylum seekers, instead of the expected 80,000, following an amnesty measure that was decided during the Council of Ministers in June 2007. At the same time approximately 3,400 undocumented migrants are ordered to leave the Netherlands. The regularisation applies to all migrants who claimed asylum before April 2001 and will include their family if they were regrouped before 13 December 2006. <http://www.7sur7.be/7s7/fr/1505/Monde/article/detail/156425/2008/02/01/Les-Pays-Bas-avalisent-la-r-gularisation-de-27-500-demandeurs-d-asile.dhtml>

Germany

- The Council of the City of Cologne has commissioned the study *Menschen ohne Papiere in Köln* (People without Documents in Cologne) on the living conditions of undocumented migrants in the city. The Institut für Migrationsforschung (Institute for Migration Research) in Osnabrück carried out the study which has evolved from an initiative of Caritas. The study affirms findings gained at counselling centres: undocumented migrants are living under inhumane circumstances. For more information see: http://www.kam-info-migration.de/asp/cvkaminfo/show_page.asp?s_id=7&showid=446; download the study at: http://www.kam-info-migration.de/pages/nl0802/kamnewsletter_nl0802_3.pdf

Slovakia

- Amnesty International was deeply dismayed at the decision by the Supreme Court in Slovakia on 22 January which gave the green light for the extradition of Mustapha Labsi to Algeria, where he is at serious risk of torture or other ill-treatment. Returning Mustapha Labsi to Algeria would be a breach of Slovakia's obligations under international human rights law not to send a person to a country where they would face a real risk of torture or other ill-treatment or other serious human rights violations. <http://www.no-fortress-europe.eu/showPage.jsp?ID=2720&PR=0&AREA=2518&GRP=0&SITE=0&CH=1&TYPE=1&FILENAME=showPage.jsp&INTERNAL=1&ISSUE=0&POPUP=0>

Poland

- The Council of Europe Convention on Action against Trafficking in Human Beings entered into force on 1 February. The Helsinki Foundation for Human Rights sent a letter to Prime Minister Tusk

drawing his attention to the necessity for Poland to ratify this Convention. In this letter they point out that despite the fact that Poland meets the minimal standards for eliminating human trafficking, there is still however a great deal to be done from the point of view of victims and counteracting these dealings. In order to make the fight against human trafficking more effective, Poland should speed up plans to ratify this Convention, which determines a series of minimal actions required in the scope of providing aid and protection to the victims. <http://www.hfhrpol.waw.pl/oswiadczenie-87-en.html>

Switzerland

- The observatory of asylum law and foreigners, created in 2007 to scrutinize Swiss legislation, strongly condemns the two new laws applicable since January 2008 concerning asylum and foreigners. Already in 2007 there were cases of deportation of pregnant women, undocumented migrants who resided in the country for over 15 years and minors whose mother is living with a permit. The observatory fears a worsening of the situation with the tightening of procedures under the new laws. http://www.lenouvelliste.ch/fr/news/suisse/une-pratique-jugee-trop-severe_10-66240#
- The Vaud association in support of undocumented migrants reports that the new law, applicable from January 2008, regarding undeclared work targets undocumented workers unjustly. Indeed the estimated 15,000 undocumented workers in the canton of Vaud have a 'grey' status: they pay social charges and taxes but they are undocumented. The new law foresees an exchange of information between the administrative services, therefore an undocumented worker with a file at the employment services will have his file transmitted to the population service. Employers are already reported to be firing or stopping to declare undocumented workers, thus the law could instead of decreasing fiscal fraud actually achieve the exact opposite. http://www.tvrl.ch/web/programme.asp?mot_cle=inforegion&video=1&periode=1
- Plans by the Commission of Home Affairs to forbid undocumented migrants from marrying in Switzerland is causing controversy. Under the new proposals the only option left to foreigners would be to go back to their country of origin to get married, with no assurance of a possible return to Switzerland. Anne Catherine Menétray from the Green party points out that getting married is already nearly impossible for undocumented people. But under the current political climate such a law might still pass, reports Sylvie Arseyer from Le Temps. <http://www.educationsansfrontieres.org/?article11584>

USA

- On 28 February it was reported that a number of states, under the seeming cover of fighting "identity theft," are moving to adopt a policy of making felons out of millions of undocumented immigrant workers. The latest proposal is Iowa's proposed HSB 717, which would make any use of a fake social security card to obtain a job a crime of "identity theft," even if no one owns that number. <http://www.progressivestates.org/dispatch>
- A Missouri federal district court upheld a local ordinance that permits a city to suspend or deny business permits of employers who employ undocumented immigrants, holding that the city's ordinance was not pre-empted by federal immigration law. The court also rejected equal protection and due process challenges to the ordinance. The Missouri decision conflicts with a recent Pennsylvania district court decision pre-empting a similar ordinance. <http://service.gmx.net/de/cgi/q.fcgi/mail/new?CUSTOMERNO=16382685&t=de120207636.1204794206.8169b15&to=federalrights%40yahooogroups.com>

3. European Policy Developments

General

- The Commission presented a Communication on the creation of a European Border Surveillance System (EUROSUR), with the main purpose of preventing unauthorised border crossings, reducing the number of undocumented immigrants losing their life at sea and increasing the internal security of the EU by contributing to the prevention of cross-border crime.
<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/08/86&format=HTML&aged=0&language=EN&guiLanguage=en>
- A Dutch boat will patrol the European coasts for the European Border Control Agency, FRONTEX. The Dutch Secretary of the State for Justice, Nebahat Albayrak officially announced this during the informal meeting of the JHA Council on 26 January in Brdo, Slovenia. The Secretary of State has also pointed out that, before any mission starts, clear agreements will have to be made about how to deal with the irregular migrants that the Dutch boat will rescue at sea. The boat, according to Albayrak, cannot become a Dutch extraterritorial point where to apply for asylum as the FRONTEX mission is an initiative of the EU, and therefore the responsibility to examine asylum applications must be fairly shared among all EU Member States. http://www.ecre.org/topics/intro_to_topics

European Commission

- Commissioner for Justice, Liberty and Security Franco Frattini presented a 'border management package' on 13 February, aiming at supporting Member States in strengthening their external borders. The package includes a mix of concrete measures (on the FRONTEX Agency and on control of maritime borders) and of longer-term reflections on ways of recording entry and exit of third country nationals. The Commission presented three Communications: 'New tools for an integrated European Border Management Strategy', 'The FRONTEX Agency: evaluation and future development', 'Examining the creation of a European Border Surveillance System (EUROSUR)' aiming at "preventing unauthorised border crossings, reducing the number of illegal immigrants losing their life at sea and increasing the internal security of the EU by contributing to the prevention of cross-border crime". EUROSUR will be based on operational coordination and information sharing between Member States, and will use new technologies such as satellites. The Slovenian Presidency welcomed the proposals and announced a ministerial conference on 12 March 2008 to discuss the Communications. The Presidency underpinned that external borders management is among its priorities and that "Slovenia will strive to ensure that the discussion on the future role of Frontex is completed by the end of its Presidency" Measures relating to FRONTEX and EUROSUR, in particular intensified participation of Member States in joint border patrol operations could be taken forward in 2008. Other proposals should engage a reflection with the Council and the European Parliament and, on the basis of this reflection, the Commission will assess the possible development of new systems. Source: http://www.ecre.org/topics/intro_to_topics and <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/215&format=HTML&aged=0&language=EN&guiLanguage=en>
- The Commission presented on 13 February its Annual Policy Strategy setting out its political priorities for 2009. It outlined the Commission's policy objectives in five priority areas: growth and jobs, climate change and sustainable Europe, making a reality of the common immigration policy, putting the citizens first and Europe as a world partner. The development of a common immigration policy will be a fundamental priority in order to meet the challenges and harness the opportunities provided by migration in an era of globalisation. Work to develop closer political and economic ties

with partners around the world will continue to intensify, and new partnerships with African countries will be implemented in the context of the Africa/EU strategy. On the basis of this Annual Policy Strategy, the Commission will initiate an exchange of views with the European Parliament and Council on where the policy priorities should lie in 2009, and how this should be reflected in the Commission's legislative and work programme to be adopted in October and in the budget for 2009. <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/227&format=HTML&aged=0&language=EN&guiLanguage=en> and http://ec.europa.eu/atwork/synthesis/index_en.htm

- The Commission proposed to introduce an 'entry-exit' system to record people entering and leaving the Schengen zone – a system aimed at targeting people who over-stay their visas. Frontex could become involved in the new system by helping to co-ordinate checks at airports and land borders. The entry and exit of all visa-holders will be recorded automatically -visa-holders have to give their finger-prints and be vetted before getting a visa in their country of origin. An "Automated Border Control systems" would apply to EU citizens as well as visitors enabling the automated verification of travellers' identity without the intervention of border guards. A machine will read the biometric data contained in the travel documents or stored in a system or database and will compare them with the biometrics of the traveller, accelerating border checks. The Commission proposed the issuing of "tokens" to EU citizens who do not have biometric passports (ie: those who have not had their fingerprints taken) subject to vetting as the full "roll-out" of EU biometric passports will not be complete until 2016. If approved by the European Parliament, the measure would mean that precisely identifying information on tens of millions of citizens will be added in coming years to the European databases. The timing and logistics of the plan remain uncertain, but it would probably not start for at least a year. The proposal is part of a broader package of measures to strengthen the European entry and exit system. Sources: <http://www.statewatch.org/news/2008/feb/eu-com-exit-entry.pdf> and <http://www.washingtonpost.com/wp-dyn/content/article/2008/02/11/> and <http://www.europeanvoice.com/current/article.asp?id=29761>

European Parliament

- During the LIBE meeting of 28 February, Manfred Weber (EPP-ED, Germany) gave a brief update on the state of play of the Returns Directive. The report on this directive was voted by LIBE on 12 September 2007 and the plenary vote in the European Parliament is now scheduled on 19 May 2008. According to Weber the chances to reach a first reading agreement on the Returns Directive have considerably increased. Agreement has been reached on issues as the priority to voluntary return above forced return, the limitation in the use of re-entry bans, which in the new text should no longer be mandatory, and the priority to the best interest of the child, with special attention in the case of unaccompanied minors. Disagreements on important issues like the maximum duration of detention however still remain to be solved. Source: http://www.ecre.org/topics/intro_to_topics
- Measures to prepare for demographic change should include cutbacks in early retirement, pension bonuses for parents, a guaranteed right to infertility treatment, and sanctions against employers of undocumented migrants, says an own-initiative report on the demographic future of Europe, approved by the European Parliament. Europe needs "a clear and reasoned approach to immigration in order to counter xenophobic and racist opinions and attitudes and promote the full and effective integration of migrants into society", say MEPs (amendment 15). Immigrants needed to be better integrated into the formal economy and must receive legal and social security, including pension entitlements. Member States should fight "resolutely" against human trafficking and clandestine channels, by penalising employers who employ or exploit illegal workers, says the report. Furthermore, the EP favours giving family members accompanying immigrant labour residence permits and, where appropriate, work permits.

Source: http://www.europarl.europa.eu/news/expert/infopress_page/047-21954-049-02-08-908-20080221IPR21951-18-02-2008-2008-false/default_en.htm

Council of the European Union

- On 19th February, the French Prime Minister, François Fillon presented at the European Parliament the main priorities of the French Presidency. France will have the Presidency of the European Council starting on 1st July 2008. Regarding the issues of immigration and asylum, French priorities will include: the necessity to strengthen the border's controls, the expatriation of irregular immigrants, the authorization of legal migration according to the Member states' needs, the establishment of an asylum common system and the promotion of development cooperation. Source: <http://afp.google.com/article/ALeqM5gL1tWIRWx7wuRru2N8cVz5hoITVw>

Council of Europe

- On 1 February 2008, the ground-breaking Council of Europe Convention on Action against Trafficking in Human Beings, the first European treaty in this field, entered into force. Countries now have a comprehensive treaty setting out measures not only to prevent trafficking in human beings and to prosecute the traffickers but also to give real protection to victims of trafficking. Albania, Austria, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Denmark, France, Georgia, Moldova, Malta, Norway, Portugal, Romania and Slovakia are the first 15 states to ratify the Council of Europe Convention on Action against trafficking in Human Beings. The Convention has been signed by 23 other Council of Europe member states: Andorra, Armenia, Belgium, Finland, Germany, Greece, Hungary, Iceland, Italy, Ireland, Latvia, Lithuania, Luxembourg, Montenegro, Netherlands, Poland, San Marino, Serbia, Slovenia, Sweden, "the former Yugoslav Republic of Macedonia", Ukraine and the United Kingdom. Source: http://www.coe.int/t/DG2/TRAFFICKING/campaign/default_en.asp

4. Undocumented Children

- Defence for Children International and Justitia and Pax support the "Wrong Children Don't Exist" Committee. The committee has 20 members, whose fathers are suspected to be involved with war crimes in their countries of origin. Therefore, their children don't qualify for the general pardon, although most of them have been in the Netherlands for over 10 years. With their actions, including the publication "I have the right to my own rights" (*Ik heb recht op mijn eigen rechten*) the children want to stand up for their own rights. More information: Defence for Children international – <http://www.defenceforchildren.nl/>
- The judge of the First civil section of Milan, Italy, Claudio Marangoni, has accepted the appeal filed by a Moroccan woman against the circular of the Municipality of Milan, firmly supported by the Mayor of Milan Letizia Moratti, which denies the possibility of registering children of undocumented migrants in local kindergartens. According to Mr. Livio Neri, the woman's lawyer, it has been recognized "the discriminatory character of the circular in the part disputed". As a result of this sentence the woman has been able to register her child in the kindergarten. The lawyers said that "the woman has been residing in Italy for many years, is fully integrated in the Italian society and even with a job and a house does not have a regular permission to stay". http://www.corriere.it/vivimilano/cronache/articoli/2008/02_Febbraio/11/asili_aperti.shtml
- The court of appeals of Reindeers, France, ruled on 15 February for the maintenance in administrative retention of a 15-month old baby with his undocumented mother in the center of

Saint-Jacques de la Lande, close to Reindeers, France. This decision was notified for "a length of seventeen days minimum", specified associations of defense of undocumented migrants. "This position is all the more inadmissible since this young woman, who has fled the Democratic Republic of Congo, has been living in France for seven years. Her baby was born in France, her companion, the father of his child, has been living for eleven years in France, has a regular permission to stay and a regular job" said the MRAP of Ille and Vilaine. <http://www.liberennes.fr/libe/2008/02/17-jours-denfer.html>

- 'Compassito - manual on human rights education for children' is a starting point for educators, teachers and trainers who are ready to deal with human rights education with children of 7-13 years. The book familiarises the reader with the key concepts of human rights and children's rights, and provides substantial theoretical background to 13 key human rights issues, such as democracy, citizenship, gender equality, environment, media, poverty, and violence. The manual also gives practical tips on how it can be used in various formal and non-formal educational settings. http://book.coe.int/EN/ficheouvrage.php?PAGEID=36&lang=EN&produit_aliasid=2258

5. Upcoming Events

ERLAIM, a project which aims at improving the quality of actions of regional and local stakeholders when participating in the design and implementation of policies concerning the integration of third country nationals, will hold a European conference on EU policy and funding for the integration of migrants on 13-14 March 2008 in Brussels. The conference aims to provide in-depth information to local and regional practitioners on EU policy and strategies for integration; to present the current state of the ERLAIM project and to discuss the preliminary results of the project survey; to exchange evaluation methods of the results of integration projects; to offer different regions an opportunity to network and discuss experiences and best practice. <http://www.migpolgroup.com/events/3991.html>

The Committee of Support to undocumented Migrants of Lille will hold a march from Lille to Paris from 1-22 March on the theme "25,000 NO to expulsions, 25,000 YES to regularisation and regularisation for the hunger strikers in Lille." The organisation denounces the arrests, ill treatments, and blockages of procedures that have multiplied in Lille since June 2007. Contact: leensp59@gmail.com

The National Union 'Solidaires' is launching a movement against disposable immigration. They invite the public to demonstrate on 5 April 2008 in Paris under the motto: "France is everybody who lives here, xenophobia destroys the rights of the all the French, immigrants equality – solidarity". They denounce anti-migrant legislation: since 2002 five laws have been passed eroding the legitimacy of foreigners residing in France and their basic fundamental rights: attacks against the State Medical Assistance, DNA tests, multiplication of the restrictions on rights of entry and residence for migrants in particular by the drastic limitation of family reunification. <http://www.contreimmigrationjetable.org/>

The European network of cities for local integration policies for migrants (CLIP), in cooperation with the Committee of the Regions and the European Commission, will hold a conference on European cities integrating migrants on 7 April in Brussels. The conference aims to debate on policies of local governance for integration and access to housing and on personnel policies of local authorities and available services for migrants. http://www.ccre.org/champs_activites_detail_news_en.htm?ID=1250&idca=3119

The Belgian organization Intercultural Network Gent will hold a course entitled 'Living together and orientation'. The course is for undocumented migrants. Participants will receive simple and objective information on their rights and duties. The course will take place in Ghent on 8-9 April 2008. For more info, tel. +32/9/224 17 18.

An international seminar on 'Selective migratory fluxes' will be held at the Maghrebian institute of customs economy and fiscality on 26 April 2008 in partnership with the University of Lyon. Several themes such as identity, family rights, economic growth, migratory fluxes and information technologies will be debated. The new laws impose very strict conditions on migrants arriving in France. And using the pretext of preserving French identity it even creates social discriminations in terms of access to work between French born, French naturalised and non-French people living in France.

<http://www.spcm.org/Journal/spip.php?breve9461>

TIGRA (Transnational Institute for Grassroots Research and Action) will host the Transnational Assembly of Remitters and Families for the Global League of Community Sustainers on 12-17 May 2008 in Mexico City. This gathering will bring together migrant leaders and local, state, national and international migrant organizations from the US and Asia, Europe, Africa and Latin America to build a global association of remitters and their families. The mission of The Global League of Community Sustainers is to consolidate the economic and political power of an important constituency in the age of globalization—those who have moved from their countries of origin in order to provide financially for their families. Contact: tigra@transnationalaction.org. For more details see:

<http://www.ligaconvention08.org/sponsor/convdescription.pdf>

The WinAct network offers adult educators from all over Europe the opportunity to experience a training course in Coimbra, Portugal from 2- 6 July 2008. The courses aim to enable adult educators to design and carry out workshops for officials from political parties or trade unions that are interested to win immigrants as active members. WinAct aims to transfer findings from the EU-research project POLITIS into an European "train the trainer" program in order to promote immigrants. Adult educators and professionals from all over Europe are invited to participate in the training course. The course will be held in English. Contact the project co-ordinator at Norbert.Cyrus@uni-oldenburg.de. For more details see: <http://www.uni-oldenburg.de/PolitischeBildung/30359.html>

6. Publications

At the completion of the project SAGA (Selbsthilfe, Arbeitsmarktzugang und Gesundheit von Asylsuchenden - Self help, Access to the Labour Market and Health Situation of Asylum Seekers), funded by the German federal state, two information leaflets entitled *Rechte ausländischer ArbeitnehmerInnen "ohne Papiere"* (Rights of foreign Workers "without Documents") have been published. In them, the formal rights that undocumented migrants have towards their employers, for example in the case of an accident at work, are laid down. They also explain, how these rights can be asserted. One of the leaflets is addressed to undocumented workers (German, English, French, Russian, Bulgarian and Romanian versions available as pdf-documents at <http://www.equal-saga.info/pu.html>), the other to advisory personnel (<http://www.equal-saga.info/docs/Vb-Berater.pdf> - German only).

Was ist Frontex? (What is Frontex?) is the newest brochure in the series *Materialien gegen Krieg, Repression und für andere Verhältnisse* (Resources against War, Repression and for different Circumstances). On 52 pages, various authors explain the mode of operation, the evolutionary history and the current activities of the EU border security agency. For more information see: <http://www.imi-online.de/2008.php3?id=1680>; download the brochure at: <http://www.imi-online.de/download/FRONTEX-Broschuere.pdf>, a print-version is also available.

The European Observatory on Health Systems and Policy published its health policy bulletin 'Euro Observer' this time with the topic "Migration and health in EU health systems – case studies from the Netherlands, Italy and Spain". In this issue of 'Euro Observer' three countries' migrant health policies are described revealing considerable differences. Also the issue of undocumented migrants and their

access to health care systems in those three countries is broached in this edition. The problem of undocumented migrants not being granted equality of treatment is addressed as well as their fear of detection which often prevents them from consultation.

http://www.euro.who.int/observatory/Publications/20020524_29

The Organisation for Undocumented Workers (ORCA) published a new brochure to advise migrant workers, whether documented or not, who received an offer to become self-employed, or who are thinking about setting up their own business. The brochure lists the rules and the pitfalls, and helps migrant workers to take an informed decision whenever they receive a specific work offer. It also sets out the rights and duties of migrant workers, and whether they are truly self-employed or not.

http://www.orcasite.be/userfiles/file/EIGEN%20BAAS_ENG.pdf

Serge Daniel, correspondent for RFI in Bamako, published the stories of his adventures as he tried to retrace the routes of migrants coming from Mali, Mauritania, Algeria and Morocco. "Les routes clandestines" describes his encounters with frontier runners, police men, and undocumented migrants.

http://www.rfi.fr/francais/actu/articles/098/article_62819.asp

Published in December 2007, at the initiative of the European Parliament, the report on the "Conditions of immigrants in centres (detention centres, open centres and transit centres) in the 25 EU member states" represents a clear picture of the reception and detention in Europe. The French organization Cimade hopes that the report will influence the proposed directive on the deportation of undocumented migrants in the European Union. <http://www.cimade.org/nouvelles/672-Rapport-europeen-sur-les-conditions-des-migrants-dans-les-camps>

European Aids Treatment Group (EATG) has recently published the community recommendations of the Lisbon Conference held in June 2007: 'The right to HIV/AIDS prevention, treatment, care and support for migrants and ethnic minorities in Europe: The community perspective.' These policy recommendations are designed to represent the various voices from migrant communities. Migrants, both documented and undocumented, and ethnic minorities encounter serious problems in [Europe 53](#) and Europe's neighbouring countries since they are especially vulnerable to HIV infection. The recommendations provide relevant information to policy makers, national AIDS Coordinators and other stakeholders and highlight the need for action. <http://www.eatg.org/pages/article.php?id=880>

A study by a specialised unit of the European Agency for Safety and Work (EU-OSHA), unveils the risky working conditions faced by many migrants. The report was researched and written by the European Risk Observatory (ERO) and analyses issues related to occupational safety and health of migrant workers. According to the report, a significant number of migrants are subject to uncertainty, poor working conditions, and low wages. Migrant workers are often over-qualified to be employed in low-skilled jobs frequently characterised by longer working hours, higher occupational instability, and physically demanding activities. They may have little knowledge of their employment rights, experience harassment, and high rates of stress burnout. There are serious health concerns for undeclared workers as they often do not have access to occupational health care services and lack the legal protection mechanisms for employees in dangerous occupations. <http://www.epha.org/a/2876>

A recent report by Migrant Rights Centre Ireland (MRCI) entitled 'Life in the Shadows: An Exploration of Irregular Migration in Ireland' explores the complex issue of irregular migration in Ireland. It focuses on economic migrants who have become undocumented or who are working in an irregular situation. It offers an insight into the situation of migrants with an irregular status, and aims to provide greater clarity and understanding of the dynamics and complexities involved in irregular migration in Ireland. A number of undocumented migrants were interviewed for this study, and the daily experiences and problems they

encounter are conveyed throughout the report. It also proposes a number of recommendations for tackling the problem of irregular migration. For more information, contact info@mrci.ie.

A new OECD (Organisation for Economic Cooperation and Development) publication, entitled "A Profile of Immigrant Populations in the 21st Century", presents some of the most comprehensive information currently available on the origin and structural characteristics of the immigrant population in OECD countries. The information is covered in nine thematic chapters, such as the gender dimension of brain drain, the international migration of health experts, or the role of low-skilled foreign-born workers in domestic services.

http://www.oecd.org/document/27/0,3343,en_2649_201185_40110299_1_1_1_1,00.html

Pro Asyl has recently published Leona Goldstein's photo book *displaced. Flüchtlinge an Europas Grenzen* (displaced. Refugees at Europe's Borders) in English, German and French including two documentary films („Au clair de la lune" and „Le Heim") on DVD. Goldstein begins her journey in West Africa and follows the trail of exploitation of natural resources and humans in search of opinions from outside the European borders. She seeks out people right at the nearly insurmountable walls around Fortress Europe in Morocco and Ukraine and finally visits isolated refugee camps in Germany. For more information see: <http://www.proasyl.de/de/informationen/themen/index.html>

Report of Civil Society Day during Global Forum on Migration and Development. This report contains the results of the preparatory process for the meeting and the discussions of the Civil Society Day, organised by the King Baudouin Foundation in Brussels on 9 July 2007, in the framework of the Global Forum on Migration and Development. <http://www.kbs-frb.be/publication.aspx?id=222654&LangType=1033>

LAMPION's Annual Report 2007 shows the need for this Dutch national information and advisory point, set up to provide information to care providers, undocumented migrants and their families. The number of people contacting LAMPION, presented as Good Practice at the EU-conference Migrants & Health in Lisbon last September, rose with 25% compared to 2006. Most of the information asked concerned the right to stay, access to health care, financing this care and the duty for care providers to provide for care. More info on www.lampion.info

8. Miscellaneous

The Vienna Forum to Fight Human Trafficking on "Passport wanted: combating human trafficking and forced labour" took place on 13-15 February 2008 and was organized by the UN Global Initiative to Fight Human Trafficking (UN.GIFT) and involved six international organizations, including the ILO, the UN Office on Drugs and Crime (UNODC), the International Organization for Migration (IOM), the United Nations Children's Fund (UNICEF), the Office of the United Nations High Commissioner for Human Rights (OHCHR), and the Organization for Security and Cooperation in Europe (OSCE). http://www.ilo.org/global/About_the_ILO/Media_and_public_information/Feature_stories/lang-en/WCMS_090351/index.htm

The Center for Comparative Immigration Studies (CCIS) sponsored a presentation "Just the Facts: Official Reports, Mass Media, and the Politics of Unauthorized Migration Estimates in the United Kingdom and the United States" at the University of California, San Diego on 4 March 2008. The speaker was Jennifer Blakeslee, Ph.D. Candidate in Demography, Australian National University, Visiting Fellow, CCIS. <http://www.ccis-ucsd.org/Programs/seminar.htm>

UNITED for Intercultural Action (European network against nationalism, racism, fascism and in support of migrants and refugees) calls attention for 21 March, the day was declared International Day for the

Elimination of All Forms of Racial Discrimination by the General Assembly of the United Nations as a reaction to the murder of 69 anti-apartheid demonstrators in Sharpeville, South Africa, in 1960. During the annual European-wide Action Week, which centres around 21 March (15-23 March 2008), thousands of people actively engage themselves for tolerance, equal rights and celebrate the diversity of Europe. This year once again hundreds of activities will take place all around Europe, organised by a wide variety of organisations. Activities range from intercultural youth festivals to cleaning the walls of racist slogans, or multicultural football matches. All organisations, large and small, can contribute in their own way to the Action Week. For more details see:
http://www.unitedagainstracism.org/pages/Info3_08.htm

The French Cultural Centre of Alger hosted a day around the theme "Migrations: Other views" on January 28 2008. Kays Djillali and Djamel Benramdam presented their documentary 'Le Piège' depicting the precarious situation of sub-Saharan immigrants into Algeria and the Maghreb, followed by a round table discussion with specialists on the subject of sub-Saharan immigration. The documentary portrays the difficult living conditions, the disappointments and the obstacles the migrants face.
<http://www.lexpressiondz.com/article/3/2008-01-31/49437.html>

Martin Geiger, Ph.D. candidate at the Institute of Geography of the University of Osnabrueck (Germany) is working on a project about the role of international governmental organisations in the field of controlling transborder migration. His project is focusing on the East- and Southeast European and North African region and is near completion. Martin Geiger is interested in all additional advices concerning 'grey literature' on his topic or advanced information and contacts. He is looking forward to contacting also concerning optionally cooperation at publishing results or at the starting of a new project. Contact: martin.geiger@uos.de

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