



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

## PICUM Newsletter October 2005

*Finalized on 5 October 2005*

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

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

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

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**THANK YOU !**

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

*Ceuta and Melilla (Spain):*

- Five immigrants were killed, apparently by Moroccan police bullets, when 600 people equipped with homemade ladders stormed the fences at Ceuta on 29 September. Nearly 50 immigrants were wounded in the storming of the fences. 20 of these immigrants were seriously wounded, and immigrants' organizations said that a baby was one of the victims.

<http://observer.guardian.co.uk/international/story/0,6903,1582959,00.html>

<http://www.liberation.fr/page.php?Article=327398>

- On 3 October, 650 Sub-Saharan immigrants tried to enter Melilla by using ladders to get over the fences. 350 were able to get in, but 135 were wounded, of whom five are in a critical state, as well as seven Spanish guards. <http://www.liberation.fr/page.php?Article=328423>
- For a press review (in French and in English) and info sources (in French, English, Spanish and Italian) concerning recent events at the fences separating Spain from Morocco at Ceuta and Melilla, see: <http://www.migreurop.org/article857.html>. For an article (in Italian) with links to pictures taken by the daily El Pais about the recent developments: <http://www.meltingpot.org/articolo5965.html>.
- The APDHA (Asociación Pro Derechos Humanos de Andalucía) and AFVIC (Amis et Familles des Victimes de l'immigration clandestine) issued statements to denounce the death of a Sub-Saharan African immigrant on 15 September in Melilla. According to APDHA sources, the victim was admitted to the hospital in Melilla with his trachea destroyed by a rubber bullet, but the circumstances surrounding his death remained unclear. Both organizations demand independent investigations of this death, as well as of all the deaths that have occurred in Ceuta and Melilla in similar circumstances in the past weeks. [www.apdha.org](http://www.apdha.org)
- The deaths of 17 undocumented migrants off the coast of Fuerteventura (Spain) on 1 October were preventable. A total of 34 migrants had been crowded together in a 6-meter long rubber dinghy for three days when they saw a fishing boat. According to crew members of the fishing boat, the sea was calm and conditions optimal for an orderly rescue, but as soon as the immigrants saw the fishing boat, their anxiety caused their dinghy to turn over. The combination of the immigrants' not knowing how to swim and the fact that they were wearing several layers of clothing to protect against the cold were additional deadly elements. [http://actualidad.terra.es/sucesos/articulo/muerte\\_segura\\_desaparecidos\\_patera\\_naufrago\\_520726.htm](http://actualidad.terra.es/sucesos/articulo/muerte_segura_desaparecidos_patera_naufrago_520726.htm)

*Other news developments:*

- 11 undocumented migrants drowned off the coast of Gela, Sicily (Italy) on 12 September. They were part of a larger group of immigrants who were trying to reach Sicily on an old fishing boat. <http://www.ilsole24ore.com/fc?cmd=art&artId=708681&chId=30&artType=Articolo&back=0>
- In the last two weeks of August, 27 people died trying to enter the United States. The majority of these deaths occurred in Texas, with Arizona placing second for migrant deaths. Already, 2005 has become the deadliest year on record, with 385 recorded deaths to date - surpassing the previous record of 383 set in 2000. Source : Latin America Working Group.

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

### **General**

- 18 December is International Migrants Day. Organizations are urged to commemorate this day with events, press statements, etc, because it is important to show the growing international solidarity around the respect for and protection of the human rights of migrants. You are invited to send information on what you plan to organize to [rene@december18.net](mailto:rene@december18.net), for it to be posted on the website and in the newsletter. More info: [www.december18.net](http://www.december18.net)
- All actors in the struggle against poverty and social exclusion in Europe recognise that the local level is crucial to achieve results in this field. Giving access to a wide range of good practices on the

ground is the aim of LOCIN, the European website on local initiatives to combat social exclusion.  
<http://www.locin.info>

- Doctors of the World has launched a campaign to improve access to health care for undocumented migrants in Europe. They have set up a European Observatory on access to health care with the objective of understanding what obstacles to healthcare undocumented migrants face and to lobby for a better access for them. To fulfil that objective, they are carrying out a survey in nine different European countries (Belgium, Cyprus, France, Greece, Italy, Netherlands, Portugal, Spain and the UK) until the end of November. For more info contact: [claire@medecinsdumonde.co.uk](mailto:claire@medecinsdumonde.co.uk)
- Migration was the main topic of the annual conference on “Justice and Peace in Europe,” that took place in Lisbon at the end of September. Conference participants affirmed that churches in Europe should assume their responsibilities to enable a humane approach to migration. Exploitation of undocumented workers was said to be a big problem, and unacceptable. More info (in Dutch): <http://kerkmail.kerknet.be/DesktopModules/AdvancedNewsletterDNN/NewsletterViewer.aspx?NewsletterVolumeID=1>
- Several EU Member States have taken measures to deport Roma undocumented migrants to the former Yugoslavia. Roma organisations from the former Yugoslavia have launched an online petition against the deportation of Roma, Ashkali and Egyptians to Kosovo, and for the inclusion of Roma in the status talks. To sign the petition: <http://www.sivola.net/download.kossovo.htm>. For more information: [stopdeportations@yahoo.co.uk](mailto:stopdeportations@yahoo.co.uk)

## France

- CIMADE condemns the detention of four children aged from 4 months to 4 years who are currently detained in a Lyon detention center (statement issued on 16 September), as well as a 1-month newborn baby who was put in a detention center with his mother in Rouen (statement issued on 9 September). [www.cimade.org](http://www.cimade.org)
- Teachers and students at the Jacques Feyder High School in Epinay sur Seine waged a massive strike on 16 September to protest against the detention of Guy Effeye, a student who has been detained since mid-August and is facing imminent deportation from France. 60 teachers and staff members launched a call against this and other deportations of school-age children and adolescents in France. <http://www.educationsansfrontieres.org/>
- GISTI has launched a call (entitled “Sans-papiers: non à l’exclusion des soins”) to gather support against the new law on health care and undocumented migrants. More than 100 organizations have so far signed on. For more info and to sign on: <http://www.gisti.org/doc/actions/2005/ame/non.html>
- Yves Doutriaux, the permanent ambassador of France to the OSCE, declared that France is seriously considering ratifying the International Convention for the Rights of All Migrant Workers and Their Families. He also said that an inter-ministerial committee has been set up to prepare the ratification. Mr. Doutriaux declared this during the Mediterranean Seminar on the role of the OSCE in immigration and integration policies, which took place in Rabat from 8-9 September.  
<http://www.december18.net/f-frontpage.htm>

## Spain

- On the Moroccan-Spanish border, violence from both authorities and gangs is a major threat to immigrants. Médecins sans Frontières (MSF) released a report on 29 September and is concerned that these findings reveal systematic violence and degrading treatment, which only serve to increase the suffering and marginalisation of people who are already exposed to extremely precarious and often inhumane conditions. One out of four undocumented migrants from Sub-Saharan Africa who are treated by MSF in the area suffer from health problems that are the result of violent acts. [http://www.msf.org/source/countries/africa/morocco/2005/morocco\\_2005.pdf](http://www.msf.org/source/countries/africa/morocco/2005/morocco_2005.pdf)

## Greece

- The newspaper "Ta Nea" has paid a visit to some old apartments in Athens, where migrants (both documented and undocumented) and asylum seekers are living in very bad conditions: up to 20 men share one toilet, windows are broken, there is no furniture or electric appliances, only some mattresses on the floor, and the walls are in a very bad state. Despite all this, the rent is more than 450 euros per month. At the same time reception centres in Greece close one after the other. (Source: NANOU@unhcr.ch)
- Amnesty International denounced the cruel and inhuman treatment of migrants detained in a container on a Greek island. <http://web.amnesty.org/wire/September2005/Greece>
- Undocumented migrants in Greece who wish to legalize their status will be required to undergo a medical exam for infectious diseases at a public hospital. The health ministry says it will inform doctors of the procedure before the end of this month. (Source: NANOU@unhcr.ch)

## UK

- An ongoing hunger strike at Yarl's Wood Removal Centre has resulted in two women being taken to Bedford hospital, after five weeks of starving themselves. <http://www.irr.org.uk/2005/september/ha000011.html>
- "Brides without Borders" is the title of a new campaign in the UK. Couples that are facing forcible separation due to one of them being a 'failed' asylum seeker and facing deportation have come together to start a national campaign. <http://www.ncadc.org.uk>
- The Citizens Advice Bureau has published a new report, entitled 'Nowhere to turn,' on the plight of poorly paid migrant workers. Download a copy of the report at: [http://www.citizensadvice.org.uk/mac/index/pressoffice/press\\_index/press-040227.htm](http://www.citizensadvice.org.uk/mac/index/pressoffice/press_index/press-040227.htm)
- Manuel Bravo, a national of Angola living in Leeds, was caught by immigration officials with his son Antonio on the morning of 14 September. In the early hours of 15 September, Manuel was found hanging in a stairwell at Yarl's Wood Removal Centre. Manuel and Antonio had been living in Leeds for the last three years after leaving war-torn Angola. <http://news.bbc.co.uk/1/hi/england/beds/bucks/herts/4248658.stm>
- On 14 September, 26-year-old Edmore Ngwenya, a Zimbabwean asylum seeker, jumped into a canal in Manchester. <http://www.irr.org.uk/2005/september/ha000021.html>

- New research has found that the health of 113 asylum seekers worsened after their arrival in the city of Glasgow. The report highlights mental health problems and health problems exacerbated by living conditions. <http://www.eveningtimes.co.uk/hi/news/5043396.html>

## Belgium

- CIRE, a Belgian NGO, is publishing a list on its website of shipwrecks as well as other tragedies involving undocumented migrants trying to enter into Europe. Without claiming to be exhaustive, CIRE wants to highlight the many deaths at Europe's borders. <http://www.cire.be/naufrages.html> (in French)
- The social service of the City of Antwerp has set up an internal checkpoint for 'suspicious' asylum seekers, to be used by social workers. The information obtained in this way might be communicated to the public prosecutor. Some Belgian organisations have denounced this as being a breach of privacy legislation, a slap in the face of elementary deontology rules, and mixing up social policy with repressive elements. <http://www.vluchtelingenwerk.be/doc/Persbericht-9-sept-2005.doc>
- Following a report in one of Belgium's newspapers on the fact that a local social service had financially supported the IVF (in vitro fertilization) treatment of an asylum seeker, a negative and most inaccurate series of articles has been published in various media. Media that are in general considered to be left wing are mixing up the right to health care with medical tourism, undocumented migrants with asylum seekers, etcetera. Many Belgian NGOs are shocked by these sudden, populist and most inappropriate reactions, are reacting with press releases and are elaborating a joint strategy. <http://www.orientatiepunt.be/actualiteit.html#MedToer>
- It is possible for undocumented migrants to open a bank account in Belgium. Even though some banks refuse to do this, undocumented migrants are allowed by law to have a bank account, as long as they can prove their identity and the fact that they reside in Belgium. This is indeed not always easy for undocumented migrants, but the fact remains that they have the right. This information was provided by the Belgian Ombudsman for the financial sector, upon request of a Belgian NGO. More information in Dutch: [www.vreemdelingenrecht.be](http://www.vreemdelingenrecht.be)
- Medimmigrant, a Belgian NGO, is kicking off a pilot project to develop a medical database in which information should be gathered – at European level- regarding availability and access of health care in countries of origin. Such a database would serve the following purposes: it would be helpful for migrants who are considering voluntary return, it would be a good tool in case proof is needed for migrants who apply for residence permits on medical grounds, and it would be useful in promoting an accurate national and international health policy. A draft proposal can be consulted (in Dutch) on [www.medimmigrant.be](http://www.medimmigrant.be)

## Netherlands

- A superior court ruled last month that a municipality cannot deny children access to social benefits, even though their parents are undocumented. This ruling is based on the Convention on the Rights of the Child, which states that parents should be supported if they fail to realize their responsibility to provide support to their kids, especially food, clothing and housing. According to the Dutch judge, this right applies regardless of the legal position of the parents. The family in question will receive 230,79 Euros a month. Dutch NGOs were very pleased with this judgment, which puts an

international human rights treaty above the Dutch Linking Act. [www.defenceforchildren.nl](http://www.defenceforchildren.nl);  
[www.ecpat.nl](http://www.ecpat.nl)

- Doctors of the World has issued a 'medical document' (MEDOC) to be used by undocumented migrants. It is a little booklet in which a person can keep track of his/her medical history and aims to improve the quality of health care for undocumented migrants. At the same time it aims to inform both undocumented migrants and health care staff about the right to health care. A pilot project was launched for one year, after which an evaluation will take place.  
[http://www.doktersvandewereld.org/nationale\\_projecten.php?action=view&ID=268](http://www.doktersvandewereld.org/nationale_projecten.php?action=view&ID=268)
- A research project was set up to compare access to health care for undocumented migrants in Sweden and in the Netherlands. See section in this newsletter on Sweden.
- Three Dutch organizations are working on a booklet with information on the rights of undocumented migrants. The first version of this document will be prepared for organizations providing assistance to undocumented migrants. Since laws and regulations are complex and frequently changing, the document is expected to be adapted regularly. The process of putting the document together is a lively one, during which a network is created between experts and organizations. More information: [info@stichtinglos.nl](mailto:info@stichtinglos.nl)
- On 1 October, on the third day of Economic Alternatives (Utrecht), a workshop took place on the fight for basic rights of undocumented migrants. The workshop was organized by three Dutch organizations: LOS, OKIA and Searchweb. [http://www.globalalternatives.nl/dva2005-progr&style\\_id](http://www.globalalternatives.nl/dva2005-progr&style_id) (in Dutch)

## Germany

- The federal office for migration and refugee issued a Working Paper containing the state of research on "Illegality of Migrants in Germany". <http://www.proasyl.de/texte/mappe/2005/103/10.pdf>

## Sweden

- Thousands of people demonstrated across Sweden on 17 September. The demonstrations were part of the campaign called Flyktingamnesty 2005 (Refugee Amnesty 2005) where hospital personnel, youth organizations, religious organizations, ethnic organizations and political organizations try to put pressure on policy makers in order to give asylum seekers who are waiting for their case to be processed and undocumented migrants a residence permit. An estimate of 18,000 people took part in the demonstrations. <http://www.flyktingamnesti.nu/>
- A research project was set up to compare access to health care for undocumented migrants in Sweden and in the Netherlands. In both cases (Sweden and the Netherlands) interviews will be conducted with undocumented migrants and with those providing assistance to them (e.g. NGO activists, church representatives, medical professionals, etc.). The long-term aim of this research project is to increase the attention and knowledge of policy makers and the general public about the existence and living conditions of undocumented migrants. For more information contact: Ramin Baghir-Zada at [ramin.baghir-zada@hs.mah.se](mailto:ramin.baghir-zada@hs.mah.se)

## Switzerland

- The Committee of Lausanne Against Expulsion is planning a two-day meeting on migration issues, on 17-18 December in Bern. [www.stoprenvoi.ch](http://www.stoprenvoi.ch)

## USA

- Undocumented survivors of Hurricane Katrina are being denied federal relief services. Many immigrants are afraid they'll be arrested and deported if they seek aid. Five victims of Katrina were arrested in Texas and West Virginia and are now facing deportation proceedings. According to FEMA (Federal Emergency Management Agency), undocumented victims are only eligible for short-term, non-cash emergency aid, crisis counseling or disaster legal services. They don't qualify for financial aid or disaster unemployment assistance, nor have they been relieved from the threat of deportation.  
[http://news.ncmonline.com/news/view\\_article.html?article\\_id=69b9752a0c82041c78788e4390506983](http://news.ncmonline.com/news/view_article.html?article_id=69b9752a0c82041c78788e4390506983)
- The Coalition of Immokalee Workers (CIW), a community-based worker organization with nearly 3000 members based in southwest Florida, will make a tour in Europe from October 3-16, 2005. The objectives of the tour are to make contacts and networks in Europe and look further into the possibility of filing a petition with the ILO in regard to the United State's discriminatory and unequal treatment of farmworkers concerning the Freedom of Assembly. The CIW trip to Europe will be stopping in Geneva, Switzerland; Marseilles, France and its surrounding agricultural communities; Amsterdam, Netherlands; and Oslo, Norway. Contact: [Julia@ciw-online.org](mailto:Julia@ciw-online.org) or [shanor@rfkmemorial.org](mailto:shanor@rfkmemorial.org).

## **3. European Policy Developments**

- Undocumented migrants being held by Spain, France and Italy were put on a special flight back to Romania in the first operation of its kind. Organised by Spain, the flight left Madrid with 75 immigrants on board before stopping in France and Italy to pick up another 50. The program was approved when interior ministers from the UK, France, Germany, Italy and Spain met in July. Spain says it is planning another flight next month to repatriate illegal immigrants from Ecuador and Colombia. <http://news.bbc.co.uk/2/hi/europe/4272442.stm>  
<http://www.statewatch.org/news/2005/sep/12sp-fr-it-expulsions.htm>
- On 15 and 16 September, a group of MEPs from the Green Party traveled to Lampedusa (Italy), to investigate the situation of migrants and asylum seekers arriving at the island. With this initiative, the Greens want to stop focusing merely on fighting migration, and start looking for ways to genuinely protect asylum seekers and to assure human dignity of all migrants. [http://verts-europe-sinople.net/spip\\_redirect.php3?id\\_article=303](http://verts-europe-sinople.net/spip_redirect.php3?id_article=303)  
When the parliamentarians arrived in the reception centre, there were only 11 migrants. From inhabitants of Lampedusa, the MEPs heard that there had been an exceptional traffic of military airplanes in the days preceding the visit of the MEPs. It was also not possible for the MEPs to have a look in the register of arrivals and departures. The report is currently only available in French: [http://www.jrseurope.org/news\\_releases/rapport%20Lampedusa%202%202.pdf](http://www.jrseurope.org/news_releases/rapport%20Lampedusa%202%202.pdf)

- On 1 September, the European Commission released a set of proposals on migration, integration, asylum and expulsion:
  - Communication on migration and development: [http://www.statewatch.org/news/2005/sep/COM\\_2005\\_0390.pdf](http://www.statewatch.org/news/2005/sep/COM_2005_0390.pdf)
  - Communication on a common agenda for integration: [http://www.statewatch.org/news/2005/sep/COM\\_2005\\_0389.pdf](http://www.statewatch.org/news/2005/sep/COM_2005_0389.pdf)
  - Communication on regional protection programs: [http://www.statewatch.org/news/2005/sep/COM\\_2005\\_0388.pdf](http://www.statewatch.org/news/2005/sep/COM_2005_0388.pdf)
  - Draft Directive on return: [http://www.statewatch.org/news/2005/sep/COM\\_2005\\_0391.pdf](http://www.statewatch.org/news/2005/sep/COM_2005_0391.pdf)
- As was reported in the September newsletter, PICUM joined a coalition of NGOs in a reaction to the Commission's Draft Directive on Return. The "Common Principles on the Removal of Irregular Migrants and Rejected Asylum Seekers" can be consulted here: <http://www.statewatch.org/news/2005/sep/NGOremoval.pdf>

#### **4. Upcoming Events**

"The Wise Integration" is a conference organised in Brussels on October 5th, in the framework of the project on the "Skilled Migrants Integration Assessment Model". The aim of the project is to develop, test and disseminate a model for evaluating the quality of the integration of highly skilled migrants in Europe and to establish a Network of researchers, experts and practitioners interested in the topic of skilled migration, called Skilled Migrants European research and policy Network (SMEN).  
[www.scienzecittadinanza.org](http://www.scienzecittadinanza.org)

"Building Social Policies on Fundamental Rights", a European conference organised by the Platform of European Social NGOs, 11-12 October 2005, Brussels.  
<http://www.socialplatform.org/code/EN/abou.asp?Page=692>

"Women in Illegality," a conference to be held on 13 October in Cologne.  
[http://www.domforum.de/veranstaltungen/kalender\\_2.html](http://www.domforum.de/veranstaltungen/kalender_2.html)

"Migrant workers and human rights law", conference to be held in Dublin on 15 October.  
[http://www.ihrc.ie/news\\_&\\_events/events.asp?MCID=1&MTID=36&EP=&T=M&Print=](http://www.ihrc.ie/news_&_events/events.asp?MCID=1&MTID=36&EP=&T=M&Print=)

On 27-29 November 2005, the UK presidency will hold a conference on "Exploring the Impact of Migration within the EU: How can we harness our talents?" in Dunblane.  
<http://www.scotland.gov.uk/Topics/Government/International-Relations/Europe/PresidencyEventsMeetings>

#### **5. Publications**

*Out of the spotlight: The rights of foreigners and minorities are still a grey area*, by Amnesty International, October 2005. This report highlights the failure of the Greek authorities to combat discrimination. Foreigners shot on the border, asylum-seekers detained in metal containers, Roma forcibly evicted from their homes in Athens -- these are some of the examples of consistent pattern of human rights violations, revealed by Amnesty International's report.  
<http://web.amnesty.org/library/Index/ENGEUR250212005?open&of=eng-369>

*Illegal Immigration in Europe: Beyond Control*. Edited by Franck Düvell, Palgrave Macmillan, to be

released in November 2005. This book discusses the history of the idea of “illegal immigration” and its political economy. In four case studies, it analyzes the motive and strategies of undocumented immigrants in Europe, revealing typical risk biographies. [www.palgrave.com](http://www.palgrave.com)

“*Menschen Ohne Papiere*” (People without papers), Siegfried Pater, Retap Verlag, 2005: a series of testimonies of undocumented migrants. <http://www.siegfried-pater.de/>

*Labour Migration and Employment Rights* is a new publication edited by Bernard Ryan. According to the authors, the best way to address the ongoing exploitation of migrant workers is to undermine the economic advantage to employers of employing migrant workers. This should be done by regulating employment status, practices and protections. By strengthening migrant workers’ rights, we help prevent unscrupulous employers undercutting wages and depressing sectors of the economy. This in turn will help remove some of the hostility shown to migrant workers in sections of society. More information: Institute of Employment Rights, [www.ier.org.uk](http://www.ier.org.uk)

*Immigrant Workers at Risk: The Urgent Need for Improved Workplace Safety and Health Policies and Programs*. AFL-CIO, August 2005.

Press release: <http://www.aflcio.org/issues/civilrights/immigration/ns09012005.cfm>

Report: [http://www.aflcio.org/issues/safety/upload/immigrant\\_risk.pdf](http://www.aflcio.org/issues/safety/upload/immigrant_risk.pdf)

*Reinforcing the Seams: Guaranteeing the Promise of California's Landmark Anti-Sweatshop Law*, a new report by Sweatshop Watch and Asian Pacific American Legal Center (APALC), reveals lax state enforcement and widespread corporate disregard of California's anti-sweatshop legislation. The report documents the successes and shortfalls of what many had hoped would prove to be the country's strongest anti-sweatshop legislation - Assembly Bill 633 (AB 633). The report concludes with recommendations on how to improve enforcement of labor laws. [www.sweatshopwatch.org](http://www.sweatshopwatch.org)

*Beyond the Border Buildup: Towards a New Approach to Mexico-U.S. Migration*. By Douglas S. Massey, American Immigration Law Foundation, September 2005

[http://www.aifl.org/ipc/policy\\_reports\\_2005\\_beyondborder.htm](http://www.aifl.org/ipc/policy_reports_2005_beyondborder.htm)

## **6. Miscellaneous**

The Jonas Widgren Memorial Scholarship will allow a young migration researcher to spend a period of nine months on a scholarship at the International Center for Migration Policy Development (ICMPD) in Vienna and pursue applied research on a number of current migration topics, including undocumented migration. Deadline for applications: 11 October 2005. [www.icmpd.org](http://www.icmpd.org)

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