



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

## PICUM Newsletter May 2009

*Finalized on 04 May 2009*

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 for  
the human rights of undocumented migrants?**

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**THANK YOU !**

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

- The bodies of two Sub-Saharan Africans were found off the coast of Ceuta, a Spanish enclave in northern Morocco, on 23 April 2009. The bodies of the two men, wearing life jackets, were found by a tourist boat while drifting in the waters around Ceuta. Source: <http://www.ennaharonline.com/en/news/1014.html>.

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

### **UN**

- The United Nations' Committee on Migrant Workers has applauded the Philippines for its reputation as an international model for best practices in migration policy. Abdelhamid El Jamri of Morocco, the Committee chairman, issued the statement at the start of the consideration of the Philippines' initial report on its compliance with the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families (ICRMW) in Geneva. Source: <http://www.philstar.com/Article.aspx?articleId=461001&publicationSubCategoryId=63>

### **France**

- Andre Barthélemy, President of the NGO 'Agir Ensemble pour les Droits de l'Homme' ("Working together for Human Rights"), has been fined €1,500 by the Court in Bobigny for "incitement to rebellion" and "obstruction of an aircraft" following his opposition on 16 April 2008 to police treatment of two Congolese nationals being deported on an Air France flight. The NGO 'Agir Ensemble pour les Droits de l'homme' has stressed that the fine reflects an alarming tightening of jurisprudence and reveals the authorities' will to intimidate those who dare to express their solidarity with undocumented migrants. The organisation will bring the case to the Parisian Court of Appeal. Source: <http://www.lyoncapitale.fr/index.php?menu=01&article=7493>
- Several French NGOs held a collective demonstration on 8 April at the Palaces of Justice in Paris, Lille, Marseille, Strasbourg, Lyon, Bordeaux, Toulouse and Rennes. Approximately 5,500 people offered themselves for arrest by claiming to have helped undocumented migrants in distress. The demonstration followed the latest prosecution of a French citizen, Mrs. Apulia Monique, a 59 year-old volunteer, for having organised donations of food and clothes for undocumented migrants. Her case is the latest in a long list of prosecutions against ordinary French citizens and activists punished for expressing solidarity with undocumented migrants. Source: [www.emmaus@france.org](http://www.emmaus@france.org)
- French police conducted early morning raids on 21 April at four locations on the outskirts of Calais and arrested approximately 200 migrants two days prior to a visit by Immigration Minister Eric Besson. The largest of the raids involved 225 riot police who targeted shelters in a thicket of thorn bushes known as "the jungle," where 150 migrants, mostly Afghans, had camped. Other migrants were arrested in operations at a highway toll barrier, parking lots and truck stops. Source: [http://www.nytimes.com/2009/04/22/world/europe/22iht-france.html?\\_r=2&ref=europe](http://www.nytimes.com/2009/04/22/world/europe/22iht-france.html?_r=2&ref=europe)
- In Lyon the second general assembly of undocumented youth (Jeunes Majeurs sans Papiers) was held in March. Since the first meeting in Orleans which occurred in January, several hundred youth have been regularized. The assemblies are part of the wider movement, *Jeunesse sans papiers, Jeunesse volée La loi doit changer!* (Youth without papers, Youth stolen! The Law must change) which aims to help undocumented adults attending French universities and high schools. <http://www.educationsansfrontieres.org/article19098.html>

### **Spain**

- The petition: "Papeles y Derechos para los inmigrantes de los CETI, Papeles para los bengalies de Melilla" (Documents and Rights for the immigrants in reception centres, Documents for the Bengalis)

of Melilla) addressed to the Spanish Ombudsperson ('Defensor del Pueblo de España') of Melilla is now available online for signature at <http://www.petitiononline.com/banglame/petition.html>.

## Portugal

- Friar Francisco Sales, director of the Catholic Work on Migration (*Obra Católica das Migrações*) - the executive branch of the Portuguese Human Mobility Pastoral that brings together religious congregations, civil society and movements devoted to issues concerning migration - declared that Catholic organizations have been receiving an increasing number of help requests from immigrants. Francisco Sales says that such calls for help came particularly from those in irregular situation or subject to labor exploitation and exposes a growing reality in Portugal which has been weakly combated. Source: <http://www.casadobrasil.info/spip.php?article391>
- The Service of Foreigners and Frontiers (Serviço de Estrangeiros e Fronteiras, SEF) and the Directory General of Prison Services (Serviços Prisionais, DGSP) signed a protocol to deepen and improve the connections between the two entities on 23 April. The protocol is part of the Plan for Immigrant Integration, which aims at increasing awareness among detained foreigners, who represent 20% of prison population, about the legal rules regarding the regularization of their paperwork. In an initial phase, the "SEF Mobile Service" will be displaced to prison facilities of Alcoentre, Carregueira, Lisbon and Pinheiro da Cruz, in order to speed regularization processes in Portugal. Sources: <http://ultimahora.publico.clix.pt/noticia.aspx?id=1376096&idCanal=62> or <http://www.dgsp.mj.pt/>
- At a meeting with Mr. Artur Penedos, President adviser on social affairs, a group of four immigrant associations handed in a resolution calling for the return of the 90-day visa policy. Before the new immigration bill, undocumented migrants were allowed to work legally in the country. Mr. Timóteo Macedo, president of the association Immigrant Solidarity, explains that the new immigration law renders legalization dependent upon a job contract, at the same time specifying that only regular immigrants are entitled to job contracts. Mr. Macedo sustains that the 90-day visa contributes to the fight against irregular employment, claiming it allows migrants to work and employers to hire without fear. Immigrants' rights associations also challenge the exorbitant taxes that an immigrant must pay in order to regularize his/her status, which amounts to €500 Euros. Mr. Penedos listened to the concerns of these organisations regarding the increasing link between immigration and criminality in Portugal and said their demands would be transmitted to the Presidency Minister, with whom the migrants' representatives have not been able to meet in person. Source: <http://ultimahora.publico.clix.pt/noticia.aspx?id=1372284&idCanal=62>

## UK

- UK Minister for Immigration Phil Woolas has outlined plans to build a new detention centre in Calais under British control. According to Mr. Woolas, undocumented migrants would be kept in the new detention centre after passing British immigration authorities stationed on the docks in Calais, and they would then be returned to their countries of origin on charter flights. Mr. Woolas stated his goal was to "turn the spotlight on evictions" and send a clear message to Afghanistan and Iraq that the UK was "not the Promised Land". Organisations defending human rights and civil liberties have expressed concern about this new project which seems to pursue the aim of side-stepping international laws and treaties designed to protect migrants seeking refuge. Source: [http://www.courrierinternational.com/article.asp?obj\\_id=95941](http://www.courrierinternational.com/article.asp?obj_id=95941)

- The French crackdown on UK-bound undocumented immigrants and asylum seekers gathering in Calais must be matched by Britain, stated British MEP Richard Ashworth. Mr Ashworth said closer Anglo-French co-operation should include a Home Office leafleting campaign in the Calais area. Mr Besson's Calais visit fulfils a pledge to act by May 1 to make the area "watertight" against undocumented migrants. Sources: <http://www.google.com/hostednews/afp/article/ALeqM5hVeZuB--pcUA84wHUiJVf23vsnFg> and <http://www.google.com/hostednews/ukpress/article/ALeqM5idMSh4PkadQcX77mu15Aa-PHb42A>.
- During a mass held on 4 May 2009 in Westminster Cathedral in central London, the Catholic Church in England and Wales urged people not to vent their frustration on migrants during the recession. The Rt Rev Patrick Lynch, auxiliary bishop of Southwark, said the Catholic Church in England and Wales had a long tradition of "standing in solidarity" with workers, especially migrant workers, and he prayed that migrants would not be made "scapegoats" during the economic downturn. The mass was being held along with a series of other church services as part of the Strangers into Citizens day of action calling for an estimated 450,000 long-term undocumented migrants to be allowed to become citizens under a one-off "earned amnesty". To qualify for the proposed measure, undocumented migrants would have to fulfil conditions including residence of at least four years, followed by a two-year "pathway" period, a clean criminal record, good English and character references. In his sermon, Bishop Lynch said there was a "clear moral case" that undocumented workers who have lived and worked in the country for five years or more should be given the opportunity to build a future in the United Kingdom and continue to contribute to British society. In a separate Anglican service held at St Margaret's Church, Westminster Abbey, the Bishop of Southwark, the Rt Rev Tom Butler, also backed the Strangers into Citizens campaign. Source: Press Association, 04-05-2009, <http://uk.news.yahoo.com/21/20090504/tuk-rally-urges-illegal-migrant-amnesty-6323e80.html>. For more information on the Strangers into Citizens national campaign and the rally organized on 4 May 2009, please visit the website: <http://www.strangersintocitizens.org.uk/>.

## Belgium

- Belgian Minister for Migration and Asylum Policies, Annemie Turtelboom, provided the Department of Federal Immigration with new instructions on 26 March 2009 concerning the regularisation of foreigners living in a precarious humanitarian situation. It was instructed that families with children in school or with a closed or pending asylum procedure will be considered for regularisation. The following conditions should be met: continuous residence of at least 5 years in Belgium; families have to have applied for asylum at least 5 years ago and prior to 1 June 2007; the asylum inquiry should have lasted a minimum of 1 year; and children have to be enrolled in school in Belgium since 1 September 2007. [http://www.vmc.be/vreemdelingenrecht/wegwijs.aspx?id=7136#schoolg\\_kind](http://www.vmc.be/vreemdelingenrecht/wegwijs.aspx?id=7136#schoolg_kind)
- The 103 undocumented migrants who had carried out a hunger strike at the underground parking lot of the Free University of Brussels (VUB) ended their strike on 15 April 2009. They agreed to a provisional settlement with the Department of Federal Immigration which allows them to remain in Belgium on medical grounds for three months. <http://www.knack.be/nieuws/belgie/hongerstakers-vub-schorten-actie-op/site72-section24-article32205.html>
- Undocumented migrants in Antwerp started a round of occupation of several institutions on 21 April 2009, in protest against the current regularisation policies of Minister Turtelboom. The

undocumented migrants will be sheltered in different locations of supporting organisations such as unions, civil society organisations, universities, colleges and cultural foundations until they finish their protest on 5 June 2009. Source: <http://www.acw.be/verbond/antwerpen/content/view/440/69/>  
<http://www.acw.be/verbond/antwerpen/content/view/446/69/>

- The Centre pour l'Égalité Des Chances et la Lutte Contre le Racisme published its 2008 annual report on Migration, which describes migration to Belgium and covers how many individuals received asylum or a subsidiary protection and were regularized. The book also includes a chapter on the right to family life and detention, as well as recommendations for the Belgian government. Available at: [http://www.diversite.be/?action=publicatie\\_detail&id=68&thema=2](http://www.diversite.be/?action=publicatie_detail&id=68&thema=2).

## Netherlands

- The NGOs MAPP and ASKV held hundreds examinations of asylum seekers with psychological problems over the past three years. The organizations have published a report on rejected asylum seekers whose psychological problems were not taken into account in judgments over their refugee status and illustrates bottlenecks in the asylum procedure along with recommendations. More info [www.ASKV.nl](http://www.ASKV.nl), download report <http://www.askv.dds.nl/docs/MAPP%20brochure%202009%20low.pdf>
- *Illegal Residence and Public Safety in the Netherlands: Understanding Processes of Ethnic Concentration and Dispersal*, by Arjen Leerkes, is a new book about immigration measures in the Netherlands which are becoming increasingly restrictive. Arjen Leerkes studied the association(s) between illegal residence in the Netherlands on the one hand and crime (offending) and public safety (victimization, neighborhood-related feelings of anxiety concerns about 'liveability') on the other hand.  
Book can be ordered on [http://www.aup.nl/do.php?a=show\\_visitor\\_book&isbn=9789089640499&l=2](http://www.aup.nl/do.php?a=show_visitor_book&isbn=9789089640499&l=2)
- It is estimated that around 14,000 to 20,000 migrants in Amsterdam are undocumented, and the Worldhouse (Het Wereldhuis) in Amsterdam offers them a place to come together, organize events, get information about their rights and take control over their own life. Het Wereldhuis has been open for nine months and wants to share its first experiences with citizens, politicians and administrators. On 18 June, Het Wereldhuis will hold workshops on four themes: domestic work, access to health care, youth and welfare work and sexuality. More info: Evelyn Schwarz, [e.schwarz@diaconie.org](mailto:e.schwarz@diaconie.org)
- Since November 2004, income and age requirements for migration of foreign partners was heightened. One of the outcomes of an evaluation carried out by Scientific Research and Documentation Center of the Ministry of Justice (WODC) is that the number of granted applications for family-forming migration during the period after the measure was introduced were 37% lower than in the period before the introduction. There are indications that this decrease is chiefly related to the raised income requirement, and not so much to the raised age requirement. The decrease involved both native Dutch and those of non-Dutch origin, men and women, and both young and older referents. The decline was strongest among Turkish, Moroccan and Surinamese referents. Full report on the evaluation (including English summary) of "International family formation restricted? An evaluation of the raised income- and age requirements with regard to the migration of foreign partners to the Netherlands" is to be found on <http://www.wodc.nl/onderzoeksdatabase/de-gevolgen-van-de-aanscherping-van-het-gezinsvormingsbeleid.aspx?cp=44&cs=6796>

- According to Amsterdam Alderman Marijke Vos, municipalities have a humanitarian responsibility and Amsterdam will continue to offer temporary shelter to rejected asylum seekers in case of serious emergency situations. Other municipalities like Utrecht, Groningen and Nijmegen are thinking about offering accommodation to more people when the state will not provide for a solution. Source: Het Parool (newspaper) , 23 April 2009  
<http://www.parool.nl/parool/nl/224/BINNENLAND/article/detail/238751/2009/04/23/Hulp-aan-illegalen-blijft-toch.dhtml>
- The website [www.vrijheidvanbeweging.nl](http://www.vrijheidvanbeweging.nl) (freedom of movement!) published tips against expulsion with the purpose of helping undocumented migrants not to get caught or expelled. Other aim of the website is to publish solidarity tips for people who do stay legally in The Netherlands.
- A new bill for asylum and return was sent to the Council of State. The new proposal “for a more effective asylum procedure and more effective return policy” includes an 8-day asylum procedure, considering medical aspects in the asylum procedure and four weeks of shelter after refusal of the asylum claim.  
[http://www.regering.nl/Actueel/Pers\\_en\\_nieuwsberichten/2009/april/24/Asielprocedure\\_wordt\\_snel\\_en\\_zorgvuldiger](http://www.regering.nl/Actueel/Pers_en_nieuwsberichten/2009/april/24/Asielprocedure_wordt_snel_en_zorgvuldiger)

## Germany

- The Berlin State Senate is considering the implementation of an anonymous health insurance certificate that would facilitate access to health care for the estimated 100,000 undocumented Berlin residents. The doctor’s fee would be guaranteed as well. There are, however, still legal and financial issues that have to be resolved before a decision on the project can be expected. Source: die tageszeitung, 6.01.2009. For more information see:  
<http://www.taz.de/regional/berlin/aktuell/artikel/1/ein-papier-fuer-papierlose>
- The Antirassistische Initiative e.V (Anti-racist initiative e.V) have released statistics to highlight the ‘deadly consequences’ of Germany’s migration policies. They report that at least half a million people live with a precarious residence permit status in Germany and 5,800 migrants with refugee status had their status revoked through cancellation procedures in 2008 alone. Figures for the period from 1993 to 2008 show that 175 migrants died and 480 migrants suffered injuries on their way into the Federal Republic of Germany or at its borders, 150 killed themselves and 814 injured themselves to protest against or prevent deportation, 5 died during deportation and 70 disappeared without a trace following their deportation. Available at: [http://www.ari-berlin.org/PE\\_english\\_16.pdf](http://www.ari-berlin.org/PE_english_16.pdf).

## Greece

- According to police estimates, 4,000 migrants live on the streets of the port city of Patras, Greece, waiting to leave and head to other destinations in Europe, stowing away in trucks, ferries, and cargo ships or by hiring a smuggler. Many are caught and detained and others die in the process. Source: <http://www.theglobeandmail.com/servlet/story/LAC.20090505.GREECE05ART2240/TPStory/International>

## Poland

- Data published by the EU initiative "The Söderköping process" aimed at facilitating cross-border co-operation between new EU Members States contains statistics on irregular migration in Poland: <http://soderkoping.org.ua/page21046.html>. Also available are the 2008 statistics on irregular border-crossing in Poland: <http://soderkoping.org.ua/page21040.html>.

## Switzerland

- More than 100 undocumented migrants and supporters marched from the café "Refugees Welcome" to the Department of Social Affairs and the Department of Migration of the Canton of Zurich on 7 April 2009. They demanded valid identity papers and protested against their identity cards being taken away. A 10-minute film documents the demonstration and refugees explain the context of their protest. The film can be watched and/or downloaded here: <http://a-films.blogspot.com/2009/04/080409en.html>.

## USA

- Jane Guskin, co-author of 'The Politics of Immigration: Questions and Answers', has published a call for action on the regularisation of undocumented migrants in the US. She argues that most analysts agree that the chances of immigration reform in the first years of Obama's administration are extremely slim so the change must 'come from below'. She stressed the need to unite around a common goal: "swift, practical, inclusive legalization NOW." For more information on this call to action as well as its author, please visit: <http://mrzine.monthlyreview.org/guskin040309.html>.
- In El Alberto, a small village over 1000km from the border between Mexico and the US, tourists can pay to experience what it's like being an undocumented migrant. To watch a video of the "experience": <http://www.guardian.co.uk/world/video/2009/mar/17/us-immigration-mexico>.
- Pro-immigrant and comprehensive immigration reform marches took place throughout the US on 1 May. Hundreds of thousands of people joined forces to march in cities calling on the Obama Administration to end the enforcement-only immigration policies of the Bush era and calling for passage of humane immigration reform this year. Source: [http://www.alternet.org/blogs/immigration/139038/the\\_time\\_is\\_now\\_for\\_a\\_national\\_day\\_of\\_action%2C\\_march\\_on\\_may\\_1st/](http://www.alternet.org/blogs/immigration/139038/the_time_is_now_for_a_national_day_of_action%2C_march_on_may_1st/).
- The US Supreme Court has made it easier for immigrants seeking to avoid deportation to get another chance at a court hearing. The decision was taken on 22 April in the case of Jean Marc Nken, who had applied for asylum. Immigration authorities and federal courts have repeatedly rejected asylum claims. Chief Justice John Roberts, writing the 7-2 decision, overturned the appeals court and sent it back for reconsideration, saying courts should use a less stringent standard. For more information see: [http://www.nytimes.com/aponline/2009/04/22/us/politics/AP-US-Scotus-Deportation.html?\\_r=1](http://www.nytimes.com/aponline/2009/04/22/us/politics/AP-US-Scotus-Deportation.html?_r=1).
- Pending federal legislation that would create a path to citizenship for an estimated 360,000 undocumented high school graduates is receiving the support of the College Board. James Montoya, vice president of the College Board, announced today that the board is backing the Dream Act so that more students can attend college. Each year, 65,000 undocumented students

graduate from high school, and only 5 to 10 percent pursue a college degree, says a report released by the College Board. Many of these students don't attend college because federal law prevents them from working and receiving any aid for higher education. The Dream Act would allow students who have lived in the country since age 15 to apply for conditional legal residence after graduating from high school. They would then be able to work and pay in-state college tuition rates. Those who attend college or join the military could ultimately become citizens. Source: [http://www.chicagotribune.com/news/nationworld/chi-immig\\_for\\_wrsapr22,0,3041584.story](http://www.chicagotribune.com/news/nationworld/chi-immig_for_wrsapr22,0,3041584.story)

- The Supreme Court ruled unanimously on May 4, 2009 that a federal identity-theft law may not be used against many irregular workers who used false Social Security numbers to get jobs. The question in the case was whether workers who use fake identification numbers to commit some other crimes must know they belong to a real person to be subject to a two-year sentence extension for aggravated identity theft. The legal reasoning was that the undocumented workers do not intend to harm someone. This law has been used by prosecutors to try to achieve a guilty plea by migrants. The National Immigrant Justice Center in Chicago applauded this decision. <http://www.nytimes.com/2009/05/05/us/05immig.html?scp=2&sq=identity%20theft&st=cse>
- A New York Times editorial raised the issue of why unions would endorse the regularization of undocumented migrants in the United States, as the country's two big labour unions had done. The unions seem to understand that immigration reform is an issue of worker empowerment, and if undocumented migrants undercut wages and job conditions for Americans by tolerating low pay and abuse and bolstering an off-the-books system that robs law-abiding employers and taxpayers — it is because they cannot stand up for their rights. Terence O'Sullivan, president of the Laborers' International Union of North America further mentions that "workers don't depress wages; unscrupulous employers do" and regularizing undocumented workers would not only improve those workers' lives but the conditions and lives of all workers. Read the full article at: <http://www.nytimes.com/2009/04/21/opinion/21tues1.html>.

### **3. European Policy Developments**

#### **General**

- On 6 April 2009, Frontex, the EU Border Agency, announced that it will be postponing the launch of its operation to combat irregular immigration in the Central Mediterranean. In a letter addressed to eleven Member States, Frontex announced that air and maritime operations, which were to be launched on 16 April as part of the 'Nautilus' 2009 joint operation, have been postponed. The 'Nautilus' joint sea operation, the first phase of which took place between 25 June and 27 July 2007, is designed to tackle the migration flow in the Central Mediterranean region targeting Malta and Italy. According to the agency, the postponement is due to the fact that there is a dispute between Malta and Italy over the point of disembarkation of third country nationals rescued at sea. Source: [http://www.ecre.org/files/ECRE\\_weekly\\_bulletin\\_10\\_April\\_2009.pdf](http://www.ecre.org/files/ECRE_weekly_bulletin_10_April_2009.pdf)
- A four-day long dispute between Italy and Malta regarding 140 migrants rescued by a Turkish-owned ship in the Mediterranean was drawn to a close on 20 April 2009 as the migrants were accepted by Italy for humanitarian reasons. On 16 April, the freighter Pinar picked up the migrants 41 nautical miles from the Italian island of Lampedusa and 114 nautical miles from Malta. Italy refused to take them in because the migrants were in Malta's search and rescue area, whereas Malta also rejected them, arguing that according to international maritime law they should be taken to the nearest safe port, in this case Lampedusa. Jacques Barrot, EU JLS commissioner, called for



more responsibility sharing among member states, and said that member states are currently discussing a Commission proposal for a decision on establishing rules on the surveillance of maritime borders, that would prevent further situations of this kind from happening. Italian Home Affairs Minister Roberto Maroni called for the intervention of the European Commission. He delivered a report to the European Commission stating that Malta has sent over the last few years around 40,000 migrants to Italy by not participating in their rescue. The report mentions that Malta didn't intervene 600 times in cases that involved migrants at sea. This has been denied by Malta. Source: [http://www.ecre.org/files/ECRE\\_Weekly\\_Bulletin\\_24\\_April\\_2009.pdf](http://www.ecre.org/files/ECRE_Weekly_Bulletin_24_April_2009.pdf). After the dispute, the Maltese government said it would grant assistance on a case to case basis. The assistance will include taking to the nearest port those migrants who were forced to abandon their boat, or assisting such persons to continue on their way without danger. The government still maintains in the particular case with Italy that the migrants were Italy's responsibility, and reiterated that Malta would continue to honour its international obligation to help people in distress. Source: <http://www.timesofmalta.com/articles/view/20090504/local/malta-says-it-will-help-migrants-continue-on-their-way>

## European Commission

- Jacques Barrot, JLS Commissioner and Vice-President of the European Commission, called on all parties involved to make all possible efforts to stop the flood of immigrants crossing the Mediterranean. His call was a response to the recent boat incident in which 257 persons died in a failed crossing to Europe. "We hope the events of the last few days will make all member states realize the seriousness of the problem," he said during the debate in the European Parliament (EP) on 1 April. "Member states must stand with Italy and Malta, who bear the brunt of the migratory flows from Libya," and added that "Libya has to assume its responsibilities on readmitting irregular immigrants who travelled through its territory". On 7 April the EU urged Libya to boost cooperation in the fight against irregular immigration. However, Barrot said that the price Tripoli is asking is too high: "Libya is asking for funding and logistical means for the surveillance of its southern border. But meeting these demands is very difficult. It's not certain that African countries would accept that a fund for problems linked to immigration be filled from the European development fund". Furthermore, Barrot stressed that it was important to step up maritime surveillance, through the EU border agency, Frontex, given the number of people trying to make the perilous crossing to Europe. Sources: [http://www.ecre.org/files/ECRE\\_weekly\\_bulletin\\_10\\_April\\_2009.pdf](http://www.ecre.org/files/ECRE_weekly_bulletin_10_April_2009.pdf) and <http://www.romandie.com/infos/news2/090407154344.ovtihta5.asp>
- The European Commission issued a call for consultation among civil society organisations working at the EU level regarding future EU actions to reduce health inequalities. In response to the call, the Social Platform, a network of European NGOs working in the social sector, issued a response aiming to build a basis for a first exchange between social civil society organisations and the Commission. Encouraging the Commission to mainstream social and public health goals in all its policies, their response highlights several issues regarding undocumented migrants' access to healthcare. Pointing to PICUM's 2007 report on issue, the Social Platform highlight the fact that not all people living in Europe have equal access to health services which are becoming increasingly tied to legal status. As a result, undocumented migrants do not necessarily have access to health care even if this is recognised as a fundamental right in the EU. The document also highlights the need to pay particular attention to groups such as undocumented migrants which do not enter official statistics when attempting to streamlining EU policies to ensure they reach those suffering poverty, social exclusion and discrimination. Source: <http://www.socialplatform.org/PolicyStatement.asp?DocID=20976>

## European Parliament

- The European Parliament adopted its own initiative report of MEP Simon Busuttil (Malta, EPP) on 22 April 2009 regarding a Common Immigration Policy for Europe, with 485 votes in favour, 110 votes against and 19 abstentions. This report frames the European Parliament's position on where it wants a common EU immigration policy to go in the near future. The report is divided into three parts looking at immigration from the point of view of prosperity, security and solidarity. The key points of the report include: 1) implementation of a "burden-sharing mechanism" as envisaged in the Immigration Pact 2) strengthening of return of irregular migrants 3) increase in the fight against human trafficking, and 4) reinforcement of Frontex's financing and its capacity to act. Another important point of the report is the recommendation of the inclusion of chapters on immigration in all EU agreements with third countries. Source: [http://www.ecre.org/files/ECRE\\_Weekly\\_Bulletin\\_24\\_April\\_2009.pdf](http://www.ecre.org/files/ECRE_Weekly_Bulletin_24_April_2009.pdf)
- A declaration calling for a more social Europe was launched by 50 social workers who are members of the NGO network SOLIDAR at an event in the European Parliament held on 29 April. Bringing social workers from its member organisations to Brussels to present their experiences, Solidar enabled them to share the real challenges that they face working at local level with disadvantaged groups and vulnerable people with European decision makers and highlight the impact that European policies have on them and finally, to provide recommendations on how to improve social Europe. Following the event, Solidar released a declaration addressing six key messages to the European institutions, two of which made key references to undocumented migrants. Regarding employment conditions, the declaration calls for better protection of documented and undocumented migrant workers in social care professions by clarifying the interplay of European and national rules regarding the posting of workers and temporary work agencies that currently risk leaving migrant workers at a disadvantage or exposed to unclear conditions. Calling for migration and integration policies based on rights and human dignity, Solidar recommends better balancing between the needs of host societies with the needs and interests of migrant workers urging the EU to promote framework conditions in the social protection systems allowing for better pay and working conditions for migrant workers as migrants and EU citizens alike should be offered decent working conditions and comprehensive social protection systems including workers in the health and care sector. For more information see [http://www.solidar.org/Page\\_Generale.asp?DocID=13955&thebloc=21240](http://www.solidar.org/Page_Generale.asp?DocID=13955&thebloc=21240)
- In advance of the European Parliament (EP) elections scheduled in early June, the civil society initiative "Des ponts pas de murs (Bridges not Walls) have announced a European day for the rights of migrants on May 17 and released a document outlining key points to be raised with EP candidates. Raising issues regarding deportations, detention and minors, the document urges candidates to respect the human rights of migrants. To show support and sign the document, please contact: [contact@despontspasdesmurs.org](mailto:contact@despontspasdesmurs.org).

## Council of the European Union

- One of the major tasks of the upcoming Swedish presidency of the EU in the second half of 2009 will be the adoption of the next multi-annual programme in the area of freedom, security and justice (AFSJ). The Stockholm Programme will be the successor of the 2004 Hague Programme, and will present the EU's strategic action plan in matters including police and customs cooperation, criminal

and civil law cooperation, asylum, migration, visas and checks at external borders. The Stockholm Programme will set the agenda for EU justice and home affairs and internal security policy from 2010 to 2014. The Commission intends to formally present its view on the future programme in May 2009. The programme will then be discussed at the informal JHA Council in Stockholm in July 2009 and adopted at the Summit in December 2009. Source:

[http://www.ecre.org/files/ECRE\\_Weekly\\_Bulletin\\_17\\_April\\_2009.pdf](http://www.ecre.org/files/ECRE_Weekly_Bulletin_17_April_2009.pdf)

- On 28 April 2009, Franco Frattini, the current Italian Foreign Minister, presented a seven-point European plan to combat irregular immigration at the General Affairs and External Relations Council (GAERC) in Luxembourg. He called for “an effective common European framework to tackle immigration in the Mediterranean, the burden of which cannot be borne solely by the front-line countries”. The objectives of the plan include promoting the widest possible involvement of third countries in Frontex joint operations, strengthening cooperation with Libya by creating a system to control its southern borders, and agreeing at the EU level on a binding mechanism on search and rescue operations. Source: [http://www.ecre.org/files/ECRE\\_weekly\\_bulletin\\_30\\_April\\_2009.pdf](http://www.ecre.org/files/ECRE_weekly_bulletin_30_April_2009.pdf)

### **Council of Europe**

- Commissioner of Human Rights Thomas Hammarberg and his delegation visited Italy from 13-15 January 2009, as a follow-up to his visit which took place from 19-20 June 2008. In the course of this visit the Commissioner held discussions with national and local authorities and non-governmental, national and international organisations on a number of human rights issues including action against discrimination, protection of Roma and Sinti and migration. In his report, Mr Hammarberg voices concerns regarding the protection of migrants and asylum seekers, especially on the recent decision to process all asylum applications on and deport irregular migrants from the island of Lampedusa and on the subsequent excessive overcrowding of the reception center. The Commissioner continues to follow and to remain very concerned about new legislative measures on immigration and asylum which have been adopted or under consideration by Italy, such as those criminalizing the renting of accommodation to undocumented migrants and the decision to lift the ban on doctors to report undocumented migrants who access the health system to the authorities. Hammarberg also said he was concerned by a number of deportations of foreign nationals on security grounds, especially to Tunisia, where credible reports showed that on certain occasions the deportees had been subjected to torture. In two such cases deportations took place even though the European Court of Human Rights had indicated interim measures under its Rule 39, requesting Italy to suspend deportations while the deportees’ applications were pending. Furthermore the Commissioner strongly opposes forced returns, even if they occur under cover of diplomatic assurances, to countries with long-standing, proven records of torture. Source: [http://www.ecre.org/files/ECRE\\_Weekly\\_Bulletin\\_17\\_April\\_2009.pdf](http://www.ecre.org/files/ECRE_Weekly_Bulletin_17_April_2009.pdf) and <https://wcd.coe.int/ViewDoc.jsp?id=1428427&Site=CommDH&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679>
- A recent study commissioned by the OSCE High Commissioner on National Minorities and the Council of Europe Commissioner for Human Rights, entitled “Recent Migration of Roma in Europe”, by Claude Cahn and Elspeth Guild, highlights the struggle of Roma and the problem of Roma not having identity documents and being stateless. Newborn Roma children are frequently not registered and risk losing their right to apply for citizenship as they cannot prove legal residence in the country. The lack of effective access to justice by means of legal aid exacerbates these persons’ precarious situation. The study is available at: [http://www.coe.int/t/commissioner/default\\_en.asp](http://www.coe.int/t/commissioner/default_en.asp)

#### **4. Undocumented Children**

- Anne Gincel, sociology professor at Rosario University (Bogota, Colombia) as well as ad hoc administrator concerning unaccompanied minors detained in waiting zones at the Parisian airports of Roissy and Charles de Gaulle, is currently setting up a European project focusing on unaccompanied minors arriving at the French border. She is seeking fellow researchers for collaboration. Contact: [agincel@free.fr](mailto:agincel@free.fr).
- A report by the Children's Commissioner for England, Sir Al Aynsley-Green, has stated that children who have been refused asylum should no longer be detained while awaiting deportation. The report also compares Yarl's Wood Immigration Removal Centre in Bedfordshire to a prison. Each year 2,000 children are held at the centre for an average of 15 days. The British government said detention of children was a necessity if their parents were refusing to return home. But the Children's Commissioner expressed particular concern at what he considered to be significant discrepancies between policy guidance and what happens in practice to children during detention. Acknowledging the practice would not end overnight, his report set out 42 recommendations for making the detention of youngsters a "last resort" stating his ultimate aim was to ensure that any child coming into contact with the asylum and immigration services was treated fairly and humanely. Sir Al recommended that babies or children who have serious health problems are never confined and suggested developing a community-based alternative along with government monitoring of children. The report has the backing of children's charity Barnardo's who reaffirmed that children who have committed no crime should not and do not need to be locked up, while the practice was administratively convenient for the Home Office it was both unnecessary and shameful. In response, Immigration Minister Phil Woolas stated that only those who refuse to comply with the decision of the courts and leave Britain voluntarily are detained. Report available for download at: <http://www.11million.org.uk//resource/di550e08psxhlc9f3mmrlqwd.pdf>
- In advance of the European Parliament elections to be held in June, Eurochild have released a manifesto demand the electoral candidates commit to representing the rights and interests of children in Europe. The manifest urges for measures to combat discrimination, poverty and social exclusion facing children in Europe and stresses the need to promote and protect the rights of children subject to immigration control. The manifesto expressly states that third country national children who may be without papers to reside in the EU are being denied access to their rights and that these children, whether separated or accompanied by their families, must be treated as children first and foremost and benefit from the full range of rights under the UN Convention on the Rights of the Child. Individuals and organisations are invited to disseminate this Manifesto to demand commitments from European Parliamentary candidates. Electronic version available at: <http://www.eurochild.org/>

#### **5. Undocumented Women**

- Domestic Workers Rights, an international network run by and for domestic/household workers' organisations across the world, has published a leaflet explaining the need for an International Convention to promote their rights and the steps and actions to be taken to achieve this. The leaflet provides an overview of the International Labour Organisation's (ILO) plan to address "Decent Work for Domestic Workers" at the 99th session of its International Labour Conference scheduled for June 2011. The network outlines key ideas for action which domestic/household workers can undertake to foster their involvement in the development of an international standard which will guarantee their specific rights as workers. This information and call for mobilization is available in English, French,

Spanish, Portuguese and Chinese, with translation currently underway in Russian, Polish, Urdu and Hindi. English version available at:

<http://domesticworkerrights.org/sites/en.domesticworkerrights.org/files/pamILOeng.pdf>, other language versions can be requested by emailing: [info@domesticworkerrights.org](mailto:info@domesticworkerrights.org)

- The International Labour Organisation (ILO) has published a report to facilitate the discussion of domestic work at the 2011 International Labour Conference. Gathering information from across the world, the report seeks to identify and examine innovative laws and regulations on domestic workers that are emerging in a number of countries. Stressing the renewed significance of domestic work in the contemporary world as a factor in the functioning of labour markets globally, reviewing the coverage of domestic workers under existing international labour standards and the legal response of UN member states, the report advocates for the adoption of specific international labour standards that promote decent work for domestic workers, including social protection. Available online at: [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_104700.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_104700.pdf)
- The Euro-Mediterranean Human Rights Network (EMHRN) has released a report on violence against migrant women in the Euromed region. Focusing particularly on the situations in Morocco, Egypt, France and Italy, the report has shown that despite differing national contexts, general trends can be identified concerning the causes of violence against migrant women in the Euromed region and factors exacerbating this violence and preventing women from receiving adequate support and protection. The report finds that the violence suffered by migrant and refugee women is not the result of “deviant” behaviour by individuals, but rather the consequence of structural gender inequalities both in the country of origin and in the host country. Barriers to talking about violence stem both from fear of authorities (for example, fear of arrest in the case of undocumented migrants) and fear of community responses. In other cases, migrant women are simply unaware of any structures that may exist to help them. The report can be downloaded on: <http://euromed-migrasyl.blogspot.com/2009/04/euromed-emhrn-violence-against-migrant.html>
- A French association actively working on access to health and other rights for prostitutes for the previous ten years, Association Grisolidis have reported a dramatic increase in physical violence against migrant women in Toulouse, France, a number of who are undocumented. The organisation has reported on instances in which female victims of violence are detained for irregularities relating to their migration status while their attackers go free, despite an announcement from the Ministry of the Interior’s Chief for Urban Security Mr Dupuch that police have been instructed not to take the victims’ migration status into account. Denouncing the recent attacks against these women, the Association Grisolidis has also criticised the institutional and police violence which serve to increase the feeling of injustice and inflict a double pain upon migrant women in a precarious and stigmatized situation exposing them to discrimination and violence. The association further highlighted that the social repression of these migrant women is the root cause of their exploitation for financial gain. Source:  
<http://www.millebords.org/spip.php?article10910>

## **6. Upcoming Events**

- FEANTSA, the European Federation of national organisations working with homeless people, and the Committee of the Regions are organising a European seminar on “The impact of the economic crisis on tackling homelessness at local level”. The theme of the seminar is bridging the gap

between EU ambitions on homelessness and local realities, with a focus on the impact of the economic crisis on tackling homelessness at local level. It is set to take place in Brussels on 28 May. <http://feantsa.horus.be/code/EN/pg.asp?Page=1149>.

## **7. Publications**

- The UNESCO book "Migration without borders. Essays on the free movement of people" is now available in French and Spanish, as well as Russian. The book explores the analytical issues raised by free movement, in terms of ethics, human rights, economic development, politics, social cohesion and welfare, and provides in-depth empirical investigations of how free movement is addressed and governed in Europe, Africa, the Americas and Asia. To order, please visit: UNESCO Publishing [http://publishing.unesco.org/details.aspx?&Code\\_Livre=4578&change=E](http://publishing.unesco.org/details.aspx?&Code_Livre=4578&change=E) , for Russian see <http://unesdoc.unesco.org/images/0015/001557/155779R.pdf>.
- The first five releases of the United Nation's Human Development Research Paper (HDRP) Series have now been made available online. The Human Development Research Paper (HDRP) Series was launched in order to share recent research commissioned to inform the global Human Development Report, which is published annually and further research in the field of human development. To see these first releases of the 2009 series (Overcoming barriers: Human mobility and development), visit: <http://hdr.undp.org/en/reports/global/hdr2009/papers/>.
- The report of Migrant Forum in Asia's (MFA) engagement in the 2008 Global Forum on Migration and Development entitled, "Mobilizing the Migrant Community and Civil Society Voices for the 2nd Global Forum on Migration and Development" is now available at <http://www.mfasia.org/peoplesglobalaction/index.html>. The report provides a background to the first two GFMDs (Global Forum on Migration and Development) and MFA's activities leading up to and during the Peoples' Global Action (PGA), the civil society parallel event. Also included are the reports of the workshops conducted during the PGA and civil society organizations' critique of the GFMD and recommendations for future CSO engagement at the 2009 GFMD in Athens, Greece.

## **8. Miscellaneous**

- Two Finnish journalists have set out to produce the first European photojournalism book about undocumented people and are currently travelling around Europe to meet with undocumented migrants. Aiming to increase awareness among Europeans regarding the daily life and the struggle undocumented migrants face, they have requested the participation of PICUM's network to promote the visibility of undocumented migrants and provide them with a voice. All newsletter recipients are invited to disseminate this initiative among those interested in having their photos and stories in a photojournalism book that will be published in 2010. Organisations who could provide contact with undocumented people or migrants who are willing to participate in this initiative are invited to contact Katja Tähjä, ph: +358 5036 04331 [ktahja@gmail.com](mailto:ktahja@gmail.com) or Kaisa Viitanen +358 400 408503, [kaisaxviitanen@gmail.com](mailto:kaisaxviitanen@gmail.com).
- The London-based theatre and performance company "Ice and Fire" last year launched a new script about undocumented migrants, "The Illegals", as part of their outreach project Actors for Human Rights. The script comprises of first-hand accounts of undocumented migrants living and working in London. It is hoped that this play will contribute to increased public pressure for regularisation of the status of some 500,000 undocumented migrants currently living in precarious

circumstances by virtue of being outside of any formal system. Actors for Human Rights responds to requests for rehearsed readings of their documentary plays and can go anywhere at any time. The defining feature of the scripts is that they are comprised of verbatim accounts from individuals who have suffered human rights abuses. You can book a performance of "The Illegals" for a conference, seminar or other event, for little or no cost. For more information, and to read an independent evaluation of the script, go to [www.iceandfire.co.uk/afhr](http://www.iceandfire.co.uk/afhr)

- Karl W Hoffman, an internationally renowned artist, has recently released his fine art and documentary photography project on his experiences from living on the U.S./Mexico border and experiencing the emotion and the brutality of irregular immigration. Through this project he has covered issues on the American/Mexican border in the Nogales to Arivaca area in Arizona. Through his documentary work, he has striven to be as objective as possible, but to portray objectively without criticism leaves the possibility of media bias or sensationalism. To see the full project visit: <http://www.livingontheborder.com/index2.html>.
- The Centre for Contemporary Art Ujazdowski Castle is currently exhibiting a video entitled "WESTERN UNION: small boats" by the London-based British video artist Isaac Julien. "WESTERN UNION: small boats" is a reflection on the social costs of the migration of the North African migrants who often die while crossing the Mediterranean in small, overloaded boats. Julien's wish is to enable these migrants to become more than just dead bodies floating on the sea, the vulgar image to which they have been reduced by the media. Isaac Julien's exhibition, which was opened in Warsaw on 27 April 2009, will be available to the public until 14 June 2009. Sources: "My art, visual blues" ("Moja sztuka to wizualny blues") – Anna Kilian in conversation with Isaac Julian, *Rzeczpospolita*, [http://www.rp.pl/artykul/9146,297683\\_Moja\\_sztuka\\_to\\_wizualny\\_blues.html](http://www.rp.pl/artykul/9146,297683_Moja_sztuka_to_wizualny_blues.html); The Centre for Contemporary Art Ujazdowski Castle Exhibitions, [http://csw.art.pl/new/2007program/1112cale\\_en.html](http://csw.art.pl/new/2007program/1112cale_en.html). To hear Isaac Julien speak about his project please refer to the film presentation available on The Art Newspaper Digital: <http://www.theartnewspaper.tv/content.php?vid=310>.

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