



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

PICUM Newsletter

June 2008

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

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1. Death at the Border

- At least 13 young Algerians aged between 17 and 25 years drowned in their attempt to reach the Spanish Coast. Their vessel sunk shortly after leaving the Algerian Coast on 3 April 2008. 13 bodies were recovered from the sea while three were still listed as missing. (Migration News Sheet, May 2008, page 5)
- A shipwreck took place on April 28 off Al Hoceima, on the way from Morocco to Spain, causing the death of 36 people, including two women and four babies. The survivors accuse Morocco's Royal

Navy of having pierced the inflatable boat in which the victims were sailing, making it sink. Rabat denied any responsibility. <http://www.newropeans-magazine.org/content/view/7965/84/>

- Following the drowning of undocumented migrants on the Moroccan coast along the coast of Al Hoceima on the night of 28 to 29 April 2008, the association AFVIC (Friends and Family of Victims of Irregular Migration) established an enquiry commission. The report recounts the events and publishes a temporary list of victims, followed by recommendations.
<http://www.migcom.org/index.php?page=Rapports%2C+Publications+et+Presse&toc=759>
- At least 101 migrants and refugees died during the month of April 2008 at the gates of the European Union. Five men died hidden in the hold of a cargo vessel landed in the Canary Islands; four people lost their lives along the border between Turkey and Iraq, drowned after being thrown into a river by Turkish police during a forced expulsion; and one Eritrean refugee was shot dead under the fire of Egyptian police along the Israeli border. At sea, apart from the 43 victims of Al Hoceima (see above), 24 people drowned between Algeria and Spain and 24 between Tunisia and Italy, off the Sicilian coast, where in recent weeks a sharp increase in landings were registered, because of the good weather and the delay of Frontex joint patrolling start.
<http://fortresseurope.blogspot.com/2006/01/april-2008.html>
- Three immigrants lost their life on 25 May, trying to reach the coast of Gran Canaria on board a small boat in which they were traveling along with other 64 immigrants. Two of them were already dead when they reached the coast, while the third died after being transferred to the hospital in Gran Canaria. <http://es.noticias.yahoo.com/ep/20080525/tso-tres-inmigrantes-mueren-al-intentar-d5ab91d.html>

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

UN

- During the month of May, South African townships experienced extreme violence against undocumented migrants from neighbouring Zimbabwe and Mozambique. The UNHCR expressed deep concern about the xenophobic attacks against foreigners in South Africa, including refugees and asylum seekers who fled to South Africa seeking protection from persecution in their own countries. Estimates from 23 May suggest that more than 17,000 people have been displaced and dozens had been killed over two weeks prior to this date.. Reports from UNHCR monitoring teams show that a very large percentage of those displaced by the xenophobic violence are Zimbabweans who came to South Africa to seek asylum. While thousands of Mozambicans are reportedly streaming home, many Zimbabweans cannot consider returning home due to the situation in their country. <http://www.unhcr.org/news/NEWS/4836a3c82.html>

France

- The expulsion order of a 35-year old Moroccan woman suffering from thyroid cancer was annulled by the French Minister of Immigration, Brice Hortefeux, who ordered that she has to be released from detention pending deportation and issued with a residence permit. Ms Bouchra Ahrram, whose parents and three siblings reside lawfully in France, was in possession of a residence permit on medical grounds. In the renewal process, the authorities concluded that the required medical treatment was available in Morocco and refused to renew her residence permit. Since she did not challenge the refusal decision, nor appealed against the issued expulsion order, Ms Ahrram found herself in an irregular situation and was detained when she tried to renew her residence permit in

April 2008. (Migration News Sheet, May 2008, page 5/6)The French organization GISTI has called for the regularisation of undocumented workers. In response to the demand of workers' union (the CGT, CFDT, SUD-Rail and SUD Nettoyage) and associations (Human Rights League, Cimade and Droits devant!) for a fair and fitted settlement to the current situation for undocumented workers, the Prime Minister reaffirmed that he would only use tools present under existing legislation. Faced with this rejection, GISTI called for all undocumented workers to join workers union and organise themselves to pressure the government. Several small enterprises, especially in the cleaning and restaurant sector, are starting a second wave of strikes to demand their regularisation. <http://www.gisti.org/spip.php?article1137>

- The organisation MOM (Migrants of Overseas French Territories), called for the closure of the Pamandazi detention centre in the French Overseas Territory Mayotte. A national commission on deontology and security visited the centre in December 2007 and concluded that the administrative retention centre is unworthy of the French Republic, stating that the theoretical capacity (60 places) must be respected and the living conditions conflict with the dignity of detained minors. The commission demanded that minors no longer be placed in the current administrative retention centre. The Commission's report was made available to the authorities but no action was taken. Following these findings, MOM, RESF, Cimade and Médecins du Monde are asking for the closure of the retention centre. <http://www.gisti.org/spip.php?article1139>

Spain

- The Advisor on Presidency, Justice and Security, José Miguel Ruano, criticized on 12 May the EU directive on return and pointed to the refusal of the Government of the Canary Islands to extend the detention period of irregular migrants to 18 months. He explained that to pass the borders of a state or to be without permission to stay is an administrative infraction, and that an extension of the time of retention would be to impose a punishment that itself does not correspond with the action committed. <http://www.eldia.es/2008-05-13/canarias/canarias9.htm>
- The municipal group of Unit Left (Izquierda Unida) announced their intention to present a motion in the plenary of the City Council of Malaga to demand the immediate closure of the retention center for migrants of Capuchins (Centro de Internamiento de Extranjeros). They highlighted the situation of extreme deterioration of the building and the conditions in which the people there are retained. <http://www.ecodiario.es/espana/noticias/558220/05/08/Malaga-IU-presentara-una-mocion-para-exigir-el-cierre-del-CIE-de-Capuchinos-y-que-se-destine-a-equipamiento-publico.html>

Italy

- In Naples, Roma camps had to be evacuated, because mobs of local people started to attack the camps after a 16-year-old Roma girl was accused of trying to kidnap a baby. Recently, the municipality of Milan introduced a special commissary for the Roma issue and Rome and Naples aim to follow up on this policy. These alarming developments activated the Council of Europe and Thomas Hammarberg, Commissioner for Human Rights, came to the conclusion that the decision to institutionalise a body like the national commissary to control the Roma was both based on, and would encourage, prejudices. <http://debat.modkraft.dk/read.php?7,118660,118660>

- In a letter addressed to the European Union and the European Parliament on the 19 May 2008 the European Roma and Travellers Forum expressed concern over the violent attack on the informal settlements in Italy from which hundreds of Roma have been forced to flee for fear of their life.. http://www.dzeno.cz/?c_id=16450
- The Italian government on 21 May presented plans to tighten up its immigration policy, including making staying in Italy without permission a criminal offence punishable by imprisonment. The measures also include making the expulsion of immigrants easier and quicker, and increasing the time immigrants without documents can be detained in holding centres from 60 days to 18 months — raising the question of how asylum seekers will be treated. Irregular immigration has been a central theme in Italy in recent months, particularly during the early parliamentary elections that took place in April and which led to conservative leader Silvio Berlusconi's return as the country's prime minister. http://www.businessweek.com/globalbiz/content/may2008/gb20080522_247572.htm?chan=globalbiz_europe+index+page_top+stories. UNHCR is closely following these developments and has raised concerns about the proposed legislation, that rejected asylum seekers could find themselves having to leave the country without having their appeals heard, and asylum seekers, who usually have no other option than to arrive irregularly in a country, could be charged with committing a crime. <http://www.unhcr.org/cgi-bin/texis/vtx/news/opendoc.htm?tbl=NEWS&id=4836a3c96>
- Amnesty International has said it is extremely alarmed by what it calls a “climate of discrimination” in Italy. The head of Amnesty International in Italy, Daniela Carboni, said in a report released on the 28 May that the moves represented heavy restrictions and new crimes that will target, above all, immigrants. She said that organization was particularly worried by the measure that would mean attempted undocumented migrants could be held for up to 18 months in a detention centre. In the report Ms. Carboni also said that Amnesty International is extremely alarmed both by the contents and haste of these measures and by the climate of discrimination which preceded them. <http://news.bbc.co.uk/2/hi/europe/7423165.stm>
- Detainees at a migrant holding centre have launched a hunger strike in protest at the sudden death of a Tunisian man over the weekend of 24 and 25 May, an Italian MEP said on 26 May. Vittorio Agnoletto, a member of the small, left-wing Communist Refoundation party, said the migrants there were furious over the death of Hassan Nejl, who they say received no medical attention despite repeated requests for help. Agnoletto, said that there was a great deal of tension and anger among the detainees. Amnesty International, Doctors Without Borders, Catholic charities and the UN Refugee Agency have all criticized conditions in the centres, citing unsanitary conditions, overcrowding, and a lack of access to medical and legal experts. <http://www.agenziamenti.it/ultime/3599/Cpt+si+indaga+sulla+morte+di+Hassan+Nejl/>

UK

- A rejected Palestinian asylum seeker from the West Bank has applied to the High Court to challenge the rules on health care which effectively deny him access to medical treatment. The man, who is suffering from a chronic liver disease, arrived in the UK three years ago and after his asylum claim was rejected, agreed to return to the West Bank. However, the travel restrictions of the Israeli government and the failure to receive travel documents prevent him from returning. The Home Office provides him with paid accommodation and a subsistence allowance of 35 pounds per week. As for health care, the current rules allow only for free health care in emergency, life-threatening situations or in specific cases where infectious diseases pose a threat to public health. (Migration News Sheet, May 2008, page 19)

- The UK Border Agency announced on 20 May that the government is to increase the capacity of immigrant detention centres by 60%, creating a total of 1,300 to 1,500 new places. The move aims at increasing the numbers and pace of removals, and to allow for more 'fast track' asylum procedures. The Refugee Council said that this was "disappointing news", particularly the announcement that some of the extra places will be used to 'fast track' more people through the asylum system. http://news.bbc.co.uk/2/hi/uk_news/7408121.stm
- Welsh Assembly Health Minister Edwina Hart announced on BBC radio that failed asylum seekers in Wales would be given access to the National Health Service (NHS). Until then, free health care was cut off for all failed asylum seekers in both Wales and England. Anna Nicholl, director of policy for the Welsh Refugee Council welcomed the move and said that it gives a clear message that all people in Wales should be treated with a basic level of humanity. The Archbishop of Wales, Dr Barry Morgan, also supported the minister's view that Wales has a moral obligation to care for vulnerable people, regardless of their asylum status. http://news.bbc.co.uk/2/hi/uk_news/wales/7409265.stm
- The MRN (Migrants Rights Network) started a new research project into workplace ID checks called 'Papers Please'. Thousands of people are now being required to produce evidence of their immigration status by employers, since the 'civil penalty' regime came into operation at the end of February 2008. This has been combined with a significant increase in workplace raids organised by UK Border Agency (UKBA) enforcement officers. To better map developments related to workplace checks, the MRN has initiated the new 'Papers Please' research project. Throughout May and June they want to hear from people who have experienced the new checks, as workers, trade union officials, or as employers. 'Papers Please' will use the information about who is being targeted and how, in order to highlight the potentially negative impact on migrant and BME workers. The research is being conducted by Dr Yara Evans of Queen Mary's College, London. <http://www.migrantsrights.org.uk/enews/2008/may.htm>

Malta

- The European Commission against Racism and Intolerance (ECRI) issued its third report on Malta last week. The report underlines that progress has been made in a number of the fields highlighted in ECRI's second report on Malta on 23 July 2002. The report encourages Maltese authorities to intensify their efforts to legally grant the rights attached to humanitarian protection, to speed up the examination of applications and provide applicants with legal and interpretation assistance. http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-country-by-country_approach/malta/Malta_CBC_3_.asp#TopOfPage

Belgium

- An undocumented migrant from Cameroon committed suicide in the Merksplas detention centre on 1 May 2008. Ebenizer Folefack Sontsa was subjected to an expulsion attempt the previous Saturday during which he was beaten repeatedly by a police officer, according to his lawyer. His lawyer explained that Mr. Folefack did not handle the prospect of a second expulsion attempt well and so decided to end his life. During the expulsion attempt by plane, a passenger, Serge Ngajui Fosso, explained to an air hostess that he could not travel in these conditions. After several other passengers also protested, Ebenizer Folefack Sontsa was taken off the plane along with Serge Ngajui Fosso and two other passengers. Mr Fosso was kept in detention for 10 hours and received a six-month ban of flying with Brussels Airlines. <http://www.lesoir.be/actualite/belgique/suicide-au-centre-ferme-de-2008-05-01-595575.shtml>

- Even migrants in an irregular situation without a work permit are under the obligation to fill out their tax declaration forms and, if they have earned enough, to pay taxes. This was decided in the case of a 32-year old Bosnian national whose asylum claim was turned down and who is now awaiting the decision of his appeal to the Supreme Administrative Court (Conseil d'Etat). Since his appeal does not have suspensive effect, his stay is considered as unauthorized as long as a decision is pending. (Migration News Sheet, May 2008, page 5)
- The Minister for Immigration and Asylum, Annemie Turtelboom, stated on 24 April 2008 that the release of a foreigner denied entry into Belgium would no longer be followed up by his/her transfer to the transit zone of Brussels International Airport. This decision is a result of a ruling of the European Court of Human Rights on 24 January 2008. This case concerned the practice of the Belgian government to leaving rejected asylum seekers who, due to court orders, had to be released from detention centers, in the transit zone of Brussels International Airport. They were not provided with any facilities for their stay there (no private resting area, beds, meals or sanitary facilities except for public toilets etc.). They were told that they are not allowed to enter Belgium, but free to leave the country. Thus the government concluded that it was not detaining them anymore. The Court however found that the practice amounted to detention since it effectively prevented the rejected asylum-seekers from leaving this area. (Migration News Sheet, May 2008, page 12)
- The Centre for Coordination and Initiatives for and with Refugees and Foreigners (CIRE), welcomed the report on Belgian detention centres from the 'Civil Liberties, Justice and Internal Affairs' Commission from the European Parliament. The report followed a visit of European members of Parliament to Belgium detention centres in October 2007. Adding to condemnations from the European Commission and the European Court of Human Rights the findings of this commission highlighted the violations to human rights in these detention centres. Therefore CIRE, together with nine other organisations providing services in closed detention centres, are calling for concrete measures to be taken in order to address the issue. <http://www.cire.irisnet.be/ressources/presse/2008-05-29.html>
- Medimmigrant has reported on the new legislation regarding access to healthcare for undocumented migrants under different residence status and for non-accompanied minors. Under the new article 9ter, the rules regarding access to social rights for ill undocumented migrants have changed. A circular published in March 2008 outlined the new legislation and practices. <http://www.medimmigrant.be/mm.actualiteit.nl.htm>

Netherlands

- Under the terms of a legislative proposal which has been adopted in the Netherlands, residence will be refused to those who have overstayed their visa or have been residing in the country unlawfully. It now has to be submitted to the Council of State for its opinion. The text of the Bill and the Council of State's opinion will be made public after they have been submitted to the Lower House of the Parliament. (Migration News Sheet, May 2008, page 3)

Sweden

- The Swedish parliament has voted in favour of a controversial new law, confirming a current practice, which gives bona fide asylum seekers the right to emergency care, but not those who have had their applications turned down and are underground. The UN has previously been critical of Swedish policy, saying it breaks international law, and doctors have also protested against this

legislation, saying it is inhumane to turn away seriously ill patients just because they do not have the right paperwork. However, migration minister Tobias Billström affirmed the undocumented migrants should not be in Sweden and should go back to their home countries for medical care. <http://www.thelocal.se/11924/20080522/>

Denmark

- A delegation of the Committee on Civil Liberties of the European Parliament visited two reception centres on 11 April 2008. The delegation considered the conditions as generally satisfactory, but criticised the fact that children are being held there for years without knowing when they would be allowed to leave. The asylum seekers held in these centres are persons whose claims were definitely rejected and who have been denied the right to remain in Denmark. However, since the conditions in the home countries do not allow for their return yet, they are held in these centres to avoid their integration in Danish society which would make it difficult for the Danish government to repatriate them in the future. (Migration News Sheet, May 2008, page 12)

Germany

- Undocumented migrants in Germany have now for the first time a unionized contact point. The trade union ver.di has informed undocumented migrants from the beginning of May 2008 in Hamburg about questions of work and social law. Peter Bremme, secretary of ver.di, stressed the poor working conditions many undocumented migrants have to suffer and referred to estimates of up to 1 million undocumented migrants in Germany, and up to 100,000 undocumented in the city of Hamburg. www.in-online.de/artikel/2353289

Poland

- In the recently published annual report on the state of the world's human rights, Amnesty International lists several infringements of human rights in Poland. In addition to allegations about secret US detention centres, intolerance against Lesbian Gay bisexual and Transgender people and discrimination against women, Amnesty International includes the treatment of refugees and asylum-seekers in Poland as one of its main concerns. According to the report, people with 'tolerated stay', most of them Chechens from the Russian Federation, were excluded from integration programmes, which were made available only to recognized refugees. The report also draws attention to inadequate medical assistance offered to asylum-seekers in detention centres, such as Lesznowola near Warsaw, where a Chechen refugee, Isa Abubakarow, died in October 2006, allegedly due to the lack of adequate medical treatment. The report also cites evidence from the UN Committee against Torture (CAT), which raised concern about the conditions in the Polish detention centres. Sources: "Amnesty International atakuje nasz kraj" ("Amnesty International targeting our country"), Dziennik, 28-05-2008, http://www.dziennik.pl/wydarzenia/article182014/Polska_dyskryminuje_homoseksualistow.html; for full coverage on the state of human rights in Poland and in other countries, see Amnesty International Report 2008: The State of the World's Human Rights, <http://report2008.amnesty.org/press-area/en/air08-en-low-res.pdf>; for information on Lesznowola, see article "Poland's closed centres open to MEPs", 03-04-2008, http://www.europarl.europa.eu/news/public/story_page/018-25228-168-06-25-902-20080331STO25215-2008-16-06-2008/default_en.htm.

Russia

- A 31-year-old Nigerian woman called Elizabeth, who fled from a sect in her native country, was supposed to have flown from Moscow to Syria in September 2006. A victim of human trafficking travelling without documents, she became trapped for twenty months in the transit zone of Moscow's Sheremetyevo airport. Surviving at the mercy of passengers and living for nearly two years without open air and sunlight, on 28 May 2008, Elizabeth was flown back to Nigeria thanks to the intervention of a Polish executive Marcin Ostachowski, who attracted the attention of the Polish media. After the publication of an article in Gazeta Wyborcza, the International Organisation for Migration (IOM) in Moscow offered help to Elizabeth and UN officials in Moscow supplied her with new documents, bought her a plane ticket and located her family in Nigeria. Prior to the media coverage and the intervention of IOM and the UN, Elizabeth had made several attempts to apply for asylum in Russia but her applications and calls for assistance were repeatedly refused. Source: "Uwolniliśmy Elizabeth" ("Elizabeth: Freed at Last"), Gazeta Wyborcza, 28-05-2008, http://wyborcza.pl/1,76842,5251665,Uwolniliśmy_Elizabeth.html. Article in English: "Trapped at Airport Terminal", Gazeta Wyborcza, 26-05-2008, http://wyborcza.pl/1,86871,5244160,Trapped_at_Airport_Terminal.html.

Switzerland

- The Tattes detention centre in Geneva is changing rapidly. Since the new law on asylum, all rejected applicants are directed towards this centre. Most inhabitants prefer to become undocumented migrants rather than being sent back to their country of origin and most of them also still sleep at the centre, hiding during police interventions. The infrastructure is in a bad state but there is no budget to restore it before 2009 at the earliest. Since the contribution to the inhabitants for the maintenance of the building has been cut to 40 euros per month, the rooms and the kitchens are becoming unliveable. [http://www.tdg.ch/pages/home/tribune_de_geneve/l_actu/geneve_et_region/detail_geneve/\(contenu\)/231060](http://www.tdg.ch/pages/home/tribune_de_geneve/l_actu/geneve_et_region/detail_geneve/(contenu)/231060)
- The European Court of Human Rights ruled that Switzerland violated the right to privacy of a young Turk by deciding his expulsion after three penal judgments. The court judged that due to the "relative gravity" of the judgments against the applicant, the weakness of his links with Turkey and the final nature of the expulsion procedure, Switzerland violated the European Convention. http://www.swissinfo.org/fre/infos/nouvelles_agence/suisse/Expulsion_d_un_jeune_Turc_la_Suisse_doit_payer_3000_euros.html?siteSect=113&sid=9121706&cKey=1211454075000&ty=ti&positionT=4

USA

- The National Network for Immigrant and Refugee Rights (NNIRR) condemned the latest Department of Homeland Security immigration raid carried out on 12 May 2008, by the Bureau of Immigration and Customs Enforcement (ICE) against immigrant workers at a meat-packing plant in Postville, Iowa. ICE's actions have left the people of Postville in a state of shock, as its very social and economic well-being has been called into question, threatening the future of its residents. After the ICE raid, scores of immigrant workers and their family members fled to a local church. NNIRR demands that all workers should be freed and that ICE take true humanitarian actions. www.nnirr.org

3. European Policy Developments

General

- The European Parliament, the European Commission and the Council have reached a compromise agreement on the period of detention pending deportation, which should be defined in the 'return-directive'. The agreement was strongly opposed by leftist parties. It allows Member States to detain foreigners for a maximum period of six months prior to their expulsion, thus raising the duration of authorized detention pending deportation in many Member States (e.g. current practices are the following: France: 32 days, Spain: 40 days, Luxembourg: three months) while restricting it in some Member States that did not have a maximum period (e.g. Denmark, the Netherlands and the UK). The previous proposal stipulated a maximum period of 18 months. Even though leftist parties are not willing to accept a period exceeding three months, the duration is now more acceptable to the majority of the European Parliament and the directive is expected to be approved in June 2008. (Migration News Sheet, May 2008, page 5)
- The Joint Operation Nautilus 2008 received a green light. The mission was on hold due to the difference of opinion concerning the responsibility of migrants saved at sea. After discussions, rules regarding the disembarkation of persons rescued at sea during the operation will remain the same as in last year's operation. Migrants saved in the Libyan Search and Rescue Area (SAR) will be taken to Libya, when not possible to closest safe haven. The main aim of the Nautilus 2008 is to strengthen the control of the Central Mediterranean maritime border using means of several Member States and support Maltese authorities in interviews with immigrants. Now, when all the details of operational plan have been agreed upon the operation is due to start in very short time. Source: http://www.frontex.europa.eu/newsroom/news_releases/art36.html
- France has put forward proposals for a pan-EU pact to combat illegal immigration as one of the leading policy areas for its upcoming EU presidency, reports Le Figaro. The paper notes that France wants an immigration policy that is better adapted to Europe's capacity to accommodate undocumented migrants, at the same time as remaining open to legal migration. Among the suggestions are an end to the blanket 'regularisations' of irregular immigrants – such as those carried out in Spain, Italy and other countries – which Paris believes sends the wrong message to irregular migrants. The paper notes, however, that while some of France's proposals are likely to receive backing from its EU partners, there is no great desire among the 27 member states for an EU-wide immigration policy. Source: <http://www.lefigaro.fr/international/2008/05/30/01003-20080530ARTFIG00019-la-france-mobilise-l-europe-pour-limiter-l-immigration.php> and <http://www.theparliament.com/press-review/newsarticle/-df87a4e3f2//1212102000/#267280>
- The European Court of Human Rights has rejected an HIV-positive Ugandan woman's claim to stay in the UK. Her lawyers argued that a lack of medical care in Uganda would lead to her early death, and this would amount to cruel and degrading treatment. The government denied this, saying all HIV drugs are available in Uganda. The court judged that her expulsion did not in itself amount to a violation of article 3 of the European Convention on Human Rights. The cost and difficulty of access to treatment were not considered sufficient elements to consider her expulsion as inhuman and degrading. <http://cmiskp.echr.coe.int/tkp197/view.asp?item=4&portal=hbkm&action=html&highlight=&sessionid=8629654&skin=hudoc-en>

European Commission

- Franco Frattini formally resigned his post as European Commissioner for Justice, Freedom and Security on 8 May to take up the post as foreign minister in the new Italian government. As it had been announced by the Commission's president Jose Manuel Barroso, Frattini will be replaced by Jacques Barrot, previously the EU's commissioner for Transport. The transport portfolio will most likely be taken over from Antonio Tajani, currently Member of the European Parliament (EPP-ED). Source: ECRAN Weekly Update of 12 May 2008 <http://www.ecre.org/>

European Parliament

- Some 20,000 immigrants are detained for a long period and very often in worse conditions than in prisons just because of their lack of proper documents. A study done by the European Parliament qualifies as the situations suffered by the persons detained as pathogenic, especially in the case of vulnerable people such as the aged, children and pregnant women. The authors have revealed the difficult conditions in 132 centers visited (on a total of 174) in the EU in 2007. The report recommends especially reducing the maximum time of detention in almost all the countries. http://www.elpais.com/articulo/internacional/20000/papeles/centros/UE/elpepiint/20080518elpepiint_2/Tes
- Members of the European Parliament's Committee for Civil Liberties, Justice and Home Affairs (LIBE) who visited immigrant detention centres in Cyprus from 25 to 27 May, found conditions to be good compared with other Member States. They also expressed their satisfaction with the fact that asylum seekers pending a decision are not being detained. The visit to Cyprus was the last in a series of visits to closed immigrant and asylum centres in EU Member States, aiming at evaluating the conditions under which undocumented migrants and asylum seekers are being held. Following the delegation's visit head of the delegation Martine Roure (PSE, FR) commented that although the immigrant centres were clearly places of imprisonment, conditions were good. However, she expressed her concern over the lengthy procedures required for the examination of applications of asylum seekers and stressed the need to speed up the processes. Sources: ECRAN Weekly Update of 30 May 2008 www.ecre.org
- On 28 May, the European Parliament's Committee for Civil Liberties, Justice and Home Affairs (LIBE) adopted its report on the LIBE delegation's visit to Belgian immigrant detention centres. The delegation had visited the centers in October 2007. The report, prepared by Giusto Catania (GUE/NGL, IT) criticises the systematic detention of asylum seekers falling under the Dublin Regulation and the detention of minors. The report further points to bad detention conditions, the lack of information and linguistic assistance. It recommends that Belgian authorities stop detaining third-country nationals in transit zones, allow UNHCR and NGO's access to the centres and guarantee access to education for minors, especially those in detention. Source: ECRAN Weekly Update of 30 May 2008 www.ecre.org
- The Employment Committee of the European Parliament (EP) discussed the first draft of the report "Promoting social inclusion and combating poverty, including child poverty, in the European Union", prepared by MEP Gabi Zimmer. The report underlines that the overarching aim of active inclusion policies must be to implement fundamental rights in order to enable people to live in dignity and participate in society as well as the labour market. It calls on the Commission to consider child poverty and social exclusion in a broader context of EU policy making including issues such as immigration, discrimination, gender equality and active inclusion. Source: SOLIDAR Weekly Round up 09-05-2008 www.solidar.org and <http://cms.horus.be/files/99931/Newsletter/draft-report-social-inclusion-Zimmer.pdf>

Council of the European Union

- The Committee of Permanent Representatives (COREPER) has reached an agreement on Thursday 22 May on the draft Return Directive. It now has to be confirmed by the Justice and Home Affairs Council, meeting on 5/6 June. The agreement reached by the COREPER is mostly in line with the compromise text that had previously been reached between the rapporteur and the Presidency, but provisions with regard the right to legal aid had been altered in face of German opposition. Under the new agreement, Member States would no longer be obliged to provide free legal aid to undocumented immigrants. The Parliament is going to vote on the Directive in the week of 16 June in plenary. The Parliamentary rapporteur on the draft EU Return directive, Manfred Weber (EPP-ED, Ger), has stated that he would not support the agreement that had been reached on the COREPER on 22 May in view of the legal aid provisions that have been altered. The text would not command majority support in the Parliament with this new amendment, Weber said. Source: ECRAN Weekly Update 23 May 2008 www.ecre.org and ECRAN Weekly Update of 30 May 2008 http://www.consilium.europa.eu/uedocs/cms_Data/docs/pressdata/en/misc/100562.pdf

Council of Europe

- On 20 May, the Committee on Migration, Refugees and Population of the Council of Europe's Parliamentary Assembly (PACE) adopted a report underlining the necessity to put forward minimum standards of reception to be guaranteed by all countries of destination for "boat people". The report recalls that in 2007 alone, 51,000 people arrived on the coasts of Italy, Spain, Greece and Malta, many of them asylum seekers and refugees who "lack legal avenues to enter Europe". The report also expresses the Committee's major concern on the detention of immigrants and asylum seekers upon arrival. The report that will be debated by the Parliamentary Assembly in October, also calls on other European states to provide more assistance to the Mediterranean countries. Sources: ECRAN Weekly Update 23 May 2008 <http://www.ecre.org/> and [https://wcd.coe.int/ViewDoc.jsp?Ref=PR363\(2008\)&Language=lanEnglish&Ver=original&Site=DC&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE](https://wcd.coe.int/ViewDoc.jsp?Ref=PR363(2008)&Language=lanEnglish&Ver=original&Site=DC&BackColorInternet=F5CA75&BackColorIntranet=F5CA75&BackColorLogged=A9BACE)>

4. Undocumented Children

- On 4 April the Spanish Ombudsman (Defensor del Pueblo) sent a recommendation to the Department for the Equality and the Welfare of the Municipality of Andalusia (Consejería para la Igualdad y el Bienestar Social de la Junta de Andalucía) to clarify instructions in order that unaccompanied children should be considered helpless and thus the responsibility of the state. It is also recommended that this is maintained while the responsibility of the child is moved to other authorities, family reunification is secured, or the child in question turns 18. <http://jbcs.blogspot.com/2008/04/los-menores-extranjeros-no-acompaados.html>
- The organization For the Right of Childhood (Pro Derecho de la Infancia - Prodein) accuses the Autonomous City of Melilla of withdrawing the documents of children under protection when they reach adulthood. As a result, according to the President of the association, José Palazón, they can prove neither their identity nor the fact that they have been housed in the centers of the local administration. Palazón said that the city of Melilla takes from the children, once they reach 18 years old, their identity card along with any other documents, including membership cards of video stores or football clubs. In addition, the authority delivers them neither their certificate of guardianship nor their school diploma. http://www.aulaintercultural.org/breve.php?id_breve=1438

- The Observatory of Inequalities (Observatoire des inegalites) has published the results of the investigation "Students of foreign origin: the weight of social difficulties". The general result seems to be that students of foreign origin obtain worse results, mainly because of their social origin. On their entry in secondary school, the results obtained by these students are situated almost ten points under the national average. http://www.inegalites.fr/spip.php?article309&id_mot=84
- The organization Anafé has challenged the French prosecutor of the Republic by demanding that minors should have to give their consent for bone tests. In 2005 and 2006 respectively 124 and 89 persons who declared themselves children in the expectation zone were declared to be over 18 years old following a medical examination practiced on them. For the first part of the year 2007, 71 minors were declared to be majors. Anafé has challenged the prosecutor of the Republic of Bobigny, urging for the children's consent to be established and for them to be provided with legal representation prior to medical examination. Moreover, it invites all persons in charge of representing the interests of children in the expectation zone (lawyers, administrators, etc) to protest against results of these examinations if they have been done without respecting this obligation. <http://www.anafe.org/doc/communiqués/com-95.html>
- Save the Children has recently published a report on the situation of unaccompanied children in South Africa, "Children on the move. Protecting unaccompanied migrant children in South Africa and the region". The report, Children on the move, is based on a number of key studies undertaken by Save the Children in the southern African region. The report challenges the common understanding that child migration entails trafficking and refugee movement, and demonstrates that children often cross borders unaccompanied, as a survival strategy. http://www.savethechildren.org.uk/en/54_3866.htm
- Detained: foreign children in Europe by Liz Fekete, Race Class 2007. The EU's target-driven and deportation policy towards asylum seekers and undocumented migrant workers has a little-heeded impact on minors, whether the children of asylum-seeking families, separated/unaccompanied minors seeking refuge or the children of undocumented migrants. The detention of children whose only crime is their parentage is now commonplace across Europe and often in contravention of international law. The harm done to children, as documented here, is incalculable. <http://rac.sagepub.com/cgi/content/abstract/49/1/93>
- In an article published on 23 April 2008, The Guardian drew attention to the growing number of undocumented children being trafficked in the UK. More than 400 foreign children from Africa, Asia and Eastern Europe have disappeared from safe houses and foster homes around the country's biggest ports and airports. It is suspected that they have been trafficked into the sex or drug trade in Britain. Christine Beddoe, the chief executive of ECPAT UK campaigning for greater protection for trafficked children, said that the situation is alarming and that the organization is shocked that the numbers keep rising. She went on to add that these figures come in spite of the government's action plan on trafficking and show the need for an urgent inquiry into separated children who go missing. These vulnerable children, she said, need to be given independent guardians as soon as possible to ensure they are protected from traffickers who we know target them even while they are in care. Source: "Lost 400 children may have been trafficked into sex or drugs trade", The Guardian, 23-04-2008, <http://www.guardian.co.uk/society/2008/apr/23/childprotection.immigrationandpublicservices>.
- The French Education Without Borders Network (RESF) will hold a debate on 'Which Europe do we want?' on 7 June 2008. It is becoming increasingly difficult for an adult youth or a family to obtain a residence permit and the policy of managed migration is not leading to the regularisation of migrant

workers. In this light RESF aims to reaffirm its will to protect children, their parents, their neighbours and the pupils who live them, as well as refusing the concept of managed migration and promoting Europe as welcoming and freedom-advocating society rather than a place of xenophobic repression. <http://resf-93.blogspot.com/>

5. Upcoming Events

The Cicero Foundation will hold an International Seminar for Experts in the series 'Great Debates' on "Integrating Migrants and Asylum Seekers in the European Union - Learning from Best Practices" in Paris on 12 - 13 June 2008. The seminar is meant for all professionals involved or interested in migration and refugee policies: politicians, civil servants from Integration, Welfare and Labour Ministries, Ministries of Economic and Social Affairs, NGOs, regional and local authorities, migrants organizations, employment services, representatives of business and the trade unions, scientific researchers, lawyers, and journalists. The detailed programme is available at www.cicerofoundation.org

France Terre d'Asile and ECRE (European Council on refugees and exiles) will host an international conference on: "The issues at stake with the European Pact on Asylum and Immigration" on 12-13 June 2008 in Paris, as a precursor to the French Presidency of the EU. http://www.france-terre-asile.org/index.php?option=com_content&task=view&id=562&Itemid=9

The working group on Migration and Development and the CNCD-11.11.11 (platform of Belgian NGOs) will hold a seminar on 'the Coherence of Migration and Development policies' on 12 June 2008 in Brussels. The aim is to define the position of the member organisations of the CNCD-11.11.11 network with regard to development and migration policies and in order to position themselves alongside policy makers and the general public. For more information or to register e-mail oumou.ze@cncd.be or dadou.semega@cncd.be.

The Migrants' Rights Network (MRN) will be present at the Compass 'Born Free and Equal' conference which will take place in London on Saturday 14 June. MRN will hold a seminar on 'Second Class citizens: Are Progressives Failing Migrants?' To register for the full conference and attend MRN's seminar please visit: <http://www.compassonline.org.uk/conference/>

The European Centre for Migration and Social Care at the University of Kent will hold an international workshop on "Promoting Change through Innovation: New Approaches in Services for Migrants and Refugees" at the University of Kent, Canterbury from 13 - 15 June. The workshop is open to all researchers, social care and mental health professionals, planners and policy makers interested in promoting best practice in services for migrant and refugee groups. http://www.mighealth.net/uk/index.php/Promoting_Change_trough_innovation

The French Ministry of Foreign and European Affairs and 'Courrier de la Planète' will hold their second joint conference on 17 June 2008 in Paris, on the theme of 'global governance of migration'. Contact: cdp@courrierdelaplanete.org.

The association Primo Levi, in partnership with Mana (Bordeaux), Osiris (Marseille) and Ulysse (Brussels) will hold a meeting on the theme: 'Asylum and Immigration policies: making the voices of torture victims heard' on 23 June 2008 at the National Assembly (Paris). This day will also mark the launch of the network RESEDA – French-speaking network for care and accompaniment of exiled victims of torture and political violence. <http://www.primolevi.asso.fr/fr/nouveau/23juin.html>

The Institut de démographie, Université catholique de Louvain, Belgium is calling for papers for the seminar "South-North International Migrations. A Comparison of Policy, Research and NGO

Perspectives". The objective of the 2008 Quetelet Seminar will be to encourage the exchange of knowledge and experiences, the confrontation of points of view and the dialogue between these actors on the question of South-North international migrations. Researchers, NGO workers and policy-makers will be gathered around each of the four themes addressed during the conference. Presentations will deal with theoretical and empirical analyses of South-North migrations, as well as with policies and NGO programs in departure and destination areas. A particular attention will be brought to the information sources used in the presentations. Comparative approaches across countries and over time are encouraged. For more information contact: isabelle.theys@uclouvain.be or see: <http://www.uclouvain.be/en-206009.html>

6. Publications

EPC WORKING PAPER No.30 "Making migration work: the role of employers in migrant integration" by Elizabeth Collett and Karolina Sitek, May 2008. This publication is the culmination of more than a year's work by a European Policy Centre Task Force, made up of company, trade union and civil society representatives, experts and EU policy-makers, set up to identify what role employers can play in integrating migrant workers in Europe's workplaces. The paper outlines the reasons why employers have not only become central to the process of economic migration, but also have a key role to play in integrating migrant workers successfully. It identifies the needs of these employees at work and highlights critical areas where employers can contribute to fulfilling them. http://www.epc.eu/TEWN/pdf/608394341_EPC%20Working%20Paper%2030%20Making%20migration%20work.pdf

Helsinki Citizens' Assembly - Turkey has just published a report on the detention of refugees in Turkey, entitled "Unwelcome Guests: The Detention of Refugees in Turkey's 'Foreigners Guesthouses'". The report is based on interviews held between October 2006 and September 2007 with 40 refugees from 17 different countries who had been detained in seven "foreigners' guesthouses" in Turkey. As the report discusses, refugees held in these detention facilities often lack access to key procedural rights and endure substandard conditions. It is available at <http://www.hyd.org.tr/?pid=609>.

The Mediterranean Institute of Gender Studies (MIGS) has made available the Resource Book entitled "Integration of Female Migrant Domestic Workers: Strategies for Employment and Civic Participation". The main aim of the project was to stimulate transnational cooperation involving a wide range of actors at the local, regional and EU level, and consisting of transfer of information, lessons learned, and best practices in order to develop recommendations for an integration model responding to the specific needs of female migrant domestic workers. <http://www.medinstgenderstudies.org/wp/?p=17>

TIGRA (the Transnational Institute for Grassroots Research and Action) has unveiled new research that exposes how the company Western Union has failed to engage in genuine community reinvestment concerning remittances. The research looks at the Western Union Foundation's grant recipients from 2001 through 2006 to better understand how its philanthropy contributes to community partnership. <http://www.transnationalaction.org/research/WUBlackBrown.pdf>. TIGRA (the Transnational Institute for Grassroots Research and Action) and Virtual Money Inc. have announced an agreement to set new business standards. TIGRA announced the first agreement with a money-transfer company, Virtual Money Inc. They agreed upon (1) fair prices of at least 20% lower than the norm set by industry leaders like Western Union and MoneyGram; (2) adoption of socially-responsible screens on investments to ensure that resources do not foster further displacement of communities; (3) a customer service framework that values transparency, respect and non-discrimination; and (4) a commitment to genuine community reinvestment that allocates up to 10% of its pre-tax profits to sustainable development projects identified by local communities. <http://www.transnationalaction.org/pressconf.html>

The Joseph Rowntree Foundation has published a viewpoint on the topic 'Is poverty in the UK a denial of people's human rights?' The report covers discrimination, legislation and human rights issues related to poverty in the United Kingdom. The author argues for a rights-based approach concerning poverty-eradication policies and a closer integration of human right articles into practice. <http://www.jrf.org.uk/knowledge/findings/socialpolicy/2183.asp>

Denis Duez has published his book: "The European Union and clandestine immigration. From internal security to the construction of a political community". The fight against irregular migration is one of the European Union's priorities. But this 'fight' sometimes seems imaginary since the planned objectives exceed the allocated technical, human and financial resources by far. Furthermore, by making the journey to Europe more dangerous, this policy is indirectly responsible for the death of hundreds of migrants each year and it also favours the creation of criminal activities and human trafficking. Why is a project carried out in the name of liberty, safety and justice not called into question more often especially since it leads to a deterioration of the safety of the migrants? It is with this question in mind that this work intends to give some answers, on the basis of the idea that the policy of fighting irregular immigration cannot be reduced to posted objectives but must be put in perspective within the broader framework of the process of European integration. <http://www.editions-universite-bruxelles.be/ABWebBuilder.php?page=/catalogue/detail/,action=abcataloguedetail;displayouvrage;1975>

The Brennan Centre for Justice has published its latest report on 'Unregulated Work in the Global City'. The report describes a world of work where jobs pay less than minimum wage, and sometimes nothing at all, where employers do not pay for overtime for 60-hour weeks, and deny meal breaks that are required by law, where vital health and safety regulations are routinely ignored, even after injuries occur; and where workers are subject to blatant discrimination, and retaliated against for speaking up or trying to organise. Drawing on intensive research conducted between 2003 and 2006, this report documents for the first time the landscape of unregulated work in New York City. http://brennan.3cdn.net/d6a52a30063ab2d639_9tm6bgaq4.pdf

7. PICUM News

8. Miscellaneous

The application process for participation in the Civil Society Days of the Global Forum on Migration and Development is now open. The deadline for application is 30 June 2008. Selections will be announced 15 August 2008. 230 civil society participants will be selected to participate in the civil society days. The official language of the conference is English but the application form can be downloaded in French and Spanish. For information on the application process, criteria for selection, and the application form, see http://www.gfmd2008.org/delegate_info.html

The Philippine Working Group, a coalition of civil society organizations in the Philippines, together with Migrants Rights International and other partners, will be organizing a civil society event parallel to the GFMD in Manila, Philippines, a few days prior to and during the GFMD. This is an independent civil society event, separate from the "civil society days" of 27 and 28 October. It will include workshops, panel discussions, mobilizations, time for internal meetings of organizations, space for self-organized workshops, cultural performances, and other activities. http://www.migrantwatch.org/Activities/GFMD2008/GFMD2008_News.htm

SOLIDAR has recently launched e-postcards campaign in six languages asking people to sign the Call to Action for Decent Work: an international petition urging the EU and main international development aid donors to deliver on 7 points. The e-postcards have tried to address some concerns related to the lack of decent work in Europe and in developing countries such as discrimination on the base of origin

and informality. Call to Action signatures will be handed over to the EU on 7 October (the World Day for Decent Work) and on this date SOLIDAR hopes to have gathered a large number of people who support the call. They are collecting messages of support for the call to action at http://www.decentwork.org//index.php?option=com_content&task=view&id=49&Itemid=27

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