

PICUM / Gaucheretstraat 164 / 1030 Brussels / tel : 32 2 274.14.39 /  
fax : 32 2 274.14.48 / e-mail : [info@picum.org](mailto:info@picum.org) / website : <http://www.picum.org>

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## Preface

In this second annual report of the Platform for International Cooperation on Undocumented Migrants (PICUM) we present a survey of one year's work and activities of a young association dealing with a complicated societal issue on the European level.

The PICUM initiative was launched in 1998 but its office in Brussels opened only in November 2000, when several Dutch and Belgian foundations had donated the funds necessary for employing a full-time coordinator and starting office work.

We are happy that further fundraising and an application for a project subsidy with the European Commission have had positive results. We are grateful for this financial support and consider it as a token of serious interest in our endeavours.

PICUM aims at protecting the rights of undocumented or irregular migrants by drawing public and political attention to the way these migrants are excluded in society. In turn, their social exclusion leads to their marginalisation, which has dramatic consequences both for themselves and society as a whole. PICUM intends to encourage and facilitate NGO's supporting 'undocumented migrants' in their country, so that they can do their work effectively. This, in turn, requires PICUM to become a centre of expertise on this issue. As we are increasingly expected to present our views and insights in political circles we must closely follow developments in European policy making in this field.

Sofar PICUM has been an informal platform in which a limited number of NGO's in Germany, Belgium, the Netherlands and the U.K. participate. With PICUM becoming an officially recognised association its membership has to be formalised – and it must extend to other parts of Europe. This is a double challenge which we hope to be able to meet this year.

Thank you once more for your continued interest and support. It will enable us to develop our work.

March 2002

On behalf of the PICUM Executive Committee

Pieter Muller, Chairman

# 1. Mission

## 1. 1.Mission Statement

The Platform for International Cooperation on Undocumented Migrants aims at promoting respect for fundamental human and social rights in all issues related to undocumented migrants within Europe.

PICUM considers the following international treaties and conventions as basic values:

Universal Declaration on Human Rights (UDHR), European Convention on Human Rights (ECHR), Convention on the rights of the child (CRC), International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (UNCRMW, Convention n°158, not yet operational), International Covenant on Economical, Social and Cultural Rights (ICESR), International treaty on Civil and Political Rights (ICCPR), European Social Charter, UN Convention on the Protection of Refugees, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

The social rights of citizens as expressed in the constitutions of the national states involved will be taken into account as well.

### **Aim**

The aim of PICUM is threefold:

- 1) To promote respect for the basic social rights (such as the right to education and training, the right to health care, the right to a minimum income, the right to family life, the right to moral and psychological integrity, and the right to legal aid) of undocumented migrants
- 2) To promote respect for human rights in the detention and expulsion of undocumented migrants
- 3) To investigate the possibilities of, and to promote regularisation of the residence of undocumented migrants.

## Objectives

PICUM seeks to achieve this aim by:

1. Gathering information on law and practice regarding social rights, detention and expulsion of irregular immigrants, and the possibilities of regularisation of their residence.
2. Developing a centre of expertise in these fields with a view to providing the members of PICUM and other interested parties with expertise, advice and support.
3. Strengthening networking between organisations dealing with undocumented migrants in Europe.
4. Formulating recommendations for improving the legal and social position of these migrants, in accordance with the national constitutions and international treaties. These recommendations are to be presented to the relevant authorities, to other organisations and to the public at large.

## 2. Structure

### 2.1. Members

PICUM is a platform in which the following organisations participate:

- Germany: Bundesarbeitsgemeinschaft Asyl in der Kirche, Bonn  
Flüchtlingsrat Nordrhein-Westfalen, Dülmen  
Pax Christi Deutschland, Bonn
- The Netherlands: ASKV-SV (Steunpunt Vluchtelingen), Amsterdam  
Council of Churches in the Netherlands, Amersfoort  
Netwerk Religieuzen voor Vluchtelingen, Eindhoven  
Stichting VON (Vluchtelingenorganisaties Nederland)
- Belgium: Steunpunt Mensen zonder Papieren, Brussels  
Protestants Sociaal Centrum, Antwerp
- Great Britain: Human Too, London
- International NGOs: Quaker Council for European Affairs  
Jesuit Refugee Service – Europe  
Pax Christi International  
Justice et Paix International  
December 18

The following NGOs are participating in an observer capacity:

Churches' Commission for Migrants in Europe (CCME),  
Platform of European Red Cross Organisations (PERCO),  
Espaces (Dominican Brethren), Rixensart (B)  
Migrants Rights International

### 2.2. Secretariat and Coordinator

Thanks to financial support by several Dutch and Belgian foundations, PICUM has a secretariat on a temporary basis with a full-time coordinator, Ms. Nele Verbruggen.

### 2.3. PICUM Assembly

PICUM-assembly meetings are held twice a year. The first assembly meeting of 2001 took place in Antwerp, on 23 and 24 February 2001. A second general assembly took place in Cologne, on 31 August and 1 September.2001.

## **2.4. Executive Committee**

Between the assemblies an Executive Committee (Excom) functions as the governing body. The Excom met four times in the 2001: on 2 February (Amsterdam), 17 April (Brussels), 26 July (Amsterdam), and 18 October (Amsterdam).

In 2001, the following people were members of the EXCOM :

Mr. Pieter Muller (Council of Churches in the Netherlands/chair)

Mr. Didier Vanderslycke (Steunpunt Mensen Zonder Papieren/ vice-chair)

Ms. Dominique van Huystee (ASKV-SV)

Ms. Hildegard Grosse (Bundesarbeitsgemeinschaft Asyl in der Kirche)

Mr. Ralf Rothenbusch (pax Christi Deutschland)

## 3. Organization

### 3.1. Internal activities

#### *Organisational*

- Organisation and development of the secretariat (based at the premises of Steunpunt Mensen zonder Papieren, Brussels).
- Settling of the contractual situation of the coordinator (employed at the Steunpunt)
- Drafting the action plans for 2001 en 2002, and the accompanying budgets (adopted by the assembly in Cologne).
- Drafting the annual report of 2000 (includes as well the starting-up period before 15 November).

#### *Statutes*

- Drafting of statutes for a Belgian “vzw/asbl”, based on a double structure. The statutes were adopted with several amendments by the assembly in Cologne, then sent to the “Moniteur Belge” in December. With their publication in January 2002 PICUM has become an association according to Belgian law.
- Drafting of rules and regulations (by-laws), to be approved on the general assembly in March 2002.

#### *Policy*

- Elaborating a mission statement, the text of which has been included in a folder (widely distributed).

### 3.2. External activities – general:

#### *Information*

- Developing an information network, first by means of an e-mail list, later by means of a regularly updated website ([www.picum.org](http://www.picum.org)).
- Publishing a newsletter (every three months).

#### *Networking*

- Developing a network with the member organisations, with the European NGOs in Brussels, (UNHCR, JRS Europe, Caritas Europe, Pax Christi International, CCME, Solidar, ...)
- Developing a network with Members of the European Parliament, with the European Commission.
- Starting to develop a network in the Southern countries: Spain, Italy and France, with a view to the enlargement of PICUM.
- Briefing sessions with German Groups in Bonn (January) and Berlin (May)

### *Fundraising*

- Developing contacts with funders (two meetings with Dutch foundations, ...), followed by extended fundraising with these foundations.
- Attending the 12th Annual General Assembly (AGA) and Conference of the EFC (European Foundations Centre: the umbrella organisation of European foundations), in Stockholm, May 2001. The overall theme of the conference was 'Building Social Capital – the Social Economy'. Pieter Muller attended several meetings (Health and the Citizen, Towards Effective Drug Policies, Minorities and Multiculturalism), of which the most important for PICUM was a 'satellite' meeting on Saturday 19th by the EFC Minorities and Multiculturalism Interest Group. Pieter Muller was invited to present the issue of undocumented migration, and handed out the working paper on 'Undocumented Migrants in Europe', containing a summary of the problem followed by short chapters on the role of civil society (NGOs) in this field and how they could be supported.
- Fundraising in Belgium (Oever) and Germany (Freudenberg Stiftung)
- Submitting a request for funding for the Book of Solidarity project (see below) to the European Commission Social Exclusion (proposal accepted in December) budgetline.
- Fundraising in France, Spain and Italy for various projects

### **3.3. External activities – projects, seminars, workshops:**

#### *Health Care*

- First European experts seminar on 'Access to Health Care for Undocumented Migrants', Brussels, March 2001: participation of health care representatives of Germany, the Netherlands, Belgium and the UK. A report with conclusions and recommendations was published in June 2001
- Several follow-up meetings concerning this Health Care seminar have been held.

#### *Book of Solidarity*

- 'Book of Solidarity' Project: composing a book with the aim of making visible the solidarity that exists with undocumented migrants in Europe and to analyse the initiatives of these organisations in a way that on the one hand gives a helping hand to further develop and deepen their working, and on the other hand makes it win support and respect. The first phase of this books covers Belgium, the Netherlands, Germany and the UK. This phase started in August and will continue in 2002. The second and the third phases will cover Spain, Italy, France, Denmark, Sweden and Austria and will be carried out in 2002 and partly in 2003.

#### *Workshops*

- A workshop on the "International Convention on Protection of the Rights of all Migrant Workers and Members of their Families" (UN, 1990) was held during the PICUM Assembly in Antwerp, on 23 February 2001, a report of this workshop was published one month later.

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- A Workshop on the so-called “Amsterdam Proposals” concerning the development of a European Directive regarding undocumented migration was held during the PICUM Assembly in Antwerp, on 23 February 2001. A report of this workshop was published one month later
- A workshop on the penalisation of assistance to undocumented migrants was held during the PICUM Assembly in Antwerp, on 23 February 2001. A report of this workshop was published one month later
- A workshop on the development of an ethical argumentation for providing assistance to undocumented migrants was held during the PICUM Assembly in Cologne, on 31 August 2001. The text of the introduction was published in October 2001

#### *Policy Development*

- Position paper of PICUM Excom regarding Return Migration Policy, October 2001, will be discussed during the next PICUM Assembly in Oirschot, March 2002.
- Thematic discussion on ‘Employment Rights of Undocumented Migrants’ during the PICUM Assembly in Cologne. See minutes of this assembly
- Working Paper on participation of undocumented migrants in the labour market.

#### *Monitoring of European developments*

- Monitoring the European developments in the field of undocumented migrants and distributing relevant information to the PICUM network (e.g. Commission Communication on Clandestine Migration).
- Issuing recommendations to the Laeken Summit (December 2001). This document was sent to the Prime Ministers and Ministers of Justice, Interior, Employment and Social Affairs of Belgium, the Netherlands and Germany. Besides a general concern regarding the respect for the human dignity of undocumented migrants, the text addresses more in detail some problematic points of the current European developments in the field of migration. Concerning the debate on opening channels for labour migration, PICUM points to the lack of attention that is given to the undocumented labour migrants who already reside in the European Union and already contributed – and continue to contribute – to the economies of member states. We also express our serious concern about the tendency to penalise every form of assistance that is given to undocumented migrants, without making a clear exception for social and humanitarian help.
- Attending meetings of the NGO-Platform organised by UNHCR Brussels. This platform gathers all Brussels-based NGO’s that are involved in monitoring European asylum and migration policy.

### **3.4. External activities – participation in other projects**

#### *Easy Scapegoats*

Participation in the ‘Easy Scapegoats’ European Project regarding the position of undocumented migrants in several European countries. Conclusive report was published in January 2001 by the Freudenberg Stiftung, Weinheim (D) in January 2001.

### *Voices of the Shadows*

Cooperation on the booklet 'Voices from the Shadows' published by of the Jesuit Refugee Service Europe in October 2001.

### *CCME Working Group on monitoring European Migration and Asylum Policies*

Participation in CCME Working Group monitoring European Migration and Asylum Policies, with special emphasis on undocumented migrants; meetings in Berlin (May; paper on undocumented migrants produced) and Athens (November).

### *Bus tour*

Cooperation in preparation of the "Bus tour-project" (organization: Rian Ederveen): aim of the project is to gather social workers from Germany, the Netherlands and Belgium in a bus to make a tour through the three countries and visit each others' organizations. In this way an exchange of experience and expertise is stimulated. The project will be executed in 2002.

### *Other*

Cooperation with December 18: lobby-activities for the ratification of the International Convention for the Rights of all migrant workers and the members of their families.

## **3.5. External activities – participation in conferences and seminars**

- Participation in the "Baltic Sea Conference", Hamburg, 16 – 18 November 2001: Presentation on the European developments in the field of undocumented migration and leading a workshop on "Living Illegally in the West".
- Presentation on the aims and work of PICUM for the Intercultural Working Group of the Protestant Academies in Germany visiting Brussels.
- Participation (member of panel) in Fachtagung 'Illegal in Deutschland' in Frankfurt, organised by the Katholische Akademie Rabbanus Maurus and Caritasverband Frankfurt, 29 November 2001
- Co-partner for the organization of a Seminar of Illegal Migration, organized by the Heinrich Böll Stiftung, 31/8 – 2/9, in Frankfurt.
- Participation in SID Conference, Den Haag, September.
- Presentation on the situation of undocumented migrants in Europe for the Committee on Refugees, Migration and Demography of the Parliamentary Assembly of the Council of Europe, Paris, 13 and 14 December 2001.
- Participation at the International Conference on Health Care for Undocumented Migrants, organized by IDEME, 10 October, in Paris.
- Participation in international conference on Refugee Health, addressing the Challenges, organized by ITCMS, in Denmark. Angela Burnett, one of the participants of our Health Care Seminar represented PICUM in a workshop on health care for undocumented migrants and in a workshop on PTSD (post traumatic stress disorder).

## 4. Evaluation

In the Action Plan for 2001, as adopted by the PICUM Assembly meeting held in February 2001, a series of targets has been spelled out for the year. Looking back we can note the following:

### *A. Thematical work*

1. In the field of access to health care for undocumented migrants – which we consider a first priority – the first international seminar in Brussels was quite successful. The report was widely distributed and even sold out. However, giving a follow-up to its recommendations proved to be hard work and requires further action. A second seminar to be held in Paris with medical experts from France, Spain and Italy, scheduled for Winter 2001, has had to be postponed to 2002 because of other urgencies.
2. The preparation of a ‘Book of Solidarity’ on good practices and effective methods of giving support to undocumented migrants made a first start in the summer in four countries, with the help of a trainee. Further progress was slow pending the outcome of the application for a subsidy with the European Commission. It was decided that the project proposal submitted to the Commission would cover 18 months and involve 10 European countries, thus substantially extending its original scope.
3. Several other issues indicated in the Action Plan were successfully dealt with in workshops preceding assembly meetings. In the course of the year the ethical aspects of working with undocumented migrants were found to be of great interest and were discussed at a workshop as well. It was decided to develop this issue further and to establish a working group for this purpose. Also the availability of undocumented migrants as a potential labour force was given special attention.
4. Monitoring developments in EU migration policies in view of its consequences for undocumented migrants proved to be a heavy task requiring a great deal of staff time. This was certainly true when position papers had to be formulated for public presentation, for instance on the occasion of the EU Ministers’ Laeken summit and at the Parliamentary Assembly of the Council of Europe. In this field the Executive Committee will have to develop its responsibilities on the basis of the expertise of a network of resource persons.
5. Fact-finding about research in the field of basic social rights of undocumented migrants has only started in 2001. Due to lack of staff time, other issues, such as regularisation schemes, the return option, detention and expulsion of undocumented migrants, could not be dealt with adequately. On the other hand, in the course of the year, especially after the 11 September events in the USA, political attention focused increasingly on

preventing immigration by penalising the trafficking and smuggling of irregular immigrants. PICUM is confronted with an issue touching the protection of their human rights and also of the rights of those who for humanitarian reasons give them support.

*Conclusion: with the limited availability of staff time, a great deal of work in relevant fields has successfully been done. However, the PICUM Information and Documentation Centre on Human Rights for Undocumented Migrants could only arrive at its first stage of development in 2001.*

## **B. Organisational work**

- a. The secretariat has been able to inform the member organisations and other contacts about the aims and activities of PICUM by sending out the Annual Report 2000, the Mission Statement, reports of seminars and workshops, policy statements, the Laeken recommendations (see above). Besides, the quarterly newsletter and, above all, the PICUM website [www.picum.org](http://www.picum.org) have been used as information media. Considering the wide-spread response from members and others PICUM has become widely known and respected as a reliable organisation with a large network of contacts. However, this year its geographical radius has still been mostly limited to northwest Europe. In developing its projects further, southern and northern European countries will necessarily enter into its scope of action.
- b. Increasingly PICUM is increasingly requested to make presentations and to take part in panel discussions at seminars dealing with irregular migration and undocumented migrants. We try to respond to these requests as far as we can, as we consider this activity as very helpful for spreading information on the possibilities for NGOs and civil society in general to protect the human rights of undocumented migrants. At the same time this kind of representation has an important public relations aspect for PICUM.
- c. Over the year the secretariat has developed a network with other European NGO's and institutions active in the field of migration and asylum policies. In this way, strategic alliances can be created in order to have together a stronger position. It also helps avoiding duplication of efforts. Networking with relevant university institutes and scientists has started as well. On the other hand, political lobby work, both on the European and national level, is still at its very beginning. An international committee of recommendation has not yet been set up.
- d. The preparation of the legal structure for PICUM has been successfully concluded by the end of the year. The statutes provide a secure and, at the same time, flexible basis for our work: we have ordinary members with voting rights and NGOs as affiliated members with the right to be involved in and vote on long-term plans.
- e. Supported by the secretariat, the Executive Committee (Excom) has been active in drafting project proposals in view of project funding. By far the greatest effort was

drafting the project proposal for the European Commission in view of the 'Book of Solidarity' project,

- f. Our participation in the conference of the European Foundation Center in Stockholm in May has enabled us to establish contacts with foundations in a variety of European countries. As a follow-up we have now started fundraising in France, Spain and Italy. Germany has proven to be a rocky mountain for fundraising. The more we are grateful for the continued support we may expect from four Dutch foundations as well as for the positive position of two Belgian foundations.

*Conclusion: PICUM has been able to create a stable organisational basis for its further work. Besides, its networking and information activities have given it a position of strength in the field.*

*Thanks to careful budgeting and spending we have just been able to match our limited financial means. The successful application with the European Commission has been a major step forward.*

## 5. Prospects

The prospects we indicated in our previous annual report can be repeated here:

PICUM has the potential to develop into a European NGO that can make a major contribution to the defence of the basic social rights of undocumented migrants. This potential lies in the fact that we have:

- a nucleus of member NGO's in a number of European countries that have a clear vision of the grave situation of 'undocumented migrants' in their countries and the ways this situation should be tackled, are able and willing to share their experience in this field and strongly support the cause PICUM stands for
- a small secretariat in Brussels with a fulltime coordinator
- moral and practical (financial) support for the PICUM initiative from many sides
- increasing understanding of the fact that present asylum and migration policies in Europe lead to social exclusion and marginalisation of increasing numbers of people endangering social cohesion in European societies.

In order to be able to act as a European NGO PICUM has to develop its NGO network in countries in Southern and Northern Europe, servicing the relevant NGO's in these countries in view of their work and involving them in expert seminars etc. in order to influence state and local policies.

In view of the worsening situation for undocumented migrants in European countries, it is PICUM's task to be heard at European level as a reminder and a demander regarding the rights of undocumented migrants. An important focus of PICUM activities should be to support its member NGO's in their work both by providing them with practical information and models of action, and by helping them to create a political and economic environment which enables them to actively carry out their humanitarian work on behalf of undocumented migrants.

With the support of a stronger secretariat, a stable organisational basis and increased financial means, PICUM will be able to make its second big step forward, i.e. bringing countries in southern and northern Europe within its range of action. We realise that we are dealing with a difficult task. We hope, however, that we shall be able to continue our work in the same spirit of creative cooperation.