



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

PICUM Newsletter July 2010

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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 PDF and html 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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Please note that there will be no edition of the PICUM newsletter in August 2010. The next edition of this newsletter will be in September 2010.

| 1 | [Death at the Border](#)

An Afghan migrant was found dead in the reservoir of a truck, on the boat from Igoumenitsa, Greece, to Ancona, Italy. According to the "Antiracist Movement of Igoumenitsa" that was formed 5 months ago, in and around Igoumenitsa -a small town on the west coast of Greece, where the boats leave for Italy- around 400 immigrants are hiding in the surrounding mountains or in the city, waiting to be transported to Italy. Most of them experience serious medical problems, such as cold and pneumonia in the winter and skin problems in the summer. Some sustained wounds in the trucks which transported them or after being hit by the police. Around 20% of them are under 18 years old and most are trapped in the area.

Source: tvxs.gr, 18 June 2010 <http://tvxs.gr/news/νεκρός-μετανάστης/νεκρός-σε-ρεζερβουάρ-φορτηγού-εντοπίστηκε-μετανάστης>.

The body of a young man believed to be an African migrant was recovered on 8 June from Evros river, according to the police of Orestiada, northern Greece. The man is thought to have been one of a group of migrants who drowned at the end of May while trying to enter Greece via Evros from Turkey. Police had found the bodies of two Somalis and a Tunisian man, all aged between 20 and 25, in the river on

May 26. Meanwhile, the mother of a five-month-old baby boy that was handed over by African migrants to the authorities is believed to have also drowned in Evros.

Source: UNHCR Greece Press Review, 8-9 June 2010.

A U.S. Border Patrol agent fatally shot a 15-year-old Mexican boy after a group trying to irregularly enter Texas threw rocks at officers near downtown El Paso, U.S. The shooting, which happened on the evening of 7 June beneath a railroad bridge linking the two nations, drew sharp criticism from Mexico, where President Felipe Calderon said that his government will use all resources available to protect the rights of Mexican migrants. The president added in a statement that the government reiterates its rejection to the disproportionate use of force on the part of U.S. authorities on the border with Mexico.

Source: The Huffington Post, 8 June 2010, http://www.huffingtonpost.com/2010/06/08/border-patrol-agent-shoot_n_604358.html.

| 2 | News from the UN + EU Member States + Switzerland + USA

UN

On the occasion of the 20th anniversary of the adoption of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, a global campaign has been launched calling on governments to act immediately to end widespread human rights violations, suffered daily by migrants around the world, by ratifying this Convention. The campaign urges all governments to seize the occasion of the 20th anniversary to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and thereby affirm their commitment to protect the human rights of migrant workers.

The petition can be signed here: <http://www.migrantsconvention.eu/>

The UNHCR announced on 25 June 2010 that it has received permission to resume some activities in Libya. Libyan officials have offered several reasons for why the Libyan government ordered UNHCR to cease operations, including complaints that UNHCR entered into cooperation agreements with local NGOs within Libya without authorisation, rented office space without permission, displayed the UNHCR logo improperly, and, most recently, that one or more persons associated with UNHCR accepted bribes and/or sexual favours from persons in exchange for refugee status. UNHCR spokesperson Adrian Edwards stressed that UNHCR asked the Libyan Government to substantiate the claims so as to allow UNHCR to investigate through normal procedures. The UN refugee agency was ordered to leave Libya at the start of June and this is of particular significance because of the Italian policy of pushing back migrants into Libya. The UNHCR has been working in Libya since 1991 and essentially acts as the Libyan asylum system as the North African nation has no procedure for registering refugees. The UNHCR is now negotiating with Libya in the hope of remaining in the country.

Source: Migrant at Sea, 27 June 2010, <http://migrantsatsea.wordpress.com/>, Source: BBC News <http://news.bbc.co.uk/2/hi/world/africa/10264625.stm>

A new UNHCR report, "Trees Only Move in the Wind", has found that growing numbers of unaccompanied Afghan children are making a dangerous overland journey to Europe. More than 5,900 Afghan children, mostly boys, sought asylum in Europe last year and there may be many other Afghan children on the move who do not apply for asylum. Afghanistan has turned a blind eye to the role of smugglers in irregular migration, including children. Afghan parents, families and communities have

allowed and encouraged the departure of their children on hazardous journeys. Afghan youth arriving in Europe do not always receive the support they need and thus often remain in the hands of the smugglers, who entice them to continue their journey. Large numbers of Afghan boys are among the inhabitants of makeshift settlements in places like Calais, France and Patras, Greece.

Source: UNHCR <http://www.unhcr.org/uk/news-and-views/uk-press-releases/unhcr-london-press-releases-2010/unhcr-says-more-attention-needed-for-afghan-children-on-the-move.html> .

A recent publication by the UNHCR's Policy Development and Evaluation Service "No Entry! A Review of UNHCR's Response to Border Closure Situations of Mass Refugee Influx" notes that closing borders does not necessarily reduce movement but instead increases smuggling, police corruption and irregular migration, with negative consequences not only for refugees but also for the host state and community.

Source: UNHCR <http://www.unhcr.org/4c207bd59.html> .

On 30 April 2010, in an important step forward for the protection of the rights of migrant domestic workers, the UN Committee on Migrant Workers announced the release of the first public draft of a precedent-setting General Comment on migrant domestic workers. The Committee committed to a timetable for working together with NGOs and international organizations on revising the draft this year, and plans to adopt a final text as the first General Comment under the Migrant Workers Convention at its next session in November.

Source: <http://www.icmc.net/article/renewed-hope-migrant-domestic-workers-and-their-families> .

Czech Republic

Czechs and immigrants have taken to the streets to fight for the right of migrants for the first time in the history of the Czech Republic. On 6 June 2010, 200 people demonstrated their disagreement with the increasing restrictions imposed by the Czech authorities that had been endangering the legality of stay, economic and social and human dignity of almost 150,000 thousand migrants. The march was organised by a newly founded informal Initiative for the Rights of the Migrant Workers (<http://www.zpravamigrantu.cz/>). This apolitical platform seeks to ensure protection of the rights of migrants working in the Czech Republic and to call public attention to the deteriorating situation of these migrants as a result of the economic crisis and inappropriate practices by the Czech authorities.

Denmark

In its most harshly worded criticism of the Government's immigration policy so far, the State-funded Danish Institute for Human Rights released a report in mid-May 2010, strongly condemning the new points system for a permanent residence permit, saying that getting one in future for third-country nationals is almost illusory. The new system which the minority Government decided last March is expected to come into force sometime this summer. Critics claim that it was yet another piece of legislation passed to satisfy the anti-immigration Danish People's Party who is not in the governing coalition but whose support is indispensable to the minority Government to pass laws and for approval of the country's annual budget. Large groups of immigrants simply do not have the possibility of fulfilling these requirements, said Jonas Christoffersen, Head of the Institute for Human Rights. The employment requirement is especially strict. If you lose your job you have to start from scratch to earn the necessary two and a half years' full-time employment requirement. A third-country national applying for permanent residence must secure 100 points and to attain this target, s/he must, *inter alia*, pass a Danish language test, be self-sufficient without reliance on social welfare benefits and be employed. Mr Christoffersen

warned that unless exemptions were introduced into the Bill, the new law would inevitably lead to human rights violations.

Migration News Sheet, June 2010, page 4.

France

More than 3,500 people have signed an appeal for the respect of undocumented migrants' rights put forward by many prominent French artists. Some of them will participate in a concert entitled "Rock sans papiers (Undocumented Rock-n-Roll)" that will be held on 18 September in Paris with the aim of raising awareness about the situation of undocumented migrant. They call for the end of deportation of undocumented children, the separation of families and they reject French Minister of Immigration Besson's draft legislation on immigration.

For more information and for the programme of the concert: <http://rocksanspapiers.org/>.

France's interior minister was found guilty of making "incontestably offensive" racist remarks to a man of North African origin on 4 June 2010 and faced opposition calls to resign. Brice Hortefeux, the former immigration minister and a close friend of the president, Nicolas Sarkozy, was fined €750 (£621) and ordered to pay €2,000 in damages for making private insults of a racial nature at a political gathering in September. His lawyers said he would appeal.

Source: The Guardian, 2 June 2010, <http://www.guardian.co.uk/world/2010/jun/04/france-minister-racist-comments>.

The tour linking the "jungles" (the term used to refer to the shelters built by undocumented migrants waiting to find a way to go to UK) of North-Pas-de-Calais from 4 to 11 July to promote the rights of exiles now has a website <http://www.jungletour.sitew.com/> where practical information on the tour, texts on the rights of exiles, the registration form, a poster and a leaflet to distribute are available.

Thirteen French NGOs working in the field of migration (ADDE, Acat France, Anafé, CFDA, Cimade, Fasti, Gisti, InfoMIE, Migreurop, MOM, Association Primo Levi, SAF, Syndicat de la magistrature) have published a collective paper criticising the new draft legislation on migration proposed by the French Minister of Immigration, Eric Besson. The draft legislation, planned to be approved in the fall, is more restrictive than the one in place and the NGOs fear it could lead to an increase in the number of deportations. The report (in French) is available at: http://www.gisti.org/IMG/pdf/hc_analyse-pjl-besson-20100330.pdf.

Germany

Peter Trapp, domestic policy spokesperson for the Berlin chapter of the Christian Democrats, told the daily *Bild* that the country needs new immigration rules. He said Germany must define immigration criteria that really serve the country. Besides a good education and professional qualifications, the benchmark must also be intelligence. That is why IQ-tests should be introduced in the selection procedures. He continued saying that the idea should no longer be taboo. Markus Ferber, a member of the CDU's Bavarian sister party the CSU and a member of the European parliament, echoed Trapp's concerns, and pointed to alleged Canadian immigration policies as an example. He told *Bild* that Europe needs a unified policy and that Canada is much further ahead with this and requires immigrant children to have a higher IQ than native-born children. Humane reasons such as reuniting families cannot be the only immigration criteria in the long term.

Source: <http://www.thelocal.de/society/20100628-28141.html>.

Greece

Greece and Turkey signed a bilateral agreement on 14 May 2010 providing for the effective implementation of a readmission agreement which the two countries signed 10 years ago and which, according to Athens, the Turkish authorities have been reluctant to respect. The agreement was signed by the Greek Minister for Citizen Protection, Michalis Chrisohoidis, and the Turkish Minister of the Interior, Besir Atalays, on the occasion of the visit to Athens of Turkish Prime Minister Recep Tayyip Erdogan. According to a communiqué issued by the Greek side, Ankara has committed itself to take any every measure necessary to ensure the implementation of the readmission agreement signed 10 years ago. The communiqué also stated that Turkey has to decide where, in Izmir's harbour or somewhere close to this city, to open a border post within three months, which will be used for the readmission of irregular migrants. Moreover, Turkey has agreed to approve at least 1,000 readmission requests each year.

Migration News Sheet, June 2010, page 7.

The movement "Together against Racism and Fascist Threat" and "Union of Immigrant Workers" demonstrated in the streets of Athens on 22 June against the measures taken by the government for a "clean Athens". The police carried out raids in certain areas of Athens and according to the demonstrators, they were followed by Neo-Nazi organizations that were chasing the street vendors. Instead of a police campaign to clean Athens, the organizations propose a more elaborate plan using the empty old spaces in the centre of Athens to host immigrants, and employing psychologists and social workers to help them integrate.

Source: tvxs.gr, 22 June 2010 <http://tvxs.gr/news/ελλάδα/η-άλλη-όψη-της-εκστρατείας-«ασφαλής-αθήνα»>.

An inter-ministerial Committee comprising of representatives from seven ministries, local authorities and NGOs, under the Deputy Minister for Citizen Protection, presented a series of proposals for upgrading the historic centre of Athens. These measures include: a proposal made by the Greek Police for a registration process for irregular migrants whose numbers remain unknown; the offer of incentives (such as shelter) to migrants who will co-operate with the police and report unlawful acts; the use of hotels that remain closed for long periods of time as reception centres for vulnerable groups; the creation of "night shelters" offering a place to sleep, food and basic sanitary facilities.

Source: UNHCR Greece Press Review, 8-9 June 2010.

"The problem of illegal migration could become a bomb at the foundations of Greek society if not effectively tackled", said Minister for Citizen Protection, Michalis Chrisohoidis on 17 June, addressing the Parliament's Committee on Public Order. Chrisohoidis stressed that the key to the problem is that Turkey's cooperation and readmission of migrants.

Source: UNHCR Greece Press Review, 19-23 June 2010.

Italy

On 10 May 2010, the Mayor of Milan, Letizia Moratti, provoked strong criticism and condemnation for her remark linking irregular migrants to criminality. Ms Moratti, who is a member of Prime Minister Silvio Berlusconi's People of Freedom (PdL) party and a former minister of education, said that undocumented migrants without regular work normally commit crimes. The remark was made at a conference on immigration at the Milan Catholic University and many participants reacted angrily with sounds of disapproval and jeers.

On 5 May 2010, the Italian Minister of the Interior, Roberto Maroni, met with his Egyptian counterpart, Habib Ibrahim El Adly, on the occasion of the donation to Egypt of two motorised vessels to help the country in its efforts to combat clandestine departures by sea to southern Europe. Mr Maroni praised Egypt for being one of the few African countries, along with Libya, to co-operate with Rome in the forced repatriation of its citizens apprehended for trying to enter Italy irregularly. Mr Maroni once again praised Libya's co-operation in the implementation of the so-called push-back policy which has resulted in almost the elimination of the problem of clandestine arrival of irregular migrants in southern Italy by sea. In the first quarter of 2010, only 52 irregular migrants were intercepted at sea, compared to 4,450 in the same period last year. He stated that the push-back policy has been so successful that it had not been necessary to make use of it since August 2009. A day before his visit to Cairo, Mr Maroni dismissed criticism of the push-back policy by the Vatican's expert on immigration, Archbishop Agostino Marchetto, who said that the policy violated, *inter alia*, the international prohibition on returning asylum-seekers to countries where their safety was at risk.

Migration News Sheet, June 2010, page 8.

Ireland

In view of rising unemployment and the problem of sham marriages between foreigners who are EU nationals and those from third countries, the Ministry of Justice announced on its website on 10 May 2010 that the right to work immediately for non-EU family members would cease at the end of May. Up to 1 June 2010, a third-country national married to a foreign resident in Ireland who is an EU citizen is entitled to immediately seek employment. As from 1 June 2010, such a foreigner will be entitled to stay in Ireland pending the outcome of an investigation into his/her case and application for a residence permit. The person will not, however, be authorised to take up employment. The Ministry of Justice is of the view that whereas EU law requires Ireland to grant a residence permit to a non-EU family member of an EU citizen having exercised the right of free movement, there is no obligation to issue this person also with a work permit. It is not certain that the European Court of Justice (ECJ) would support this point of view. The ECJ has, in fact, consistently held that the right of a third country national (a Turkish citizen, for example) to a work permit would be deprived of any meaningful effect if this were not accompanied with the right to a residence permit. However, it has not yet ruled that the right to a residence permit under EU law necessarily implied also having the right to work.

Migration News Sheet, June 2010, page 4.

In a surprise move the Minister for Justice Mr Dermot Ahern withdrew the Immigration, Residence and Protection Bill 2008, which is to be redrafted to take account of hundreds of amendments. The legislation aims to reform the asylum process and create a new long-term residence status. The Immigrant Council of Ireland has expressed concern that the Bill as currently drafted allows for deportation without notice of anyone unlawfully present in the State. Thus the Bill may lead to the summary deportation of vulnerable migrants who may have become unlawfully resident in the State through no fault of their own. The Minister said the Bill had become a "massive tome" and it would be quicker to publish a new Bill than continue with the current Bill. One suggested change that the Minister has said will be incorporated in the new Bill is the extension of the "recovery period" of residence offered to victims of human trafficking. This will rise to 60 days, up from 45 days. A spokesman for the Minister said he would like to bring the amended Bill to Cabinet before the summer but it "could drift to autumn".

Sources: The Irish Times 1 June 2010, <http://www.irishtimes.com/newspaper/ireland/2010/0601/1224271588076.html>,
Immigrant Council of Ireland, http://www.immigrantcouncil.ie/images/7670_irpbillanalysisplusamendments.pdf.

Portugal

According to the report on "Immigration, Frontiers and Asylum", the number of expulsions of irregular migrants processed by the Service of Foreigners and Frontiers (SEF) increased 26 per cent in 2009 (2476 cases), as compared to 2008 figures. The number of foreigners residing in Portugal also increased 3,3 per cent last year, which corresponds to 454,191 individuals. Brazilian migrants are the biggest group of migrants in Portugal, (25 per cent), followed by Ukraine (12 per cent), Cape Verde (11 per cent) and Romania (7 per cent). Most migrants, regardless of their status, reside in the coastal areas around Lisbon, Faro and Setúbal.

Source: Diário Digital, 23/06/2010. http://diariodigital.sapo.pt/news.asp?section_id=13&id_news=456651.

Poland

The Welcome Centre in Warsaw has started a petition calling on the Polish government to pass legislation to facilitate the regularisation of irregular migrants. The petition notes that the conditions attached to the regularisation programmes organised in 2003 and 2007 precluded almost 99% of irregular migrants from applying. It urges the Polish government to take advantage of the skills of its irregular population and to allow these immigrants, many of whom have raised their children in Poland, to contribute to the development of the country. On 13 June the Welcome Centre organised an information meeting on legalisation of stay in Poland by means of a temporary residence card ('karta pobytu'). The meeting provided information on eligibility requirements as well as the application procedure.

For more information on the Welcome Centre see <http://www.centrumpowitania.org.pl/en.html>; The petition can be signed here: <http://www.petycje.pl/petycjePodglad.php?petycjeid=5106>.

Spain

Some Spanish media have pointed out that there was little difference between the anti-immigration law in Arizona and what happens every day in Spain where police also carry out massive operations in areas known to be frequented by immigrants, stopping just about everyone who does not look European and asking for his/her identity documents and residence permit. An irregular immigrant who is, for example, Ukrainian, Moldavian or Russian need not, of course, worry.

Source: Migration News Sheet, June 2010, page 1.

On 13 May 2010, the new junior Minister for Immigration, Ana Terrón, announced that she would pay a visit to the Spanish enclave city of Melilla and that one of the matters to which she would give her attention is the situation of a group of irregular migrants from the Indian subcontinent, presumably Bengalis, who have been living in the reception centre (CETI), intended for temporary stay, for more than five years. Their long stay in the CETI is a result of the Bengalis' refusal to co-operate with efforts to repatriate them. They believe that if they can hold out long enough they will eventually be allowed to travel to the Spanish Peninsula as has been the case for numerous sub-Saharan irregular migrants. Ms Terrón has recognised that more than five years in the CETI is an "excessive period". However, she stressed that it was necessary not to lose sight of the fact that these migrants arrive irregularly and have been staying unlawfully in the enclave city.

Source: Migration News Sheet, June 2010, page 8.

In the beginning of June, migrants locked in a Barcelona detention centre began a hunger strike to protest against poor treatment and inhumane and degrading conditions. On 11 June, the group Solidarity released a statement in which it denounced the racist treatment towards them. Hector Silveira, of the Human Rights Observatory at the University of Barcelona, stated that minimum rights in deportation proceedings have been violated. On 13 May, a 22-year old Moroccan, Maohamed Abagui, committed suicide in a cell of the detention centre.

Source: Migreurope, 14 June 2010.

The Netherlands

Justitia et Pax Netherlands has published the report 'Humanity in migrant detention'. In this report, Roman Catholic prison chaplains express their concerns about the way refugees and undocumented migrants are being held in custody. The inquiry was made by Justitia et Pax in 2009 among the Roman Catholic chaplains who work in Dutch migrant detention centres. In the Netherlands annually some ten thousand refugees and undocumented persons are detained in migrant detention centres. Detainees can ask for pastoral care from pastors, who are available from almost every religion and view of life. Eight Roman Catholic pastors are employed in the six migrant detention centres. From the daily experiences of these pastors Justitia et Pax infers that parts of the current policy for migrant detention are unacceptable. People who are mostly not suspected of nor convicted for any crime can be detained for months in circumstances that are much more severe than in normal prisons. Officially migrant detention is an administrative measure, not a penal one, but in practice it is the equivalent of imprisonment.

For more information (in Dutch), read the press release at: <http://justitiaetpax.nl/nieuwsbericht/50>.

The Dutch section of Defence for Children International started a campaign in May 2010 called "Geen kind op de straat/No child on the street" against the Dutch government's practice of evicting migrant families with children from reception centres to the street after their asylum application has been refused. Read about the campaign and sign the Petition at <http://www.geenkindopstraat.nl/pages/gkos/English>.

The Ministry of Justice has announced that the Foreigners' police will be given additional powers to search housing where undocumented individuals have been living. They will also be permitted to search living quarters adjacent to places of work where undocumented workers have been discovered and to take extra steps to ascertain someone's identity once they have been apprehended, for example, searching a mobile phone's memory.

For more information (in Dutch): <http://www.justitie.nl/actueel/nieuwsberichten/archief-2010/100625sneller-vastellen-identiteit-illegale-vreemdelingen.aspx?cp=34&cs=578>.

UK

COMPAS is currently developing The Migration Observatory at Oxford (formerly known as MIDAS), a new website-based initiative to be formally launched in 2011 which will provide the latest data and authoritative analysis on migration and integration in the UK. COMPAS has set up a consultation process in order to seek views on how people currently access data and information about migration and integration in the UK, the deficiencies of the information currently on offer and ideas on how to make The Migration Observatory at Oxford as beneficial as possible for users.

The online survey is available to complete here: <http://www.compas.ox.ac.uk/news/latest/article/date/2010/05/the-migration-observatory-survey/> .

Home Secretary Theresa May announced that the number of workers entering the UK from outside the EU is to be subject to a permanent limit in April 2011. A temporary limit, intended to prevent a rush of people trying to enter the UK before the permanent limit is put in place, is set to come into effect on 19 July. Nearly half of the skilled migrants who come to Britain from outside the EU, however, will be exempted from the temporary limit. Internal transfers of staff by multinational companies – which make up 45% of the total covered – will initially be exempted as will ministers of religion and elite sports people. The immigration cap was one of the most popular Conservative pledges during the election campaign with the party accusing Labour of having lost control of immigration. Pressure from industry and the City, however, may see the replacement of a rigid cap by a more flexible system that might end up resembling the existing points-based system introduced by Labour. The Liberal Democrats were opposed to a cap during the election campaign but it was included in the agreement with the Tories that formed the basis for the coalition government.

Sources: The Guardian, 25 June 2010 <http://www.guardian.co.uk/uk/2010/jun/28/theresa-may-immigration-cap-economy> ; The Guardian 28 June 2010, <http://www.guardian.co.uk/uk/2010/jun/28/theresa-may-immigration-cap-economy> ; The Guardian 28 June 2010, <http://www.guardian.co.uk/uk/2010/jun/28/immigration-cap-theresa-may> .

An emergency appeal to save the legal charity Refugee and Migrant Justice (RMJ) saw the public pledge £76,525 in 24 hours. But the charity, which went into administration in May, is to be wound up. The reason for the closure is a £1.8m backlog of payments from the Legal Services Commission, RMJ's main funder. The government has said other organisations were coping with a new payments system and RMJ should do the same. RMJ was the largest specialist national provider of legal representation to asylum seekers and other vulnerable migrants. It was awarded the Liberty/Justice Human Rights Award in 2005, in particular for its litigation work with Zimbabwean asylum seekers.

Sources: Third Sector, 23 June 2010, <http://www.thirdsector.co.uk/channels/Finance/Article/1012073/Emergency-appeal-fails-save-Refugee-Migrant-Justice/>; Refugee and Migrant Justice 23 June, 2010 <http://refugee-migrant-justice.org.uk/downloads/23%20june%20final%20release.pdf>.

A manual for people advising undocumented migrants has been developed by Praxis Community Projects with funding from City Parochial Foundation. The manual is a complete guide for non-lawyers on advising this category of clients and an important resource for all those who come across undocumented migrants in their work. Topics include: immigration matters, access to healthcare and social care, education, housing and ethical and practical issues in advice work.

For more information: http://www.praxis.org.uk/index.php?page=5_29 .

The British Red Cross has launched an advocacy report which highlights the dire hardships facing destitute asylum seekers – and the urgent need for a more humane asylum system. The report, entitled “Not gone, but forgotten,” explores the Red Cross’ work supporting thousands of destitute asylum seekers and refugees throughout the UK, and the daily challenges they face just to survive.

Source: Migrants’ Rights Network Newsletter, 21 June 2010, more information on: <http://www.redcross.org.uk/uploads/documents/Not-gone-but-forgotten-British-Red-Cross-destitution-report.pdf> .

The Migrants Resource Centre in London has launched a new website - <http://www.thenewlondoners.co.uk> - and a new digital edition of The New Londoners magazine. The magazine, now produced quarterly, aims to bring together London communities, old and new, and to redress the negative images of migrants often portrayed in the media. This first edition focuses on myth-busting about the impact of migration in London and highlights just how much society is enriched

by it and why migration is necessary for the economic well-being of the capital city. It also tells the stories of Yemane, a celebrity journalist, who was forced to flee Eritrea and Anas, who faced increasing persecution in Baghdad following the Iraq war. The magazine is produced with the input of many volunteers and users from the organisation's Migrants and Refugees Media Action Group.

Source: NCADC News 21 June 2010.

USA

The National Immigration Law Center and a coalition of civil rights groups filed a class action lawsuit in the U.S. District Court for the District of Arizona challenging Arizona's new law (SB 1070) requiring police to demand papers from people they stop who they suspect are not authorized to be in the U.S. The coalition believes that the law invites the racial profiling of people of colour, violates the First Amendment and interferes with federal law.

Source: National Immigration Law Centre, <http://www.nilc.org/pubs/news-releases/nr014.htm>.

The National Day Labourer Organizing Network calls for this summer to be a Human Rights Summer and is planning a number of peaceful activities in resistance to the Arizona legislation, SB 1070. In cooperation with other organizations, they are preparing a national boycott of Arizona, targeting companies and products whose owners have contributed funds that have allowed anti-immigrant laws and policies to flourish. They are also planning to launch a defiance campaign in Arizona in July against SB1070, which is scheduled to take effect on 29 July.

Source: National Day Labourer Organizing Network, <http://altoarizona.com/index.html>

The Supreme Court has agreed to hear arguments on whether an Arizona state law that was passed in 2007 infringed on federal immigration powers and should be struck down. The law at issue in the case is different from the strict new Arizona immigration law passed earlier this year in the state and requires the police to determine the immigration status of any person suspected of being in the country undocumented. The Legal Arizona Workers Act suspends or revokes licenses to do business in the state in order to penalize employers who knowingly hire undocumented migrants. It also requires employers to use an electronic verification system to check the work-authorization status of employees through federal records. The Supreme Court will issue a ruling during its upcoming term that begins in October.

Source: Reuters, June 28, 2010, <http://www.reuters.com/article/idUSTRE65R3CQ20100628?type=politicsNews>.

In the state of New York (US), the Senate passed a bill that would require paid holidays, sick days and vacation days for domestic workers, along with overtime wages. It would require 14 days' notice, or termination pay, before firing a domestic worker. The Assembly passed a similar measure last year, and lawmakers expect that the two versions will be reconciled and that the Governor will sign the nation's first such protections for domestic workers. It would affect an estimated 200,000 workers in the metropolitan area, including undocumented workers. Advocates in the states of California and Colorado hope that similar legislation will be introduced in their states next year.

Source: The New York Times, June 2, 2010 <http://www.nytimes.com/2010/06/03/nyregion/03nanny.html?pagewanted=1&hp> .

Republicans in the state of Arizona are likely to introduce legislation this fall that would deny birth certificates to children born in Arizona, and thus American citizens according to the U.S. Constitution, to parents who are undocumented in the U.S. The legislation would most likely focus on children and block the next generation of migrants from ever being able to obtain citizenship. The idea is to make the

citizenship process so difficult that undocumented migrants would want to leave. The idea of the law originates from the same state senator who is the leading architect of the Arizona law (SB 1070), which allows law-enforcement officers to ask about someone's immigration status during a traffic stop, detainment or arrest if reasonable suspicion exists.

Source: Time Magazine, June 11, 2010, <http://www.time.com/time/nation/article/0,8599,1996064,00.html> .

| 3 | European Policy Developments

General

On 18 May 2010, on the occasion of the 6th EU-Latin American and Caribbean Summit held in Madrid, Argentine President Cristina Fernandez De Kirchner, acting in her role as spokesperson for the Latin American block, warned the EU against the temptation to make immigrants pay for the current severe economic crisis. She said that she was observing with a lot of concern the discriminatory treatment which was being applied in some countries, especially in the most developed ones, in placing immigrants as adversaries to be set aside, even though immigrants do what citizens of these countries are not willing to carry out. Without any explicit reference to it, participants were aware that Ms Fernandez Kirchner had in mind the anti-immigration law of the US State of Arizona when she called on all countries in the world to avoid discriminatory laws against immigration. In his role as president-in-office of the EU, José Luis Rodríguez Zapatero, whose own country is faced with more than four million unemployed workers, including well over 600,000 immigrants, assured participants that he shared this concern.

Source: Migration News Sheet, June 2010, page 1.

Speaking in Milan, the Italian Minister of the Interior, Roberto Maroni, criticised Malta for refusing to take part in the FRONTEX surveillance mission this summer because of its strong objections to the new guidelines of the EU agency on 10 May 2010. Mr Maroni said that Malta's refusal to participate in the "Chronos" operation this summer could have serious consequences because it breaks a bond that so far has been quite unique in the Mediterranean. Mr Maroni said that he could do no more than to try and convince Malta to return to the negotiating table and to participate in the FRONTEX mission. As a result of Malta's refusal to participate, the "Chronos" mission of FRONTEX, with a budget of 9 million euro was cancelled. The proposed meeting between Mr Maroni and his Maltese counterpart, Mifsud Bonnici, scheduled to take place in Rome on 13 May 2010, was subsequently cancelled. The two sides were supposed to discuss Malta's refusal to take part in "Chronos".

Source: Migration News Sheet, June 2010, page 6.

At a press conference held in Warsaw on 25 May 2010, the EU's external border surveillance agency reported that the number of irregular migrants intercepted while trying to cross the EU's land or sea borders in 2009 had fallen by about a third when compared to 2008, reaching a total of 106,200. However, FRONTEX, whose headquarters is based in Warsaw, gave no credit for the fall to Rome's so-called push back policy that consists of intercepting irregular migrants at sea and returning all of them to Libya if they had departed from there, regardless of whether there are any asylum-seekers among them.

Source: Migration News Sheet, June 2010, page 6.

Amnesty International has called on the EU to ensure that any bilateral agreement with Libya, including the EU-Libya Framework Agreement that is currently being negotiated, be based on the full respect for the rights of asylum-seekers, refugees and migrants. Amnesty released a report on 23 June entitled “Libya of Tomorrow: What Hope for Human Rights?”, which shows that refugees, asylum-seekers and irregular migrants are exploited and abused in ways that can constitute torture while in the custody of Libyan authorities. Several thousand are held in overcrowded detention centres indefinitely and many are at risk of being sent back to countries where they may face persecution and torture. Since 2008, the EU has sought Libya’s cooperation to control the flow of migrants to Europe through a framework agreement which would include control of migration, with a potential readmission agreement for third-country nationals who have transited through Libya on their way to Europe. Italy has already concluded an agreement with Libya to combat “illegal immigration” by joint patrolling of the Mediterranean. During the past year Italy has been returning migrants to Libya after intercepting their vessels on international waters, without checking if individuals onboard were in need of international protection or basic humanitarian assistance.

Source: Amnesty International EU Office <http://www.amnesty-eu.org/static/html/pressrelease.asp?cfid=12&id=463&cat=4> .

The EU Agency for Fundamental Rights (FRA) and Frontex, the EU border management body, signed a cooperation arrangement at the end of May which aims to help both agencies improve important aspects of their work. The FRA will assist Frontex in integrating the fundamental rights approach into its activities, as called for in numerous Council and Parliament communications, while Frontex will provide logistical, organisational and technical support to FRA's work in collecting border-related information on the situation of fundamental rights across the EU to achieve its goal of providing evidence-based advice to policymakers and practitioners. While Frontex and FRA have cooperated on an ad hoc basis in the past, predominantly in the context of training and research activities, the cooperation arrangement will provide a clear framework to support future work.

Source: Fundamental Rights Agency, http://fra.europa.eu/fraWebsite/media/mr-270510_en.htm .

On 13 May 2010, on the occasion of the International Day of Families (15 May), the Belgian Secretary of State for Family Policy, Melchior Wathelet, and the Confederation of Family Organisations in the EU (COFACE) recalled the importance of mainstreaming the family dimension in policies, both at EU and national level. Minister Wathelet declared that starting from a study backed by the European Commission in order to keep families in the loop when deciding on issues that pertain to family life such as social, fiscal, economic or even environmental policies, her cabinet decided to support COFACE in the organisation of a big conference focusing on social inclusion of families, on 14 and 15 October during the Belgian Presidency. Family organisations, European institutions and delegations from each Member State will be invited to the conference.

For more information on the initiatives of the Belgian Secretary of State for Family Policy visit the trilingual (French, Dutch and German) website: <http://www.lesfamilles.be/> .

Arias Fernandez, deputy executive director of Frontex, announced on 16 June 2010 that the first regional branch of Frontex for the South of Europe will be inaugurated in July. The agency branch will be operational in October. It will be staffed by 13 experts drawn from different EU countries. This pilot programme will last until the end of 2011. It will then be evaluated before it continues.

Source: Eleftherotypia newspaper, 16 June 2010

Council of Europe

On 25 May 2010, the French Ministry for Immigration disclosed that its head, Eric Besson, had agreed to pay a visit to the office of the Human Rights Commissioner of the Council of Europe, Thomas Hammarberg. The visit will probably take place on 7 July. According to Mr Hammarberg, the two sides will analyse the problems of immigration and clarify the measures which will have to be taken to resolve the persistent difficulties concerning migration matters in France and Europe. Stefano Montanari, a senior aide to Mr Hammarberg, has stated that Mr Besson's visit would be the very first time that a government minister travelled to the Commissioner's office, located in Strasbourg, to discuss migration affairs. Mr Montanari considered that such a meeting would amount to an acknowledgement by the French Government of the growing complexity of an issue that Europe treats predominantly as a security concern. Mr Hammarberg had himself paid a visit to the Calais region on 19 May 2010, where hundreds of irregular migrants/asylum-seekers gather, waiting for an opportunity to travel clandestinely to the UK. After meetings with French officials, representatives of charities and migrants, the Commissioner declared that the problems have still not been solved.

Source: Migration News Sheet, June 2010, page 2.

The European Court of Human Rights granted an interim injunction freezing plans by the government of Cyprus to deport 46 Syrian Kurds rounded up by authorities on 11 June and found to be residing illegally in Cyprus following rejection of their asylum applications. On 14 June the Court ordered the government to suspend all deportations until it has a chance to examine all the documents relating to the 46 asylum applications and deportation orders. The Court's intervention was requested by migrant support group KISA.

Source: Cyprus Mail <http://www.cyprus-mail.com/cyprus/cyprus-falls-foul-echr-over-kurds/20100617> .

Council of the European Union

Irregular migration to Europe via Turkey was the main topic on the agenda of an EU Council of Justice and Interior ministers meeting that took place in Luxembourg on 3 June 2010, with the participation of Greek Citizen Protection Minister, Michalis Chrisohoidis. Chrisohoidis noted that Greece is the country with the largest influx of irregular migrants coming from Turkey, which, he stressed, is the main passage for irregular migration to Europe. The Greek minister said that Turkey has to assume responsibility and participate in the implementation of a relevant agreement, to combat irregular immigration with the co-operation of the EU FRONTEX agency.

Source: UNHCR Greece Press Review, 5-7 June 2010.

The EU Justice and Home Affairs (JHA) Council met on 3-4 June. Among other agenda items, JHA released its conclusions on the follow-up to the European Pact on Immigration and Asylum. The conclusions concentrated mainly on the management of labour migration and measures to increase the control of external EU borders, in particular the pending amendments to the FRONTEX regulation. In the area of irregular migration, the conclusions focused entirely on increasing resources and cooperation aimed at returns and readmissions, with no acknowledgement of human rights beyond a brief reference to the need to keep in mind the best interests of the child in cases of unaccompanied children.

The conclusions regarding the Pact are here:

http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/jha/114881.pdf. The press release covering all topics discussed at the Council meeting may be downloaded here: <http://www.statewatch.org/news/2010/jun/eu-jha-council-3-4-june-10-press-release.pdf>.

European Commission

Commissioner Malmström's opinion that the registration of irregular migrants in Spanish municipalities violates the "return Directive" was criticised as too strict and narrow in a letter addressed to the European Commissioner for Home Affairs and dated 26 May 2010, by Stefan Kessler of the Jesuit Refugee Service-Europe. Mr Kessler referred to her reply to a question on Spain's rather unique municipal practice of registering all inhabitants, regardless of whether they are in possession of a valid residence permit. Ms Malmström had affirmed, *inter alia*, that the Spanish authorities are not free any more – once they become aware of the presence of an irregularly staying third-country national on their territory – to tolerate this situation without either initiating return procedures or launching procedures for granting a right to stay. In his letter, Mr Kessler informed the Commissioner that Jesuit Refugee Service had sent to her office on 24 March 2010 its report entitled "Living in Limbo. Forced Migrant Destitution in Europe" in which it is clearly explained that the real purpose behind the Spanish system of empadronamiento is to take a census of the resident population in order to get proportionate funding from the central government to provide basic social services, for which nothing more is required other than a passport and proof of residence in the municipality concerned.

Source: Migration News Sheet, June 2010, page 8. To have more background information on this subject, please check PICUM's previous newsletters at: <http://www.picum.org/article/newsletter-archive>.

The European Commission adopted an Action Plan on 6 May, calling for increased protection of unaccompanied children entering the EU. Although exact statistics are difficult to obtain, asylum applications from 2009 indicated increasing numbers of unaccompanied children arriving at the EU borders. The Action Plan called for unaccompanied migrant children to be treated as children first; protection against traffickers, violence or exploitation; efforts at family reunification; swift decisions on durable solutions based on individual assessments; and provision of appropriate accommodation. The EU Commissioner for Home Affairs, Cecilia Malström, called on member states to apply high standards of reception, protection, and integration, and return conditions allowing reunification with relatives.

The press release is here:
<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/534&format=HTML&aged=0&language=EN&guiLanguage=en>.

European Court of Justice

Are irregular migrants "persons"? This is one of the questions which the European Court of Justice (ECJ) will have to address when it hands down its ruling on two almost identical applications for a preliminary ruling concerning two Algerian nationals, MM. Aziz MELKI (C-188/10) and Sélim ABDELI (C-189/10), who have questioned the lawfulness of the identity check carried out on them last March within 20 kilometres of the French border with Belgium. Their complaint is based on, *inter alia*, Article 67 (2) of the Treaty on the Functioning of the European Union, which guarantees "the absence of internal border controls for persons (...)". On 12 May 2010, the President of the ECJ acceded to the request of the referring court, namely the French Supreme Court (Cour de cassation), to have these two cases decided under the accelerated procedure. The ECJ accepted the argument of the French Cour de cassation that it had, itself, three months to decide on whether to refer the matter to the Constitutional Council since MM MELKI and ABDELI also argue that a provision of the French penal code, which was the legal basis used to justify their identity check, is contrary to the French Constitution in view of France's commitments resulting from the implementation of the Treaty of Lisbon, which amended the Treaty on European Union, in particular the said Article 67 (2) that ensures the absence of internal border controls for persons. The ECJ also took into account Article 267 (4) of the Treaty on the

Functioning of the European Union which stipulates that if a question in an application for a preliminary ruling is raised in a case pending before a court or tribunal of a Member State with regard to a person in custody, the Court of Justice of the European Union shall act with minimum delay. It is, of course, not possible to know whether a person is an unlawfully staying migrant or his/her nationality before an identity check is carried out. It would therefore appear that the provision guaranteeing the absence of internal border controls for "persons" applies to everyone.

Source: Migration News Sheet, June 2010, page 1.

In a ruling handed down on 29 April 2010, the European Court of Justice (ECJ) upheld a complaint lodged by the European Commission against the Netherlands for charging Turkish nationals fees around 27 times higher than those charged to EU nationals for issuing residence permits or their renewal. Such high fees have been charged to all third-country nationals but the complaint could only refer to Turkish nationals because they benefit from standstill and antidiscrimination clauses included in the EEC-Turkey Association Agreement of 1963 [Article 9 which prohibits discrimination], the Additional Protocol of November 1970 [Article 41(1), a standstill provision], and in Decision No 1/80 of the EEC-Turkey Association Council set up under the terms of the 1963 Association Agreement [Article 10(1) prohibiting discrimination and Article 13 [standstill clause].

Source: Migration News Sheet, June 2010, page 3.

European Parliament

On 17 June 2010, the European Parliament adopted a resolution on executions in Libya, which includes four important paragraphs concerning migration. The European Parliament asks Libya to ratify the Geneva Convention on Refugees and expresses deep concern at the closure of the UNHCR office in Libya. It also calls on Member States that deport migrants to Libya, in cooperation with Frontex, to stop doing so immediately where there is a serious risk that the person concerned would be subjected to the death penalty, torture or other inhuman or degrading treatment or punishment.

To read the full text in all EU languages follow this link: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP/TEXT+TA+P7-TA-2010-0246+0+DOC+XML+V0//EN>.

On 23 June the JURI committee (Committee on Legal Affairs) of the European Parliament voted to challenge the Frontex rule regarding the surveillance of sea borders (Council Decision 2010/252/EU) before the European Court of Justice. The challenge asks the Court to declare that the measure was not properly adopted, but to allow it to remain in operation until a new legislative act is adopted to replace it. Maltese MEP Simon Busuttil, the EPP Coordinator in the Civil Liberties Committee (LIBE), said the Committee notified the Commission that the Frontex guidelines are flawed and require a rethink. Both the LIBE and JURI committees believe that the European Commission exceeded its power when it presented the new Frontex rule under a procedure allowing the Parliament only to accept or reject the entire measure, rather than using the ordinary legislative procedure, under which the Parliament may offer amendments to the measure in question.

Source: Migrants at Sea, 28 June 2010, <http://migrantsatsea.wordpress.com/>.

| 4 | Health Care

The National Immigration Law Centre has updated a fact sheet on how immigrants are included in the recent health care reform bill in the United States. It provides information for naturalized citizens as well as documented and undocumented migrants, and outlines the eligibility verification requirements under the federal health care reform law.

Source: National Immigration Law Centre, <http://www.nilc.org/immspbs/health/immigrant-inclusion-in-HR3590-2010-04-19.pdf>.

Undocumented labourers in the United States face many challenges to good health and limitations to proper care. Some states and counties in the United States seek to mitigate this by providing roaming clinics that provide basic services for no or low cost. In the photo exhibit, a mobile clinic and its patients is shown in the state of Colorado: <http://www.newsweek.com/photo/2010/05/10/mobile-care-for-migrant-workers1.html>.

The Women's College Hospital-Network for Uninsured Clients released a report of a conference they held in Ontario, Canada in February 2010, regarding the state of health care for uninsured and undocumented persons. The conference was an initial step toward collecting and enabling more comprehensive research. Topics discussed were reproductive health, mental health and migrant and temporary workers.

Source: Women's College Hospital -Network on Uninsured Clients, April 2010, <http://www.womenscollegehospital.ca/programs/pdfs/Feb%202010%20Uninsured%20Conference%20final%20report.pdf>

Doctors Without Borders Greece has published a new report on the conditions of detention of migrants in Greece. The report, entitled "Migrants in detention – Lives on hold" aims to raise awareness and express concerns about the impact of the current detention system on the mental health and wellbeing of migrants and asylum seekers arriving in Greece. The report documents the unacceptable living conditions in the three detention centres where MSF intervened and presents data from psychological counselling sessions as well as individual testimonies. It shows that detention can exacerbate existing symptoms and contribute to new traumas and psychological distress. The report often cites what newly arriving migrants told MSF teams about their experiences in detention.

Source: http://www.msf-media.gr/press/reports/1006_migrants/report2010_en_light.pdf.

| 5 | Labour and Working Conditions

A demonstration was held in Dublin over the right of migrant workers to change their employer. Up to 200 workers, banging drums, blowing whistles and carrying placards reading "work permit = licence to exploit", took part in the march outside the Department of Enterprise, Trade and Innovation. A delegation representing the migrant workers delivered a letter to Minister for Enterprise Batt O'Keeffe, who they say they have made numerous requests to meet over the issue.

Source: The Irish Times, June 3, 2010, <http://www.irishtimes.com/newspaper/breaking/2010/0602/breaking52.html>.

According to legal analysis of the Human Trafficking Act by the Migrants Rights Centre of Ireland (MRCI) and the Irish Congress of Trade Unions, employers of people coerced into working in restaurants or private homes could face criminal prosecution under the new Human Trafficking Act. The Human Trafficking Act, passed into law two years ago, makes it a criminal offence to engage in the

trafficking of people for commercial gain. The Act not only criminalises trafficking people by bringing them into the country, but also criminalises forced labour when in the country.

Source: The Irish Times, June 10, 2010, <http://www.irishtimes.com/newspaper/ireland/2010/0610/1224272192078.html> and <http://www.irishtimes.com/newspaper/opinion/2010/0614/1224272437627.html> and <http://www.mrci.ie/publications/documents/MRCIPPFORCEDLABOUR.THECASEFORCRIMINALIZATION.PDF> .

In Northern Ireland, former Progressive Unionist Party leader Dawn Purvis spoke out in defence of migrant workers who have come under sporadic attack in parts of the province. She stated that migrant workers are a benefit to Northern Ireland's society and should be protected from racists. She warned communities not to be influenced by racist attempts to turn opinion against migrants, and applauded the contribution of new arrivals.

Source: Belfast Telegraph, June 27, 2010, <http://www.belfasttelegraph.co.uk/breaking-news/uk-ireland/loyalist-speaks-up-for-migrants-14857137.html>

Dairy production in the state of Wisconsin (United States) is becoming increasingly dependent on the labour of immigrants, many of whom are in the country undocumented. Between 2006 and 2008, a team of researchers from the University of Wisconsin-Madison looked into the role of immigrants on Wisconsin dairy farms. They conducted seven focus groups, surveyed 83 dairy farmers and hundreds of their employees, and conducted in-depth interviews with a dozen immigrant workers.

Source: Isthmus, June 3, 2010 <http://www.isthmus.com/isthmus/article.php?article=29421> and Program of Agricultural Technology Studies <http://www.pats.wisc.edu/projects/2>.

In a special election, residents in the state of Nebraska (United States) will decide whether to ban businesses from hiring undocumented migrants and forbid landlords from renting to them. The proposal was written with help from an author of Arizona's new anti-immigration law. It would require businesses to use a federal database, E-Verify, to check new employees' information, and landlords to rent only to those who get a new city occupancy licence (for \$5) after turning over information to the police.

Source: The New York Times, June 18, 2010 <http://www.nytimes.com/2010/06/18/us/18nebraska.html?hp>

The French government agreed on 18 June to make adjustments to harmonise regularisation criteria for migrant workers considered problematic both by unions and employers. After a marathon meeting with the unions described as "serious" and "positive" by the CGT, 1,000 undocumented workers who had been camped for three weeks close to the Opera Bastille in Paris evacuated the scene. This last meeting led the government to recognise the difficulties in applying the circular of 24 November 2009 on regularisation, which was itself a first response to the strike.

Source: L'Express, 18 June 2010, http://www.lexpress.fr/actualites/1/salaries-sans-papiers-le-gouvernement-lache-du-lest-la-bastille-evacuee_900452.html .

On 6 June 2010, some 400 undocumented migrant workers in Geneva attending a meeting of the trade union SIT signed a resolution asking the Council of State for a collective regularisation of all irregular workers without a residence permit. The State Councillor Charles Beer had announced in early April its intention to examine ways of reviving the application for regularisation of about 5,000 undocumented migrants, but up until now no action has followed.

More information (in French): <http://www.lecourrier.ch/index.php?name=NewsPaper&file=article&sid=446049> .

Human Rights Watch has published a 26-page report, "Slow Reform: Protection of Migrant Domestic Workers in Asia and the Middle East," which reviews conditions in eight countries with large numbers of

migrant domestic workers: Lebanon, Jordan, Saudi Arabia, Kuwait, the United Arab Emirates, Bahrain, Singapore and Malaysia .The report is available at: <http://www.hrw.org/node/90055> .

| 6 | Undocumented Women

18 June 2010 saw the launch of the European Network of Migrant Women (ENMW). The president of the European Economic and Social Committee (EESC) Section for Employment, Social Affairs and Citizenship, Leila Kurki, announced ENMW and commented on the importance of mainstreaming gender analysis, and of the integration and fundamental rights of migrant women, to the European Social Agenda.

For more information, see the press release:

<http://europa.eu/rapid/pressReleasesAction.do?reference=CES/10/77&format=HTML&aged=0&language=EN&guiLanguage=en>

The Mediterranean Institute of Gender Studies (MIGS), within the framework of the project 'Young Migrant Women in Secondary Education: Promoting integration and mutual understanding through dialogue and exchange', has published project information leaflets outlining the aims and objectives of the project, the project activities, and information on the project partners.

To download the leaflets in four languages (English, Spanish, Greek and Maltese) and for more information on the project visit:

<http://www.medinstgenderstudies.org/publications/project-informatio-leaflets-young-migrant-women-in-secondary-education/> .

The European Women's Lobby Centre on Violence against Women released a lobbying kit 'Towards a strong convention on all forms of male violence against women'. This lobbying kit provides targeted information and tools designed to help the European Women's Lobby, its members, supporters and NGO partners take action and work together towards a comprehensive, strong and effective convention on all forms of male violence against women, which is being prepared by the Council of Europe. The kit makes direct reference to the increased vulnerability of migrant women to violence and abuse.

Source: <http://www.ewlcentreonviolence.org/spip.php?article554>

| 7 | Undocumented Children

A report by the Bedford and Central Bedfordshire Safeguarding Children Boards released on 14 June found that social workers failed to properly investigate a case of two five-year-old boys found engaging in sexual activity at Yarls Wood detention centre and concerns an older child may have abused one of them. The independent review also criticised police, the UK Borders Agency and Serco, which runs the centre. The children and their families have all been deported and so were not involved in the review. It said the case highlighted a gap in the regulation of services to children in immigration detention, with no single agency having enough overarching responsibility. The coalition government has pledged to end the practice of keeping children in detention centres within the next few months. More than 1,000 children a year are held in such centres despite the fact that medical evidence shows that the detention of children in the asylum system is linked to serious physical and psychological harm. A former senior government advisor has suggested that the report calls into question the competence of the UKBA to conduct the current review into arrangements for children. The head of criminality and detention at the UKBA stated that the Agency is determined to replace the current system with something that ensures a process that is firm, fair and dignified for families who have no right to remain in the UK.

Source: The Guardian 14 June 2010 <http://www.guardian.co.uk/uk/2010/jun/14/yarls-wood-child-sex> .

The UK Border Agency is to set up a £4m “reintegration centre” in Afghanistan so that it can start deporting unaccompanied child asylum seekers to Kabul from Britain. The terms of the official tender for the centre show that immigration officials initially hope to forcibly return 12 boys a month aged under 18 to Afghanistan and provide “reintegration assistance” for 120 adults a month. Home Office figures show there are more than 4,200 unaccompanied child asylum seekers in Britain, with most being supported in local authority social services homes. Those from Afghanistan are the largest group. A decision to start deporting Afghan child asylum seekers who arrive in Britain alone would amount to a major shift in policy. Up until now, child protection issues and an undertaking that failed child asylum seekers would be returned only if adequate reception and care arrangements were in place for them on arrival have blocked returns.

Source: The Guardian, 7 June 2010, <http://www.guardian.co.uk/uk/2010/jun/07/child-asylum-seekers-uk-afghanistan> .

On 3 March 2010, the Swiss National Council approved two motions in favour of vocational training for young undocumented migrants. This victory is one of the results of the campaign “No child is illegal.” The association's campaign for the rights of children without legal status aims to improve the situation and daily lives of undocumented children as well as recognition of their rights to schooling and work.

For more information (in German and French): <http://www.sans-papiers.ch/site/index.php?id=180> .

France Terre d’Asile and the Paris municipal department have called upon the French government to act urgently to address the worsening situation of undocumented children. A report confirms that the protection of this vulnerable group weighs very unevenly on certain areas, particularly in Ile-de-France. As of 31 December 2009, Paris took care of 1,029 unaccompanied foreign minors or young adults, representing a cost of over €40 million. Other areas of the country are also under strong pressure. The report calls for the creation of an inter-ministerial platform under the control of the Judicial Protection of Youth, of different regional networks of coordination and of an intervention fund to share the economic burden.

More information (in French) at: <http://www.france-terre-asile.org/index.php/component/content/article/2171> .

Authorities in the Netherlands evict undocumented children and their parents from reception centres following a failed residency bid, with the result that children are left without shelter. The Council of Europe’s European Committee of Social Rights issued a decision which holds that this practice denies children the basic rights contained in the European Social Charter, but the Dutch government has proven reluctant to implement the decision. The Minister of Justice has announced his intention to send children from such families to youth care institutions and leave the parents on the street, which would violate the right to family life under the European Convention on Human Rights. The NGO Defence for Children has begun a petition to demand that the Dutch authorities immediately stop the eviction of families with children.

The petition is available here: <http://www.geenkindopstraat.nl/pages/gkos/Sign%20the%20Petition> .

The International Organization for Migration (IOM) released a background paper, “Ensuring the Right of Migrant Children to Health Care: The Response of Hospitals and Health Services.” The report explores how hospitals and health services respond to the needs and rights of children within the wider framework of child protection and healthcare provision. Within the framework of the UN Convention on the Rights of the Child, the paper discusses the contribution of the Task Force on Health Promotion for Children and Adolescents in and by Hospitals and Health Services in ensuring the respect of children’s rights in hospitals. It presents examples of good practice by European hospitals and health services,

and concludes with four case studies. The report is available at: http://www.migrant-health-europe.org/files/Meyer_Guerreiro_Day%20Session%2025%202009.pdf.

| 8 | Events

The National Coalition of Anti-Deportation Campaigns (NCADC) will hold its general assembly and annual conference on 4 September in London. The conference will include workshops and discussion groups aimed at helping those involved in campaigning work. To say what you would like to see at this year's NCADC General Assembly follow the link: <http://www.zoomerang.com/Survey/WEB22ARBED9Q5R>.

More information at <http://www.ncadc.org.uk/index.html>

| 9 | Publications

In June 2010, JRS Europe published a new report entitled "Becoming Vulnerable in Detention". This report comes after 18 months of research with NGOs in 23 EU Member States, and was part of a project that was co-financed by the European Commission under the "European Refugee Fund". "Becoming Vulnerable in Detention" is based on interviews with 685 detained asylum seekers and irregular migrants in 21 EU Member States. It reveals that detention itself is a primary determinant factor that influences detainees' level of vulnerability. Detention is shown to be a measure that brings more harm, rather than benefit, to the persons who are subject to it. Despite the variance in detention conditions found throughout the EU Member States, the 400-page report shows that the effects detention has on people is startlingly similar: depression, anxiety, weight loss, insomnia, isolation from loved ones and disruption of life plans. To download the report follow this link: http://www.detention-in-europe.org/index.php?option=com_content&task=view&id=220&Itemid=242.

| 10 | PICUM News

PICUM is looking for a volunteer to begin immediately updating the database. This will involve inputting the contact details of members and relevant organisations into the database as well as making sure that the information already contained in the database is up to date.

The work is unpaid and involves two days a week at PICUM's office in Brussels. If interested please send CV and contact details to info@picum.org

Articles

Social Watch published its first European report, *“Migrants in Europe as Development Actors: Between Hope and Vulnerability”*, which focuses on the links between migration and development and the role that migrants play - both as contributors to European society and to the development of their countries of origin. PICUM Program Officer Eve Geddie contributed to this report with **“Undocumented Migrants’ Right to Health and Education in Europe: Protection Needs vs Immigration Control”**. The report can be downloaded at: http://www.eurostep.org/wcm/dmdocuments/Book_ESW_2009.pdf .

PICUM director Michele LeVoy contributed an article entitled **“Sociale grondrechten van mensen zonder wettig verblijf in de Europese Unie. – De rol van het maatschappelijk middenveld” (Basic social rights for undocumented migrants in the European Union – the role of civil society organisations)** for the November 2009 edition of Flemish magazine *Ter Zake Cahier* in a special edition entitled *Grondrechten, ook voor ‘Mensen zonder wettig verblijf’*. Available at: http://www.samenlevingsopbouw.be/site/index.php?option=com_content&task=view&id=276&Itemid=55.

PICUM Project Officer Eve Geddie contributed an article entitled **“Access to Education for Undocumented Migrants in Europe: Protection Needs Vs. Immigration Control”** to the European Youth Forum’s Publication *Youth Opinion: Youth Working on Migration* to highlight the conflict between the protection needs of undocumented children and existing immigration control mechanisms. Disseminated by the European Youth Forum in printed format and available at: http://www.youthforum.org/en/system/files/yfj_public/youth_opinion/en/YO_2009-02.pdf.

An article by PICUM Programme Officer Eve Geddie entitled **“Undocumented Migrant Women: Gender-based violence in Europe’s fight against irregular migration”** was included in the annual publication of the IPPF - International Planned Parenthood *“Choices”*. Available at: http://www.ippfen.org/NR/rdonlyres/A20A61D0-BE5A-41E0-A8FD-090A45303814/0/ippfchoices2009_web.pdf.

PICUM board member Franck Düvell was interviewed by journalist Marie-Cécile Royen of the leading Belgian news magazine *Le Vif/l’Express*. The article, published on 13 November 2009 and entitled **“L’appel d’air: un concept creux?” (“The magnet effect: a futile idea?”)** discusses the numbers of undocumented migrants in Europe and EU and Belgian migration policies.

PICUM director Michele LeVoy and former program officer Luca Bicocchi contributed an article entitled **“El tratamiento de la inmigración irregular en el Foro Global de Migración y Desarrollo” (“Discourse on Undocumented Migrants in the Global Forum on Migration and Development”)** to a book entitled *Políticas Migratorias y Derechos Humanos* (Migration Policies and Human Rights), edited by Pablo Cernadas and Ricardo Fava, Remedios de Escalada: Ediciones de la UNLa, 2009. The articles in the publication analyse the links between migration policies, international human rights standards and current challenges of migration – particularly concerning undocumented migrants – on the national, regional and global levels. PICUM’s article examines how some of the fundamental rights of undocumented migrants, including the right to fair working conditions and health care, have been addressed in the Global Forum on Migration and Development (GFMD). The situation of undocumented children in countries of destination and the policy option of regularization within the discourse in the GFMD are also examined. Book available for purchase at the University of Lanus, Argentina. More info at: http://www.unla.edu.ar/public/ediciones_unla/DDHH/publicacion2/index.php

The Centre on Migration, Policy and Society (COMPAS) at Oxford University is running “Life in Motion,” a photo competition for images that depict the journeys that migrants take, not only between countries, but also the everyday experiences and constant adaptations that they make in new environments, jobs and homes. Closing date: 30 September 2010.

More information at: <http://www.compas.ox.ac.uk/news/latest/article/date/2010/06/life-in-motion/>.

From 1 June - 13 August 2010, the photo exhibition “Entering Europe”, a rendition of clandestine migration from Morocco, will be held in Antwerp, Belgium. The pictures tell the story of Mohamed, a young Moroccan trying to reach the shores of the Canary Islands hoping for a better life and future in Europe. Photographer Joël van Houdt followed Mohamad during and after the 34 hour long dangerous sea voyage. Upon their arrival at the Spanish shores all boat passengers are arrested. Mohamed is currently living in Europe as an irregular migrant.

More information on: <http://www.dewereldmorgen.be/foto/2010/06/18/exclusief-mohameds-boottocht-naar-een-betere-toekomst>

The magazine Foreign Policy has published a photo exhibition entitled “The Magnificent Migrants – Extraordinary photos of ordinary Mexicans”. The photographs tell the stories of Mexican migrants struggling to live in the United States. View the pictures at: http://www.foreignpolicy.com/articles/2010/05/28/the_magnificent_migrants.

Please note that there will be no edition of the PICUM newsletter in August 2010. The next edition of this newsletter will be in September 2010.

You can subscribe or unsubscribe to the PICUM Newsletter at:
<http://www.picum.org/article/subscribe-picum-newsletter>.

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

DONATE TO PICUM!

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

You are invited to donate to PICUM by transferring your singular or regular contribution to account number 001-3666785-67, Fortisbank, Schepdaal (BE), IBAN: BE93 001366678567, BIC: GEBABEBB. Please mention your name and address, and reference “donation”.

THANK YOU!

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