

## PICUM Case Law Tool

### Areas:

1. Borders and Detention
2. Children
3. Human Trafficking
4. Healthcare

5. Gender-based Violence
6. Social Rights
7. Integration and Residence Permits
8. Criminalisation
9. Labour Rights

Area 1	Area 2	Case	Issuing Body	Date	Country	Overview	Keywords	Full judgment/decision available at	What happened next
Labour Rights		<b>Decision no. 995/2000</b>	Spanish Supreme Court	30/jun/00	Spain	The Supreme Court found the accused guilty, among other offences, of labour exploitation and sentenced them to two months' imprisonment and a fine.	Labour exploitation	<a href="http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=match=TS&amp;reference=3172691&amp;links=%22995/2000%22&amp;optimize=20030830&amp;publicinterface=true">http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=match=TS&amp;reference=3172691&amp;links=%22995/2000%22&amp;optimize=20030830&amp;publicinterface=true</a>	
Human Trafficking	Labour Rights	<b>Decision no. 1045/2003</b>	Spanish Supreme Court	18/jul/03	Spain	The Spanish Supreme Court upheld the conviction of the accused for labour exploitation and the crime of compulsory deprivation of personal freedom, to which corresponded a penalty of two years and six months' imprisonment.	Labour exploitation	<a href="http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=match=TS&amp;reference=3172691&amp;links=%22995/2000%22&amp;optimize=20030830&amp;publicinterface=true">http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=match=TS&amp;reference=3172691&amp;links=%22995/2000%22&amp;optimize=20030830&amp;publicinterface=true</a>	
Human Trafficking	Labour Rights	<b>Decision no. 438/2004</b>	Spanish Supreme Court	29/mrt/04	Spain	The Supreme Court upheld the conviction of the accused for inducement to prostitution and labour exploitation.	Labour exploitation; Sexual exploitation; Sex work	<a href="http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=match=TS&amp;reference=2381969&amp;links=%22438/2004%22&amp;optimize=20040515&amp;publicinterface=true">http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=match=TS&amp;reference=2381969&amp;links=%22438/2004%22&amp;optimize=20040515&amp;publicinterface=true</a>	
Human Trafficking		<b>Decision no. 321/2005</b>	Spanish Supreme Court	10/mrt/05	Spain	The two defendants were convicted in the Court of first instance for irregular immigration and traffic of human beings for the purpose of labour exploitation. The appeal was dismissed by the Supreme Court	Labour Exploitation	<a href="http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=match=TS&amp;reference=3396410&amp;links=%22321/2005%22&amp;optimize=20050512&amp;publicinterface=true">http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=match=TS&amp;reference=3396410&amp;links=%22321/2005%22&amp;optimize=20050512&amp;publicinterface=true</a>	

Human Trafficking	Labour Rights	Decision no. 372/2005	Spanish Supreme Court	17/mrt/05	Spain	The Supreme Court upheld the conviction of the accused for inducement to prostitution and labour exploitation.	Labour exploitation; Sexual exploitation; Sex work	<a href="http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=TS&amp;reference=1325068&amp;links=%22372/2005%22&amp;optimize=20050505&amp;publicinterface=true">http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=TS&amp;reference=1325068&amp;links=%22372/2005%22&amp;optimize=20050505&amp;publicinterface=true</a>	
Borders and Detention		Decision no. 540/2006	Spanish Supreme Court	17/mei/06	Spain	The Court of first instance convicted the defendant for the facilitation of irregular immigration and illegal detention. The defendant lodged an appeal; the Court concluded that the behaviour of the appellant should be punished with a fine.		<a href="http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=TS&amp;reference=797693&amp;links=%22540/2006%22&amp;optimize=20060608&amp;publicinterface=true">http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=TS&amp;reference=797693&amp;links=%22540/2006%22&amp;optimize=20060608&amp;publicinterface=true</a>	
Human Trafficking	Labour Rights	Decision no. 651/2006	Spanish Supreme Court	5/jun/06	Spain	The Supreme Court upheld the conviction of the accused for crimes against the rights of foreign citizens, labour exploitation and inducement to prostitution.	Labour exploitation; Sexual exploitation; Sex work	<a href="http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=TS&amp;reference=770969&amp;links=%22651/2006%22&amp;optimize=20060713&amp;publicinterface=true">http://www.poderjudicial.es/search/doAction?action=contentpdf&amp;database=TS&amp;reference=770969&amp;links=%22651/2006%22&amp;optimize=20060713&amp;publicinterface=true</a>	
Labour Rights		24-001260-08	Dutch Supreme Court	27/okt/09	Netherlands	The Court expressed itself for the first time about other forms of exploitation. It quashed the contested judgment and remitted the case to the Court of Appeal for re-adjudication; the question of exploitation cannot be answered in general, but is dependent on the particular circumstances of the case and Dutch social standards.	Labour exploitation	<a href="https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/engels_lin_hoge_raad_27oct_2009_1.pdf">https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/engels_lin_hoge_raad_27oct_2009_1.pdf</a>	
Labour Rights		LJN: BI7099, 08/03895	Supreme Court	27/okt/09	The Netherlands	The Court expressed itself for the first time about other forms of exploitation. It quashed the contested judgment and remitted the case to the Court of Appeal for re-adjudication; the question of exploitation cannot be answered in general, but is dependent on the particular circumstances of the case and Dutch social standards.	Labour exploitation	<a href="https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/engels_lin_hoge_raad_27oct_2009_1.pdf">https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/engels_lin_hoge_raad_27oct_2009_1.pdf</a>	

Borders and Detention		<b>M.S.S. V. Belgium and Greece (Application no. 30696/09)</b>	European Court of Human Rights (ECtHR)	21/jan/11	Greece	The Court ruled against Greece in the case of a man who was wrongly arrested for irregular entry and mistreated during detention. The Court also condemned Belgium for violation of Article 3 (prohibition for degrading or inhuman treatment) by transferring the applicant to Greece, where the ECHR standards were, at that time, not respected. The ECHR ordered Greece to pay compensation for material and moral damage to the applicant.	Torture and inhuman or degrading treatment or punishment	<a href="http://hudoc.echr.coe.int/en?i=001-103050">http://hudoc.echr.coe.int/en?i=001-103050</a>	
Children		<b>ZH (Tanzania) v SSHD [2011] UKSC 4</b>	UK Supreme Court	1/feb/11	United Kingdom	The Court unanimously held that the best interests of the child had to be considered and given paramount weight as part of the assessment of proportionality under Article 8 ECHR	Best interest of the child; Family life	<a href="https://www.supremecourt.uk/cases/docs/uksc-2010-0002-judgment.pdf">https://www.supremecourt.uk/cases/docs/uksc-2010-0002-judgment.pdf</a>	
Children		<b>Gerardo Ruiz Zambrano V Office national de l'emploi (ONEm) Case C-34/09</b>	European Court of Justice (ECJ) (now CJEU)	8/mrt/11	Belgium	Non-EU Parent right to work and live in the EU because he is supporting a child who has EU citizenship. The ECJ found that a Member state could not deport the parents of a child with EU citizenship, or refuse them a work permit, as that would deprive the child of certain rights.	Family reunification; Privacy; Family life	<a href="http://curia.europa.eu/juris/liste.jsf?language=en&amp;num=C-34/09">http://curia.europa.eu/juris/liste.jsf?language=en&amp;num=C-34/09</a>	
Borders and Detention		<b>Auto Juzgado de Instrucción núm. 6 de Madrid de 18 de marzo de 2011</b>	Juzgado de Instrucción núm. 6 de Madrid	18/mrt/11	Spain	The Court issued a ruling in which it reminds the Government that the expulsion of migrants "is not a fundamental right of the State but a measure adopted legislatively and that may well vary in its regulation".	Deportation; Privacy	<a href="http://www.migrarconderechos.es/file/138129">http://www.migrarconderechos.es/file/138129</a>	
Labour Rights	Healthcare	<b>Kav-Laoved v The Ministry of Interior H.C.J 11437/05</b>	High Court of Israel	13/apr/11	Israel	The Israeli High Court ruled that the country's "pregnant worker regulation" policy is unconstitutional, and must be abolished.	Pregnant women	<a href="http://www.scribd.com/doc/52926245/Bagatz-11437-05">http://www.scribd.com/doc/52926245/Bagatz-11437-05</a>	

Children	Borders and Detention	<b>R (NXT and Others) v Secretary of State for the Home Department (Children's Commissioner intervening) [2011] EWHC 969 (Admin)</b>	UK High Court Of Justice Queen's Bench Division Administrative Court	15/apr/11	United Kingdom	Court held that the mother's detention became unlawful when it became apparent the Secretary of State couldn't deport her within a reasonable timeframe because a parenting and welfare assessment had to be carried out, which could not happen whilst she remained detained.	Unlawful detention; Deportation	<a href="http://www.bailii.org/ew/cases/EWHC/Admin/2011/969.html">http://www.bailii.org/ew/cases/EWHC/Admin/2011/969.html</a>	
Borders and Detention	Criminalisation	<b>Hassen El Dridi, alias Karim Soufi Case C-61/11 PPU</b>	European Court of Justice (ECJ) (now CJEU)	28/apr/11	Italy	The Court ruled against the provisions of the Italian 'Security Package' from 2009 foreseeing imprisonment for migrants who do not comply with the order to leave the country.	Returns Directive	<a href="http://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d0f130d549ffc59d5404bf79d9fc6f617b11363.e34KaxilC3eQc40LaxqMbN4Oc3aKe0?text=&amp;docid=82038&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=402595">http://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d0f130d549ffc59d5404bf79d9fc6f617b11363.e34KaxilC3eQc40LaxqMbN4Oc3aKe0?text=&amp;docid=82038&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=402595</a>	
Labour Rights		<b>Chamber of Commerce of the United States of America et al. V. Whiting et al.</b>	Supreme Court Of The United States	26/mei/11	United States of America	The ruling said federal immigration law does not pre-empt the 2007 Legal Arizona Workers Act. The state law bars the knowing or intentional hiring of an undocumented immigrant. Arizona employers that repeatedly violate the statute may lose their license to conduct business in the state.		<a href="https://www.law.cornell.edu/supct/html/09-115.ZS.html">https://www.law.cornell.edu/supct/html/09-115.ZS.html</a>	
Children		<b>The Queen on the application of Zaira Maibel Salvador Tinizaray and Secretary of State for the Home Department [2011] EWHC 1850 (Admin)</b>	UK High Court of Justice	25/okt/11	United Kingdom	The Court outlines the factors to consider whether it is proportionate, considering the impacts on the child, to refuse an application of child's carer to remain. The factors to education, social network and future prospects, compared to those in parent's country of origin.	Best interest of the child; Education	<a href="http://www.bailii.org/ew/cases/EWHC/Admin/2011/1850.html">http://www.bailii.org/ew/cases/EWHC/Admin/2011/1850.html</a>	
Children		<b>Murat Dereci and others V Bundesministerium für Inneres Case C 256/11</b>	European Court of Justice (ECJ) (now CJEU)	15/nov/11	Austria	The Court clarified that the Zambrano ruling does not imply the right of family reunion for third-country nationals if the sponsoring EU family member has not exercised their right of free movement within the EU, unless it would deprive that family member of their rights as an EU citizen.	Family reunification; Family life	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=114222&amp;pageIndex=0&amp;doclang=EN&amp;mode=doc&amp;dir=&amp;occ=first&amp;part=1&amp;cid=106180">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=114222&amp;pageIndex=0&amp;doclang=EN&amp;mode=doc&amp;dir=&amp;occ=first&amp;part=1&amp;cid=106180</a>	

Labour Rights		<b>Hussein v The Labour Court &amp; Anor [2012] IEHC 364</b>	High Court of Ireland	8/jan/12	Ireland	The Court judged that Section 2 of the Employment Permits Act 2003 prevents an undocumented worker from seeking redress under labour law because the employment contract cannot be recognised "in the absence of the appropriate employment permit".	Effective remedy; Labour exploitation	<a href="http://www.courts.ie/Judgments.nsf/09859e7a3f34669680256ef3004a27de/3f2a0cfd0d10ccd80257a6b004e2e1b?OpenDocument">http://www.courts.ie/Judgments.nsf/09859e7a3f34669680256ef3004a27de/3f2a0cfd0d10ccd80257a6b004e2e1b?OpenDocument</a>	
Children	Borders and Detention	<b>Requêtes n° 1200106, 1200107, 1200108</b>	Tribunal Administratif de Mayotte	20/feb/12	France	The tribunal found the conditions of detention to be undermining human dignity, for the children and the parents, thus the detention amounted to inhuman and degrading treatment, as prohibited by Art. 3 ECHR.	Torture and inhuman or degrading treatment or punishment; Detention conditions	<a href="http://www.gisti.org/IMG/pdf/jur_ta-mayotte_2012-2-20.pdf">http://www.gisti.org/IMG/pdf/jur_ta-mayotte_2012-2-20.pdf</a>	
Borders and Detention		<b>Hirsi Jamaa and Others v. Italy Application no. 27765/09</b>	European Court of Human Rights (ECtHR)	23/feb/12	Italy	The judgment found that there had been a violation of Article 3 as the forcibly sent back migrants were exposed to the risk of ill-treatment in Libya and of repatriation to Somalia or Eritrea; a violation of Article 4 of Protocol No. 4; and a violation of Article 13.	Torture and inhuman or degrading treatment or punishment; Non-refoulement	<a href="http://hudoc.echr.coe.int/en/g?i=001-109231">http://hudoc.echr.coe.int/en/g?i=001-109231</a>	
Children	Borders and Detention	<b>Kanagaratnam Et Autres C. Belgique (Requête no 15297/09)</b>	European Court of Human Rights (ECtHR)	13/mrt/12	Belgium	The Court ruled that the Belgian authorities violated Art 3 ECHR, for exposing children to feelings of anxiety and inferiority amounting to inhuman and degrading treatment, and 5§1 ECHR right to liberty and security as they were held in an immigration detention facility for four months.	Torture and inhuman or degrading treatment or punishment; detention conditions	<a href="http://hudoc.echr.coe.int/en/g?i=001-107895">http://hudoc.echr.coe.int/en/g?i=001-107895</a>	
Borders and Detention		<b>Affaire Zontul c. Grèce (requête n. 12294/07)</b>	European Court of Human Rights (ECtHR)	17/apr/12	Greece	The court decided unanimously a violation of Art 3 ECHR, an act of torture and although the perpetrator had been convicted, the penalty imposed was insufficient and disproportionate to the act committed. According to Article 41 the Court ordered Greece to pay non-pecuniary damage.	Torture and inhuman or degrading treatment or punishment	<a href="http://hudoc.echr.coe.int/en/g?i=001-108586">http://hudoc.echr.coe.int/en/g?i=001-108586</a>	

Children	Borders and Detention	<b>Popov v. France (Applications nos. 39472/07 and 39474/07)</b>	European Court of Human Rights (ECTHR)	19/apr/12	France	The case concerned the administrative detention of a family for two weeks at the Rouen-Oissel centre in France pending their removal to Kazakhstan. The Court held that there had been a violation of Article 3 in relation to the detention of the children but not the parents.	Deportation; Torture and inhuman or degrading treatment or punishment; Family life	<a href="http://hudoc.echr.coe.int/en?i=001-108710">http://hudoc.echr.coe.int/en?i=001-108710</a>	
Integration and Residence Permits		<b>Claimant v The State of the Netherlands Case Number 403618 / HA ZA 11-2443</b>	Court of The Hague	2/mei/12	Netherlands	The Court judged that since doing an internship is a compulsory requirement for obtaining a diploma, the Aliens Employment Act preventing undocumented students from carrying out an internship was against the right to education as upheld by Article 2 of the 1st Protocol ECHR.	Education	<a href="http://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBSGR:2012:BW4736">http://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBSGR:2012:BW4736</a>	
Children		<b>F-K (FC) (Appellant) V Polish Judicial Authority [2012] UKSC 25</b>	UK Supreme Court	20/jun/12	United Kingdom	The ruling makes it clear that children's best interests are of primary consideration when making a decision which is likely to have a fundamental impact on a child's family life. This ruling does not prevent deportation if the offences committed by the parent justifies it in the public interest.	Best interest of the child; Family life; Deportation; Criminal record	<a href="https://www.supremecourt.uk/decided-cases/docs/UKSC_2011_0129_Judgment.pdf">https://www.supremecourt.uk/decided-cases/docs/UKSC_2011_0129_Judgment.pdf</a>	
Borders and Detention		<b>European Parliament v Council of the European Union C-355/10</b>	European Court of Justice (ECJ) (now CJEU)	5/sep/12	European Union	The Court issued a decision which annuls Council Decision 2010/252/EU of 26 April 2010 A provision which supplemented the Schengen Borders Code in reference to the surveillance of the EU external sea borders. The challenged rule lays down the measures which border guards may take against ships or in order for ships to be stopped, boarded, searched and seized.	Schengen; Borders management; FRONTEX	<a href="http://curia.europa.eu/juris/liste.isf?language=en&amp;num=C-355/10">http://curia.europa.eu/juris/liste.isf?language=en&amp;num=C-355/10</a>	
Healthcare		<b>No de registro: 4540-2012</b>	Constitutional Court of Spain	13/dec/12	Spain	The Court ruled that the constitutional right to access health care prevails over the financial benefit linked to savings made by excluding certain groups of people from accessing health care. It added that government can't dismiss health protection as it is linked to human rights to life and physical integrity.	Right to life	<a href="https://docs.google.com/file/d/0BzEEXM-xHBCIX1zvM0FDRFN3MDg/edit?pli=1">https://docs.google.com/file/d/0BzEEXM-xHBCIX1zvM0FDRFN3MDg/edit?pli=1</a>	

Borders and Detention		<b>Affaire Bygylashvili c. Grèce (Requête no 58164/10)</b>	European Court of Human Rights (ECtHR)	25/dec/12	Greece	The Court condemned Greece for mistreatment of migrant. It decided that the detention conditions after arrest for irregular entry were inhumane. The ECtHR ordered the Greek authorities to compensate the applicant for the non-pecuniary damage suffered.	Torture and inhuman or degrading treatment or punishment; Detention conditions	<a href="http://hudoc.echr.coe.int/en?i=001-113413">http://hudoc.echr.coe.int/en?i=001-113413</a>	
Children		<b>R (on the application of KA) v Essex County Council [2013] EWHC 43 (Fam)</b>	UK High Court of Justice	18/jan/13	United Kingdom	The Court found that the local authority should not have withdrawn support from the family when they were refused leave to remain, before they had the opportunity to pursue their right to appeal the decision and protect their right to private and family life.	Family life	<a href="http://www.familylawweek.co.uk/site.aspx?i=ed111254">http://www.familylawweek.co.uk/site.aspx?i=ed111254</a>	
Borders and Detention		<b>Butt v. Norway Application no. 47017/09</b>	European Court of Human Rights (ECtHR)	4/mrt/13	Norway	The Court ruled that the deportation of the applicants would constitute a violation of article 8 of ECHR. The court also granted the applicants just satisfaction.	Family life; Deportation	<a href="http://hudoc.echr.coe.int/eng?i=001-115012">http://hudoc.echr.coe.int/eng?i=001-115012</a>	
Children	Borders and Detention	<b>Sentencia 260/2013 del Tribunal Superior de Justicia de Madrid (Sala de lo Contencioso Administrativo. Sección 10ª), Número de recurso: 1211/2013</b>	Tribunal Superior de Justicia de Madrid	15/mrt/13	Spain	The Court overturned the expulsion order of a migrant father, finding that the right of a child “to be and to grow up with, and to be raised and educated by his or her parents” is predominant.	Family life; Deportation; Best interest of the child	<a href="http://www.migrarconderechos.es/file/275344">http://www.migrarconderechos.es/file/275344</a>	
Borders and Detention	Criminalisation	<b>Case C-522/11 Abdoul Khadre Mbaye</b>	Court of Justice of the European Union (CJEU)	21/mrt/13	Italy	The Court specifies that safeguards set out in the Return Directive always apply to the removal procedure of irregularly staying Third-Country Nationals. However, in line with the CJEU judgement in Case C-430 Md Sagor, the Return Directive does not prevent member states from penalising irregular stay by means of a fine, which can be replaced by an expulsion order if there is a risk of absconding, or if an application for a residence permit has been dismissed as manifestly unfounded or fraudulent, or for public or national security reasons.	Returns Directive; Deportation; Procedural safeguards	<a href="http://curia.europa.eu/juris/iste.jsf?num=C-522/11&amp;language=FR#">http://curia.europa.eu/juris/iste.jsf?num=C-522/11&amp;language=FR#</a>	

Integration and Residence Permits		<b>Deliallisi (British citizen: deprivation appeal: Scope) [2013] UKUT 439(IAC)</b>	UK Upper Tribunal (Immigration and Asylum Chamber)	9/jul/13	United Kingdom	Citizenship deprivation appeals may include consideration of likelihood of removal. In this case, the Tribunal ruled that it was appropriate to deprive the appellant of his British citizenship as removal was very unlikely and that deprivation would not interfere with ECHR private and family life rights or with EU rights.	Family life	<a href="http://www.bailii.org/uk/cases/UKUT/IAC/2013/%5b2013%5d%20UKUT%20439%20iac.html">http://www.bailii.org/uk/cases/UKUT/IAC/2013/%5b2013%5d%20UKUT%20439%20iac.html</a>	
Borders and Detention		<b>HCIJ 7146/12 Adam v. the Knesset</b>	Supreme Court of Israel	16/sep/13	Israel	The Court ruled the Anti-infiltration Law unconstitutional, which permitted migrants to be detained for as long as three years without charge, harmed the constitutional right to freedom set forth in Basic Law, Human Dignity and Liberty.	Unlawful detention	<a href="http://elyon1.court.gov.il/files_eng/12/460/071/b24/12071460.b24.pdf">http://elyon1.court.gov.il/files_eng/12/460/071/b24/12071460.b24.pdf</a>	
Human Trafficking	Labour Rights	<b>Decision no. 1700, R 12/1529</b>	Court of Appeal of Turku (Turun hovioikeus)	30/sep/13	Finland	The Court of Appeal convicted the defendants of traffic of human beings to six victims as well as extortionate work discrimination and several aggravated economic offences. Nevertheless, the Court of Appeal considered it justified to reduce the sentence passed by the District Court to five years imprisonment since they did not physically prevent the victims from moving.	Discrimination on prohibited grounds; Labour exploitation	<a href="http://www.finlex.fi/fi/oikeus/ho/2013/tho20131700#TURUN%20HOVIOIKEUS%20TUOMIO">http://www.finlex.fi/fi/oikeus/ho/2013/tho20131700#TURUN%20HOVIOIKEUS%20TUOMIO</a>	
Gender-based Violence		<b>Joined Cases C-199/12 to C-201/12 XYZ vs Minister voor Immigratie en Asiel</b>	Court of Justice of the European Union (CJEU)	7/nov/13	Netherlands	The Court rules that lesbian and gay people can seek asylum in the EU if they risk persecution in their home countries. 'Voluntary discretion' is not an acceptable rationale for rejecting asylum claims, thus there is an obligation for national authorities to assess asylum claims based on sexual orientation.	Discrimination on prohibited grounds; LGBTI	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=144215&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=7175">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=144215&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=7175</a>	
Human Trafficking		<b>A vs National Police; Sag 224/2013</b>	Supreme Court of Denmark	20/jan/14	Denmark	The Court ruled that in cases of trafficking, victims should also be recognised as such even though they were initially trafficked in another country.	Victims' Rights Directive	<a href="http://www.hoejesteret.dk/hoejesteret/nyheder/Afgoreser/Documents/224-13.pdf">http://www.hoejesteret.dk/hoejesteret/nyheder/Afgoreser/Documents/224-13.pdf</a>	

Children		Juge des référés N° 375956	Conseil d'État (France)	12/mrt/14	France	The Council ruled that where a child does not have the capacity to take legal action, he or she can still have standing before a judge when emergency measures are necessary to protect a fundamental freedom.	Unaccompanied children; Effective remedy	<a href="http://www.legifrance.gouv.fr/affichJuriAdmin.do?oldAction=rechJuriAdmin&amp;idTexte=CETATEXT000028721828">http://www.legifrance.gouv.fr/affichJuriAdmin.do?oldAction=rechJuriAdmin&amp;idTexte=CETATEXT000028721828</a>	
Human Trafficking		7 Tdo 1261/2013	Czech Supreme Court	12/mrt/14	Czech Republic	The Court ruled that the 'forced labour' element must be interpreted in accordance with the definition of forced labour within the meaning of Article 2 of the Forced Labour Convention as well as Directive 2011/36/EU.	Forced labour	<a href="http://www.nsoud.cz/Judikatura/judikatura_ns.nsf/WebSearch/01E8E3C83D7D81F0C1257CC40033B0D1?openDocument&amp;Highlight=0">http://www.nsoud.cz/Judikatura/judikatura_ns.nsf/WebSearch/01E8E3C83D7D81F0C1257CC40033B0D1?openDocument&amp;Highlight=0</a>	
Children		State Secretary of Security and Justice 201310204/1/V2	Court of Appeal (Netherlands)	11/apr/14	Netherlands	The Court found that the different treatment of children with and children without an asylum history in the Children's Pardon is justified. The criterion that the child must have claimed asylum is justified with reference to the long period of uncertainty and the responsibility of the authorities.		<a href="http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RVS:2014:1381">http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RVS:2014:1381</a>	
Human Trafficking		Lin v Governor of Cloverhill Prison and Others [2014] IEHC 214	High Court of Ireland	23/apr/14	Ireland	The Court held that the applicant had been held in conditions of servitude within the meaning of the definition of 'labour exploitation' in section 1 of the Act of 2008.	Labour exploitation	<a href="http://www.courts.ie/Judgments.nsf/0/19776DB694C3F5DE80257CC90052516B">http://www.courts.ie/Judgments.nsf/0/19776DB694C3F5DE80257CC90052516B</a>	
Borders and Detention		υπ' αριθμ 2255/23.5.2014	Athens Administrative Court of First Instance	23/mei/14	Greece	The Athens Administrative Court of First Instance ruled against the indefinite detention of migrants. The claim was the first to be brought against Opinion 44/2014 of the Greek State Legal Council, which allowed the extension of detention for measures of compulsory stay in detention centres pending forced or voluntary return.	Unlawful detention; Deportation	<a href="http://www.dprotodikeio-ath.gr/apofaseis.aspx?a=1702">http://www.dprotodikeio-ath.gr/apofaseis.aspx?a=1702</a>	<a href="http://www.protodikeio-ath.gr/opencms_prot/opencms/ProtSite/">http://www.protodikeio-ath.gr/opencms_prot/opencms/ProtSite/</a>

Healthcare	Social Rights	<b>Conference of European Churches (CEC) v. the Netherlands (Complaint No. 90/2013)</b>	European Committee on Social Rights (ECSR)	1/jul/14	Netherlands	The decision concludes that the current Dutch social welfare system does not conform to Art. 13.4 regarding the right social and medical assistance and to Art 31.2 referring to the right to housing of the ESC.	Housing	<a href="http://hudoc.esc.coe.int/eng?i=cc-90-2013-dmerits-en">http://hudoc.esc.coe.int/eng?i=cc-90-2013-dmerits-en</a>	
Borders and Detention		<b>Detention Action Vs Secretary of State for The Home Department[2014] EWHC 2245 (Admin)</b>	UK High Court of Justice	9/jul/14	United Kingdom	The Court ruled that the 'detained fast track' (DFT) was indeed unfair and thus unlawful, this on account of its lack of sufficient time for proper legal advice. The Court consequently emphasised that the high risk of unfairness could be removed from the DFT by the early instruction of lawyers.	Legal aid / access to legal counsel; Effective remedy; Procedural safeguards	<a href="http://detentionaction.org.uk/wordpress/wp-content/uploads/2014/07/Detention-Action-DFT-Full-Judgement.pdf">http://detentionaction.org.uk/wordpress/wp-content/uploads/2014/07/Detention-Action-DFT-Full-Judgement.pdf</a>	
Children		<b>Sentencia N: 453/2014</b>	Spanish Supreme Court	14/jul/14	Spain	The judgement prohibits the undertaking of medical tests in order to determine the age of undocumented migrant children who are in possession of an officially-issued passport indicating their birthdate.		<a href="http://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/No%20452%2020014.pdf">http://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/No%20452%2020014.pdf</a>	
Integration and Residence Permits		<b>Queen on the Application of the Public Law Project Vs the Secretary of State for Justice[2014] EWHC 2365 (Admin)</b>	UK High Court of Justice	15/jul/14	United Kingdom	The Court unanimously found that the government's plan to apply a residence test for legal aid was discriminatory, unlawful and unjustified by public savings.	Legal aid / access to legal counsel	<a href="https://www.judiciary.gov.uk/wp-content/uploads/2014/07/plp-v-ssj-and-other.pdf">https://www.judiciary.gov.uk/wp-content/uploads/2014/07/plp-v-ssj-and-other.pdf</a>	
Borders and Detention		<b>Case C-474/13 Thi Ly Pham V Stadt Schweinfurt, Amt für Meldewesen und Statistik</b>	Court of Justice of the European Union (CJEU)	17/jul/14	Germany	The Court ruled against the practice of detaining third-country nationals awaiting their removal in regular prisons. The use of prisons was not justified even in regions where no special migration detention facility is available or where the individual has consented to be detained in a prison.	Returns Directive; Deportation; Detention conditions	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=155107&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cjid=323843">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=155107&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cjid=323843</a>	

Borders and Detention		<b>Joined Cases: Adala Bero V Regierungspräsidium Kassel (C-473/13) and Ettayebi Bouzalmate V Kreisverwaltung Kleve (C-514/13)</b>	Court of Justice of the European Union (CJEU)	17/jul/14	Germany	The Court ruled that Article 16(1) of the Return directive must be interpreted as requiring a Member State, as a rule, to detain third-country nationals for the purpose of removal in a specialised detention facility.	Returns Directive; Deportation; Detention conditions	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=155112&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=834061">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=155112&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=834061</a>	
Children	Borders and Detention	<b>Uitspraak 201404342/1/V3</b>	Raad van State (Netherlands)	23/jul/14	Netherlands	The Dutch Council of State ruled that the child's best interests should be considered in the case of a man who challenged the extension of his detention for immigration purposes.	Best interest of the child; Family life	<a href="https://www.raadvanstate.nl/uitspraken/zoeken-in-uitspraken/tekst-uitspraak.html?id=80222">https://www.raadvanstate.nl/uitspraken/zoeken-in-uitspraken/tekst-uitspraak.html?id=80222</a>	
Children	Social Rights	<b>PO v London Borough of Newham [2014] EWHC 2561 Admin</b>	UK High Court of Justice	28/jul/14	United Kingdom	The Court held that a London Borough's policy on supporting families with no recourse to public funds is unlawful. It held that the rates derived from child benefits were flawed and should not have been applied to the children.		<a href="http://www.gardencourtchambers.co.uk/wp-content/uploads/2014/07/PO-v-London-Borough-of-Newham-2014-EWHC-2561-Admin.pdf">http://www.gardencourtchambers.co.uk/wp-content/uploads/2014/07/PO-v-London-Borough-of-Newham-2014-EWHC-2561-Admin.pdf</a>	
Labour rights		<b>Hounga v Allen and another[2014] UKSC 47</b>	UK Supreme Court	30/jul/14	United Kingdom	The UK Supreme Court unanimously ruled that Miss Hounga's discrimination claim could be admissible, as the illegality of the work contract due to her irregular status was not sufficiently linked to the act of discrimination to defeat the claim.	Domestic work; Discrimination on prohibited grounds	<a href="https://www.supremecourt.uk/decided-cases/docs/UKSC_2012_0188_Judgment.pdf">https://www.supremecourt.uk/decided-cases/docs/UKSC_2012_0188_Judgment.pdf</a>	
Children	Borders and Detention	<b>Advisory Opinion OC-21/14</b>	Inter-American Court Of Human Rights (IACHR)	19/aug/14	Requested by the Argentine Republic, the Federative Republic of Brazil, the Republic of Paraguay and the Oriental Republic of	The court stated as an Advisory Opinion that states may not resort to the deprivation of liberty of children as a precautionary measure to protect the objectives of immigration proceedings, it added that children cannot be detained on the basis of failure to comply with entry and residence requirements.		<a href="http://www.corteidh.or.cr/docs/opiniones/seriea_21_eng.pdf">http://www.corteidh.or.cr/docs/opiniones/seriea_21_eng.pdf</a>	

Gender-based violence		<b>26 I&amp;N Dec. 388 (BIA 2014)</b>	U.S. Department of Justice, Executive Office for Immigration Review, Board of Immigration Appeals	26/aug/14	United States of America	The Board of Immigration Appeals ruled that in certain cases, migrants escaping domestic violence should qualify for asylum recognising therefore 'married women in Guatemala who are unable to leave their relationship' as a particular social group that can suffer from persecution.	Domestic violence	<a href="http://www.justice.gov/sites/default/files/eoir/legacy/2014/08/26/3811.pdf">http://www.justice.gov/sites/default/files/eoir/legacy/2014/08/26/3811.pdf</a>	
Integration and Residence Permits		<b>Mohamed Ali Ben Alaya v Bundesrepublik Deutschland (Case C-491/13)</b>	Court Of Justice Of The European Union (CJEU)	10/sep/14	Germany	The Court ruled that member states have the obligation, and may not exercise their discretion, to admit third-country nationals applying for a visa for study purposes, where they meet the conditions for admission listed by Directive 2004/114/EC.	Education	<a href="http://curia.europa.eu/juris/document/document.jsf?docid=157487&amp;mode=req&amp;pageIndex=1&amp;dir=&amp;occ=first&amp;part=1&amp;text=&amp;doclang=EN&amp;cid=92992">http://curia.europa.eu/juris/document/document.jsf?docid=157487&amp;mode=req&amp;pageIndex=1&amp;dir=&amp;occ=first&amp;part=1&amp;text=&amp;doclang=EN&amp;cid=92992</a>	
Human Trafficking		<b>Appeal 14/2013</b>	District Court Barcelona	15/sep/14	Spain	The Court found some of the accused guilty of THB for the purpose of sexual exploitation when the victim is particularly vulnerable and sentenced them to penalties of up to ten years' imprisonment.	Labour exploitation; Sexual exploitation; Sex work		
Children		<b>Jeunesse v. The Netherlands (application no. 12738/10)</b>	European Court of Human Rights (ECtHR)	3/okt/14	Netherlands	The Court ruled that an undocumented mother of Dutch children had the right to reside in the Netherlands on the basis of their right to family life and the best interest of the children.	Best interest of the child; family life	<a href="http://hudoc.echr.coe.int/en/g?i=001-147117">http://hudoc.echr.coe.int/en/g?i=001-147117</a>	
Borders and Detention		<b>Sharifi and Others v. Italy and Greece (application no. 16643/09)</b>	European Court of Human Rights (ECtHR)	21/okt/14	Italy and Greece	The Court rules that Italy and Greece violated the European Convention of Human rights (ECHR) by indiscriminately expelling foreign nationals from Italy and returning them to Greece.	Non-refoulement; Collective expulsion; Torture and inhuman or degrading treatment or punishment	<a href="http://hudoc.echr.coe.int/en/g?i=001-147287">http://hudoc.echr.coe.int/en/g?i=001-147287</a>	

Borders and Detention		<b>Sophie Mukarubega v. Préfet de police and Préfet de la Seine Saint-Denis (Case C-166/13)</b>	Court Of Justice of The European Union (CJEU)	5/nov/14	France	The Court states that EU law does not pose an obligation on national authorities to undergo a specific hearing on a return decision, where a decision on the irregularity of the stay and a removal order have been issued at the same time. The Court also highlights that a separate hearing is not necessary if the applicant has had the opportunity to be heard and to effectively present its point of view on the question of both, the irregular stay and the removal decision.	Deportation, Right to be heard	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=159241&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=140491">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=159241&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=140491</a>	
Labour rights		<b>O. Tümer v Raad van bestuur van het Uitvoeringsinstituut werknemersverzekeringen (case C-311/13)</b>	Court Of Justice of The European Union (CJEU)	5/nov/14	Netherlands	The Court ruled that denying undocumented workers access to back pay when their employers became insolvent is ‘contrary to the social objectives of the directive’.		<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=159243&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=317023">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=159243&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=317023</a>	
Social Rights	Borders and Detention	<b>Case Number AWB 14/18686</b>	The Hague District Court	23/dec/14	Netherlands	The Court upheld the ECSR’s conclusion that the lack of shelter, food and clothing for undocumented migrants interferes with human dignity to the extent of inhuman treatment therefore the government should provide these. The court also added that housing in detention centers are not appropriate as restriction of movement is not justified.	Housing; Torture and inhuman or degrading treatment or punishment	<a href="http://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBDHA:2014:16447">http://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBDHA:2014:16447</a>	
Children	Borders and Detention	<b>A, B, SEIF (accessory intervener) v the Norwegian State (case no. 2014/1583)</b>	Supreme Court of Norway	29/jan/15	Norway	Judicial review of a decision of expulsion of an undocumented mother and sole carer of a child. The decision was ruled disproportionate and in violation of the Article 8 ECHR rights of the child.	Deportation; Best interest of the child	<a href="https://www.domstol.no/globalassets/upload/hret/decisions-in-english-translation/saknr-2014-1583-engelsk.docx.pdf">https://www.domstol.no/globalassets/upload/hret/decisions-in-english-translation/saknr-2014-1583-engelsk.docx.pdf</a>	
Human Trafficking	Labour Rights	<b>Ms C Reyes and Ms T Suryadi -v- Mr J Al-Malki and Mrs Al-Malki and Others - [2015] EWCA Civ 32</b>	UK Court of Appeal (Civil Division)	5/feb/15	United Kingdom	The court upheld diplomatic immunity on the basis that the diplomatic agent was not exercising a commercial activity outside its official function, leaving the migrant domestic worker without remedy to her claims of human trafficking, racial discrimination, harassment and wage theft.	Domestic Workers; Labour exploitation; Discrimination on prohibited grounds	<a href="https://www.judiciary.gov.uk/wp-content/uploads/2015/02/reyes-v-al-malki-judgment.pdf">https://www.judiciary.gov.uk/wp-content/uploads/2015/02/reyes-v-al-malki-judgment.pdf</a>	

Borders and Detention		<b>Z. Zh. v Staatssecretaris voor Veiligheid en Justitie and Staatssecretaris voor Veiligheid en Justitie v I. O., Case C - 554/13</b>	European Court of Justice (ECJ) (now CJEU)	12/feb/15	Netherlands	The judgement highlights that an individual assessment must be used when examining whether a third country national constitutes a risk to public order, however, if there is suspicion of having committed a criminal offence, this could be enough to invoke the Article 7(4) derogation	Returns Directive	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=162262&amp;pageIndex=0&amp;doclang=en&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1&amp;cid=395464">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=162262&amp;pageIndex=0&amp;doclang=en&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1&amp;cid=395464</a>	
Healthcare		<b>Monsieur vs Le Centre d'Action Sociale de Saint-Josse-Ten-Noode (CPAS) RG n 14/12.433/A</b>	Tribunal du Travail Francophone de Bruxelles	13/feb/15	Belgium	The court determined that the applicant, appealing against a deportation order on medical grounds, is entitled to access social support while awaiting the decision about his removal. The Court noted that an undocumented migrant in Belgium only has access to urgent medical aid and not to financial support.	Deportation	<a href="http://www.kruispuntmi.be/sites/default/files/20150213_arbrb_brussel.pdf">http://www.kruispuntmi.be/sites/default/files/20150213_arbrb_brussel.pdf</a>	
Children	Borders and Detention	<b>R. I. L-R, et al. v. JEH CHARLES JOHNSON, et al., (Civil Action No. 15-11 (JEB))</b>	U.S. District Court for the District of Columbia	20/feb/15	United States of America	The court granted a preliminary injunction to prevent the Department of Homeland Security from detaining mothers and children, who are or will be found to have a credible fear of persecution and are eligible for release, solely "for the purpose of deterring future immigration."		<a href="https://www.aclu.org/sites/default/files/assets/order_0.pdf">https://www.aclu.org/sites/default/files/assets/order_0.pdf</a>	
Children	Borders and Detention	<b>Swedish Migration Board v Mikjerem Aliji, Muedin Aliji, Semine Aliji (Case No.UM9254)</b>	Stockholm Migration Court of Appeal	23/feb/15	Sweden	The judgement concerns the deportation of a 13 year old child and of her family having stayed in Sweden irregularly for 6 years. The Court uses the amended Alien Act that extended to include children to get residence permits on the basis of particularly distressing circumstances.	Best interest of the child; Deportation	<a href="https://louisedane.files.wordpress.com/2015/02/stockholm-krm-um-9254-13-dom-2015-02-23.pdf">https://louisedane.files.wordpress.com/2015/02/stockholm-krm-um-9254-13-dom-2015-02-23.pdf</a>	
Human Trafficking	Labour Rights	<b>"Garage-sag"</b>	Eastern High court of Denmark	4/mrt/15	Denmark	The accused were acquitted of THB for the purpose of labour exploitation but convicted of usury.	Labour exploitation; Freedom of movement;	<a href="http://www.domstol.dk/oestrelandsret/nyheder/domsresumeer/Pages/Domisagomudnyttelseafrumaenskerengoeringsarbejdere.aspx">http://www.domstol.dk/oestrelandsret/nyheder/domsresumeer/Pages/Domisagomudnyttelseafrumaenskerengoeringsarbejdere.aspx</a>	

Borders and Detention		<b>AL.K. c. GRÈCE (no. 63542/11)</b>	European Court of Human Rights (ECtHR)	11/mrt/15	Greece	The court ordered to damages to an Iranian asylum seeker detained in Greece.		<a href="http://hudoc.echr.coe.int/en/g?i=001-148634">http://hudoc.echr.coe.int/en/g?i=001-148634</a>	
Children	Borders and Detention	<b>Mohamad v Greece (no. 70586/11)</b>	European Court of Human Rights (ECtHR)	11/mrt/15	Greece	The court condemned Greece for the degrading treatment and arbitrary detention of an unaccompanied child. The Court found a violation of Article 3 and of Article 13, in conjunction with Article 3 of the European Convention of Human Rights.	Torture and inhuman or degrading treatment or punishment; Unlawful detention; Unaccompanied children	<a href="http://hudoc.echr.coe.int/en/g?i=001-148635">http://hudoc.echr.coe.int/en/g?i=001-148635</a>	
Healthcare	Borders and Detention	<b>S.J. v. BELGIUM (Application no. 70055/10) (Striking out)</b>	European Court of Human Rights (ECtHR)	19/mrt/15	Belgium	Court striking out the case after Belgian government granted indefinite leave to remain to the applicants. In a dissenting opinion, Judge Pinto de Albuquerque argues that there is a need for a broader procedural interpretation of Article 3 ECHR to ensure protection from removal of seriously ill migrants.	Severely ill; Deportation; Torture and inhuman or degrading treatment or punishment	<a href="http://hudoc.echr.coe.int/en/g?i=001-153361">http://hudoc.echr.coe.int/en/g?i=001-153361</a>	
Children	Borders and Detention	<b>R (on the application of RA) v Secretary of State for the Home Department - IJR [2015] UKUT 00292 (IAC)</b>	UK Upper Tribunal	13/apr/15	United Kingdom	Judicial review of a deportation decision on behalf of a five-year old child. The Secretary of State failed to regard the best interests of the child as a primary consideration. The decision challenges the Home Office's policy commonly referred to as "deport first, appeal later".	Best Interest of the Child; Deportation	<a href="https://www.judiciary.gov.uk/wp-content/uploads/2015/04/ra-and-bf-v-sshd-1-2.pdf">https://www.judiciary.gov.uk/wp-content/uploads/2015/04/ra-and-bf-v-sshd-1-2.pdf</a>	
Human Trafficking		<b>P -v- Chief Superintendent Garda National Immigration Bureau &amp; ors [2015] IEHC 222 2013 795 JR</b>	High Court of Ireland	15/apr/15	Ireland	The Court ruled that the legislation had not been properly transposed on the grounds that the State had failed to adopt an appropriate mechanism to determine whether a person who was suspected of committing a criminal offence was the victim of human trafficking.		<a href="http://www.courts.ie/Judgments.nsf/0/1E249494B215FC4380257E2A004BC932">http://www.courts.ie/Judgments.nsf/0/1E249494B215FC4380257E2A004BC932</a>	

Borders and Detention		Subdelegación del Gobierno en Gipuzkoa — Extranjería v Samir Zaizoune (Case C-38/14)	Court of Justice of the European Union (CJEU)	23/apr/15	Spain	The court ruled that member states cannot impose a fine on a non-EU national unlawfully present on their territory rather than removing them, finding that such measures are at odds with the objectives of the Return Directive.	Returns Directive;	<a href="http://curia.europa.eu/juris/document/document_print.jsf?doclang=EN&amp;text=&amp;pageIndex=0&amp;part=1&amp;mode=lst&amp;docid=163877&amp;occ=first&amp;dir=&amp;cid=335492">http://curia.europa.eu/juris/document/document_print.jsf?doclang=EN&amp;text=&amp;pageIndex=0&amp;part=1&amp;mode=lst&amp;docid=163877&amp;occ=first&amp;dir=&amp;cid=335492</a>	
Borders and Detention		C-554/13 - Z. Zh. v Staatssecretaris voor Veiligheid en Justitie And Staatssecretaris voor Veiligheid en Justitie v I. O.	Court of Justice of the European Union (CJEU)	11/jun/15	Netherlands	The judgement clarifies the interpretation of the concept of 'risk to public policy' as per Article 7(4) of Directive 2008/115/EC (EU Return Directive). The concept must be determined on a case-by-case basis, according to its usual meaning in everyday language, together with a contextual and purposive analysis. Suspicion or conviction of a criminal offence cannot solely justify that the person poses 'a risk to public policy'.	Returns Directive; Criminal record	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=164962&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=596775">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=164962&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=596775</a>	
Integration and Residence Permits		Case C 153/14, Minister van Buitenlandse Zaken v K and A	Court of Justice of the European Union (CJEU)	9/jul/15	Netherlands	The Court examined the compatibility of Dutch law that imposes on third country nationals the requirement to pass Dutch language and culture exams, with the Family Reunification Directive. The Court clarified that the personal circumstances of the applicant, should be taken into account when determining whether they could be exempted from the integration and language exam, as strict requirements and logistical barriers, including high application fees, have the undesirable effect of making family reunification disproportionately difficult.	Family Reunification	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=163029&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=138180&amp;utm_source=Weekly+Legal+Update&amp;utm_campaign=6c3597ee6e-WLU_31_07_2015&amp;utm_medium=email&amp;utm_term=0_7">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=163029&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=138180&amp;utm_source=Weekly+Legal+Update&amp;utm_campaign=6c3597ee6e-WLU_31_07_2015&amp;utm_medium=email&amp;utm_term=0_7</a>	
Borders and Detention		K. F. v. Cyprus (Application no. 41858/10)	European Court of Human Rights (ECtHR)	21/jul/15	Cyprus	The ECtHR condemned the Cyprus Republic for violations of Articles 5(1) ECHR, the right to security and liberty and Article 5(4) ECHR, the right of access to an effective remedy against detention.	Effective remedy; Procedural safeguards	<a href="http://hudoc.echr.coe.int/en/g?i=001-156263">http://hudoc.echr.coe.int/en/g?i=001-156263</a>	
Borders and Detention		H.S. and Others v. Cyprus (Application no. 41753/10 and 13 other cases)	European Court of Human Rights (ECtHR)	21/jul/15	Cyprus	The ECtHR condemned the Cyprus Republic for violations of Articles 5(1) ECHR, the right to security and liberty and Article 5(4) ECHR, the right of access to an effective remedy against detention.	Effective remedy; Procedural safeguards	<a href="http://hudoc.echr.coe.int/en/g?i=001-156262">http://hudoc.echr.coe.int/en/g?i=001-156262</a>	

Borders and Detention		<b>A.H and J.K. v. Cyprus (Application No 41903/10 41911/10)</b>	European Court of Human Rights (ECtHR)	21/jul/15	Cyprus	The ECtHR condemned the Cyprus Republic for violations of Articles 5(1) ECHR, the right to security and liberty and Article 5(4) ECHR, the right of access to an effective remedy against detention.	Effective remedy; Procedural safeguards	<a href="http://hudoc.echr.coe.int/en?i=001-156264">http://hudoc.echr.coe.int/en?i=001-156264</a>	
Borders and Detention		<b>E.A. v Greece, Case nr: 74308/10</b>	European Court of Human Rights (ECtHR)	30/jul/15	Greece	The Court found the very poor detention conditions in Greece to be against Article 3 of the European Convention on Human Rights (ECHR), and the lack of effective remedy in the country to be in violation of Article 13 ECHR.	Detention conditions; Torture and inhuman or degrading treatment or punishment; Effective remedy	<a href="http://hudoc.echr.coe.int/en?i=001-156501">http://hudoc.echr.coe.int/en?i=001-156501</a>	
Borders and Detention		<b>Khlaifia et autres c. Italie (Requête no 16483/12)</b>	European Court of Human Rights (ECtHR)	1/sep/15	Italy	The ECtHR found that the summary procedures used by Italy in 2011 to quickly return thousands of Tunisians who were reaching Italy by sea violated the prohibition of collective expulsion enshrined in Art. 4 of Protocol 4 of the ECHR. The Court also found violations of Articles 3, 5 and 13 ECHR.	Collective expulsion; Deportation	<a href="http://hudoc.echr.coe.int/en?i=001-156517">http://hudoc.echr.coe.int/en?i=001-156517</a>	New Grand Chamber-duplicated (english above)
Integration and Residence Permits		<b>CGIL and INCA C-309/14</b>	Court of Justice of the European Union (CJEU)	2/sep/15	Italy	The CJEU ruled that EU member states cannot require third-country nationals, when applying for renewal of their residence permit, to pay a fee which is disproportionate in light of the objective of integration pursued by the Long-Term Residence Directive (Directive 2003/109/EC), as this could impede the enjoyment of the rights granted within this Directive.		<a href="http://curia.europa.eu/juris/document/document_print.jsf?doclang=EN&amp;text=&amp;pageIndex=0&amp;part=1&amp;mode=lst&amp;docid=166761&amp;occ=first&amp;dir=&amp;cid=102018">http://curia.europa.eu/juris/document/document_print.jsf?doclang=EN&amp;text=&amp;pageIndex=0&amp;part=1&amp;mode=lst&amp;docid=166761&amp;occ=first&amp;dir=&amp;cid=102018</a>	
Borders and Detention		<b>Case C-44/14 Spain v. European Parliament and Council of the European Union</b>	Court of Justice of the European Union (CJEU)	8/sep/15	Ireland, Spain, United Kingdom	The CJEU has ruled that it is lawful for the UK and Ireland to participate in a limited way to the Schengen acquis on external border controls.	Borders management; Eurosur; Schengen	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=167062&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=187210&amp;utm_source=Weekly+Legal+Update&amp;utm_campaign=2e0a6c6561-WLU_11_09_2015&amp;utm_medium=email&amp;utm_term=0_7">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=167062&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=187210&amp;utm_source=Weekly+Legal+Update&amp;utm_campaign=2e0a6c6561-WLU_11_09_2015&amp;utm_medium=email&amp;utm_term=0_7</a>	

Borders and Detention	Criminalisation	Case C-290/14 Skerdjan Celaj	Court of Justice of the European Union (CJEU)	1/okt/15	Italy	Directive 2008/115/EC must be interpreted as not, in principle, precluding legislation of a Member State which provides for the imposition of a prison sentence on an irregularly staying third-country national who, after having been forcibly returned to his country of origin in the context of an earlier deportation procedure, unlawfully re-enters the territory of that State in breach of an entry ban.	Returns Directive;	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=168941&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=831190">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=168941&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=831190</a>	
Children	Borders and Detention	Ordonnance 23 novembre 2015, ministre de l'intérieur commune de Calais, No. 394540, 394568	Conseil d'État (France)	23/nov/15	France	The Council of State upheld the administrative tribunal in Lille decision to order interim relief measures to be taken to improve the water, sanitation and hygiene conditions at the Calais camp in order to prevent the risk of inhuman and degrading treatment. These measures must be implemented within 8 days. In addition, the authorities must take steps to identify and accommodate unaccompanied children, within 48 hours.	Best interest of the child; Legal aid / access to legal counsel; Torture and inhuman or degrading treatment or punishment; Unaccompanied children	<a href="http://www.conseil-etat.fr/Decisions-Avis-Publications/Decisions/Selection-des-decisions-faisant-l-objet-d-une-communication-particuliere/Ordonnance-23-novembre-2015-ministre-de-l-interieur-commune-de-Calais">http://www.conseil-etat.fr/Decisions-Avis-Publications/Decisions/Selection-des-decisions-faisant-l-objet-d-une-communication-particuliere/Ordonnance-23-novembre-2015-ministre-de-l-interieur-commune-de-Calais</a>	
Children	Borders and Detention	Mahamed Jama v. Malta (Application no. 10290/13)	European Court of Human Rights (ECTHR)	26/nov/15	Malta	The conditions of the applicant's detention did not amount to a violation of Article 3 ECHR. Dissenting opinion of Judge Casadavall. Violation of Article 5(4): the applicant did not have an effective and speedy remedy available in domestic law in Malta.	Detention conditions; Effective remedy	<a href="http://hudoc.echr.coe.int/en/g?i=001-158877">http://hudoc.echr.coe.int/en/g?i=001-158877</a>	
Social Rights		Uitspraak 201500577/1/V1	Raad van State (Netherlands)	26/nov/15	Netherlands	The Council of State of the Netherlands upheld a government policy of making the provision of food and shelter to undocumented migrants conditional on their cooperation towards forced return. The ruling counters the Concluding observations on the combined 19th to 21st periodic reports of the Netherlands issued by the UN Committee on the Elimination of Racial Discrimination (CERD) on 24 September 2015.	Deportation	<a href="https://www.raadvanstate.nl/uitspraken/zoeken-in-uitspraken/tekst-uitspraak.html?id=85929">https://www.raadvanstate.nl/uitspraken/zoeken-in-uitspraken/tekst-uitspraak.html?id=85929</a>	
Borders and Detention		Khlaifia and Others v. Italy, Case no. 16483/12.	European Court of Human Rights (ECTHR)	1/feb/16	Italy	Held that the applicants had been unlawfully detained by Italy under Articles 5(1), 5(2) and 5(4) of the European Convention on Human Rights (ECHR), without information or recourse to challenge their decision, and that their detention was in conditions that amounted to inhuman and degrading treatment and thus a violation of Article 3 ECHR. The Court also ruled that the applicants had been collectively expelled, contrary to Article 4, Protocol 4 of the ECHR, based on several factors, including: the absence of any reference to the applicants' personal circumstances in their deportation decrees, the absence of individual interviews regarding their specific situations before the decrees were adopted, and evidence that many people of the same nationality experienced a similar process.	Unlawful detention; Detention conditions, Torture and inhuman or degrading treatment or punishment; Collective expulsion	<a href="http://hudoc.echr.coe.int/en/g?i=001-157277">http://hudoc.echr.coe.int/en/g?i=001-157277</a>	NEW judgment Grand Chamber 15/12/2016 _ <a href="http://hudoc.echr.coe.int/eng?i=001-170054">http://hudoc.echr.coe.int/eng?i=001-170054</a>

Borders and Detention		Affaire Amadou c. Grèce, Requête no. 37991/11	European Court of Human Rights (ECtHR)	4/feb/16	Greece	The Court held that Greece had violated Article 3 of the European Convention on Human Rights (ECHR) by detaining a Gambian national in conditions that were inhuman or degrading, and because of his living conditions after he was released. The Court also held that Greece violated Article 5(4) ECHR because, Greek law did not permit effective review of the applicant's detention by a judge pending his deportation.	Detention conditions, Torture and inhuman or degrading treatment or punishment, Unlawful detention	<a href="http://hudoc.echr.coe.int/en/g?i=001-160317">http://hudoc.echr.coe.int/en/g?i=001-160317</a>	
Borders and Detention		Affaire Amadou c. Grèce, Requête no. 37991/11	European Court of Human Rights (ECtHR)	4/feb/16	Greece	The ECtHR found a violation of Article 3 for detention in inhuman or degrading conditions, and of Article 5(4) ECHR because national law did not permit effective judicial review of the applicant's detention pending his deportation.	Detention conditions; Torture and inhuman or degrading treatment or punishment; Deportation; Effective remedy	<a href="http://hudoc.echr.coe.int/en/g?i=001-160317#{" itemid":"001-160317"}"="">http://hudoc.echr.coe.int/en/g?i=001-160317#{"itemid":"001-160317"}]</a>	duplicated - English above
Integration and Residence Permits		I.A.A. and others against The United Kingdom, Case no. 25960/13	European Court of Human Rights	8/mrt/16	United Kingdom	The Court found no violation by the UK of the right to family life (Article 8 ECHR) in refusing an application for family reunification. The Court noted its prior case law, in which it had held that (i) the extent of a state's obligation to admit relatives of settled migrants varies based on individuals' circumstances and the general interest; (ii) states have the right to control the entry of non-nationals into their territory, as a well-established matter of international law; and, (iii) in the context of immigration, Article 8 does not compel states, as a general matter, to respect a married couple's choice about where they live and to authorise family reunification on its territory accordingly.	Family reunification	<a href="http://hudoc.echr.coe.int/en/g?i=001-161986">http://hudoc.echr.coe.int/en/g?i=001-161986</a>	
Borders and Detention		Sakir c. Greece, Requête no. 48475/09	European Court of Human Rights	24/mrt/16	Greece	Court held that Greek authorities had violated Article 13 (right to an effective remedy) of the European Convention on Human Rights (ECHR) by failing to properly investigate a violent attack against an irregular migrant, and upheld the applicant's complaint that Greek authorities had detained him in inhuman and degrading conditions, in violation of Article 3 (prohibition of torture). No violation of Article 2 ECHR (right to life) was found for the failure of Greek authorities had failed to conduct a proper investigation following his attack, because the applicant's injuries were not life-threatening.	Torture and inhuman or degrading treatment or punishment, Right to life, Effective remedy	<a href="http://hudoc.echr.coe.int/en/g?i=001-161541">http://hudoc.echr.coe.int/en/g?i=001-161541</a>	

Integration and Residence Permits		<b>Mimoun Khachab v Subdelegación del Gobierno en Álava, Case C-558/14</b>	Court of Justice of the European Union (CJEU)	21/apr/16	Spain	Court clarified that EU member states may refuse an application for family reunification based on the likelihood in the year following the application's submission that the sponsor will not have stable and regular resources to maintain his or her family once reunited, without recourse to social assistance. This likelihood can be assessed by looking at the sponsor's income pattern in the six months prior to the application. The CJEU found that the Spanish legislation is compatible with Article 7 of the Directive on Family Reunification (Council Directive 2003/86/EC of 22 September 2003).	Family reunification	<a href="http://curia.europa.eu/juris/liste.jsf?num=C-558/14">http://curia.europa.eu/juris/liste.jsf?num=C-558/14</a>	
Integration and Residence Permits	Healthcare	<b>Ruling 201507729/1 / V3</b>	Raad van State – Dutch Council of State	13/mei/16	Netherlands	The Dutch Council of State ruled that the State Secretary of Safety and Justice had failed to take due account of the medical situation of a Burundi national with severe late stage HIV when ordering his deportation from the Netherlands, nullifying the deportation order. Relying on case law from the European Court of Human Rights, the Council of State concluded that deportation to a country incapable of providing adequate medical care for the applicant's severe condition exposed the applicant to the risk of unbearable suffering and premature death, which would amount to torture and a violation of Article 3 of the European Convention on Human Rights.	Deportation, Severely ill, Torture and inhuman or degrading treatment or punishment	<a href="https://www.raadvanstate.nl/uitspraken/zoeken-in-uitspraken/tekst-uitspraak.html?id=87714">https://www.raadvanstate.nl/uitspraken/zoeken-in-uitspraken/tekst-uitspraak.html?id=87714</a>	
Borders and Detention	Integration and residence permits	<b>Kolonja v. Greece, Application no. 4944/12</b>	European Court of Human Rights	19/mei/16	Greece	The Court held that Greece violated Article 8 of the European Convention on Human Rights (right to family life) in a case involving an Albanian national on whom authorities had imposed a lifetime ban from re-entering Greece. The Court concluded that while the lifetime re-entry ban was issued pursuant to national law and in the interest of legitimate goals related to ensuring security and preventing criminal conduct, it still violated Article 8 because it was neither proportionate nor necessary to ensure those goals. A permanent ban on re-entering Greece would result in the destruction of familial bonds.	Family life	<a href="http://hudoc.echr.coe.int/en/g?i=001-162856">http://hudoc.echr.coe.int/en/g?i=001-162856</a>	
Borders and Detention		<b>J.N. v. the United Kingdom, Application no. 37289/12</b>	European Court of Human Rights	19/mei/16	United Kingdom	The Court ruled that the United Kingdom (UK) violated Article 5 § 1 (right to liberty and security) of the European Convention on Human Rights by failing to exercise "due diligence" in pursuing the deportation of an applicant detained a total of three years. The Court held that the reasonableness of the period of detention is to be determined based on the circumstances of each case. What constitutes an effective remedy will not be uniform in every case, but does require that the remedy be available during one's detention; that the review have a judicial character; that it be capable of leading to release; and that it be sufficiently certain.	Effective remedy	<a href="http://hudoc.echr.coe.int/en/g?i=001-162855">http://hudoc.echr.coe.int/en/g?i=001-162855</a>	

Integration and Residence Permits		<b>X v. L'Etat Belge représenté par le Secrétaire d'Etat à l'Asile et la Migration, n° 168 363</b>	Council for Aliens Law Litigation (Conseil du contentieux des étrangers)	25/mei/16	Belgium	Belgium's appellate body for asylum cases set aside a decision denying a humanitarian visa with extreme urgency to a Palestinian national with epilepsy, given the unstable situation in Gaza and the difficulty of obtaining adequate medical treatment in the region. The applicant, who at the time still lived in Gaza, had applied for a humanitarian visa in Belgium, claiming to have difficulty obtaining medication to treat his condition. The Council ruled that lack of access to treatment amounted to a violation of Article 3 of the European Convention of Human Rights.	Humanitarian visa, Family reunification	<a href="http://www.rvv-ccc.be/sites/default/files/arr/A168363.AN.pdf">http://www.rvv-ccc.be/sites/default/files/arr/A168363.AN.pdf</a>	
Borders and Detention		<b>Affum v. Prefet du Pas de Calais, Case C-47/15</b>	Court of Justice of the European Union	7/jun/16	France	The Court considered whether national law permitting the imprisonment of a third country national solely for irregular entry and stay was compatible with the Returns Directive. The Court concluded that the Returns Directive only allows national legislation to impose imprisonment on irregularly staying third country nationals (1) when a person who was returned under the Directive re-enters that member state's territory in violation of an entry ban, and (2) when the return procedure is being applied but the person continues to stay irregularly without justification.	Returns Directive, unlawful detention	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=179662&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=503505">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=179662&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=503505</a>	
Labour Rights	Human Trafficking	<b>Antanas Galdikas &amp; Others v. DJ Houghton Catching Services Ltd Jacqueline Judge Darrell Houghton Gangmasters Licensing Authority - [2016] EWHC 1376 (QB)</b>	England and Wales High Court (Queen's Bench Division)	10/jun/16	UK	Six confirmed victims of trafficking brought claims against a British chicken farm, alleging that the company arranged to have them trafficked to the UK from Lithuania and then subjected them to severe labour exploitation. The Court found that the farm violated the Agricultural Wages Act of 1948 and the Gangmasters (Licensing Conditions) Rules 2009, which provide workers with various labour protections, and was liable to pay compensation.	Torture and inhuman or degrading treatment or punishment; Effective remedy; Procedural safeguards; Unauthorised entry, transit and residence; Labour exploitation; Forced labour; Seasonal work	<a href="http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/QB/2016/1376.html&amp;query=(galdikas)">http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWHC/QB/2016/1376.html&amp;query=(galdikas)</a>	
Gender-based violence	Integration and residence permits	<b>Secretary of State for the Home Department v. NA, Case C-115/15</b>	Court of Justice for the European Union (CJEU)	30/jun/16	United Kingdom	The Court ruled that an abusive spouse's departure from the host state, prior to the commencement of divorce proceedings, immediately ends the non-EU citizen's status under the Citizens Directive. The case involved a Pakistani national who moved to the UK with her German husband, and later left him due to domestic violence. Her husband then left the UK, before divorce proceedings had been initiated. The Court held that she could remain in the UK, as the mother of German nationals, not as a victim of domestic violence, though it is unclear if this extends to an entitlement to permanent residency.	Domestic violence, Citizens Directive	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=181105&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=149044">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=181105&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=149044</a>	

Borders and Detention		BRUXELLES, CH. MIS. EN ACC 1er juillet	Chambre des mises en accusation	1/jul/16	Belgium	The Court ruled that the detention of a Congolese woman, who had been arrested in her home was unlawful. The woman had been residing in Belgium for three years with her partner and daughter, both Belgian nationals, and had taken steps to regularize her status. The judgment notes that the deprivation of her liberty was ordered without considering whether other, less coercive, measures where possible, and stresses that the measures taken did not conform with Article 15 of EU Directive 2008/115/EU on common standards and procedures in Member States for returning illegally staying third-country nationals (Return Directive).	Unlawful detention	<a href="http://europeanmigrationlaw.eu/documents/pdf/Communications_COM/EDEM-Newsletter_Juin_2016.pdf">http://europeanmigrationlaw.eu/documents/pdf/Communications_COM/EDEM-Newsletter_Juin_2016.pdf</a>	
Children		The Queen on the Application of MA (Pakistan) and Others v. Upper Tribunal (Immigration and Asylum Chamber) and another; Pereira v. Secretary of State for the Home Department; NS (Sri Lanka) and others v. Secretary of state for the Home	England and Wales Court of Appeal (Civil Division)	7/jul/16	UK	The Court ruled that when determining whether or not it is reasonable to remove a child from the UK once he or she has been resident there for seven years, the reasonableness test should consider the conduct of the applicant as well as any other matters relevant to the public interest. The best interests of the child should be the primary consideration, but a conclusion that it is in the best interests of the child to stay in the UK does not necessarily entail a conclusion that it is unreasonable for the child to leave in light of other circumstances relevant to the public interest. Out of the six applicants only AZ's appeal was allowed and AP's case was remitted.	Best interest of the child;	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2016/705.html">http://www.bailii.org/ew/cases/EWCA/Civ/2016/705.html</a>	
Borders and Detention		Alimov v. Turkey - no. 14344/1	European Court of Human Rights	6/sep/16	Turkey	The court held that the applicant had been detained unlawfully while he was appealing against a deportation order, as there was no provision in Turkish law on detention with a view to deportation, as he was not informed of the reason of his detention, and as he didn't have a substantive right to appeal. He had also been detained in inadequate conditions without the opportunity to complain about them.	Unlawful detention; Detention conditions; Effective remedy	<a href="http://hudoc.echr.coe.int/en/?i=001-166487">http://hudoc.echr.coe.int/en/?i=001-166487</a>	
Integration and Residence Permits	Children	Secretary of State for the Home Department v. CS - C-304/14	Court of Justice of the European Union	13/sep/16	UK	A third-country national parent of a Union citizen has a derived right of residence in the home Member State under Article 20 TFEU, BUT such a right can be limited on grounds of public policy or public security.	Deportation; Criminal record; Citizens Directive; Best interest of the child; Family life	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=183271&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=421390&amp;sm_au=IVV3njqMZmfsNJHT">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=183271&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=421390&amp;sm_au=IVV3njqMZmfsNJHT</a>	
Healthcare		Khan v. Germany - no. 38030/12	European Court of Human Rights	21/sep/16	Germany	The applicant had committed a murder in a state of mental incapacity, and received an expulsion order. She complained that her expulsion to Pakistan would violate Art 8 ECHR by having a severely damaging effect on her private and family life. The Court concluded that her expulsion would not give rise to a violation of Art 8. Germany later declared that the applicant would not be expelled on the basis of the original expulsion order and the Court struck the application out of its list of cases.	Deportation; criminal record; right to life; mental health	<a href="http://hudoc.echr.coe.int/en/?i=001-166853">http://hudoc.echr.coe.int/en/?i=001-166853</a>	

		<b>B.A.C. v. Greece - no. 11981/15</b>	European Court of Human Rights	13/okt/16	Greece	Greece violated its obligations under arts. 3, 8, 13 ECHR. The plaintiff was an asylum seeker in Greece and awaited a final decision on his request for 12 years. With the status of asylum seeker, he was forced to live a precarious life as he was not allowed to work or study and was subject to the risk of extradition to Turkey and thus to torture.	Torture and inhuman or degrading treatment or punishment; Effective remedy	<a href="http://hudoc.echr.coe.int/en?i=001-167805">http://hudoc.echr.coe.int/en?i=001-167805</a>	
<b>Gender-based Violence</b>		<b>X v. le Commissaire général aux réfugiés et aux apatrides - Arrêt no. 177 178</b>	Conseil du Contentieux des Etrangers	27/okt/16	Belgium	The Court noted that the issue is not so much the probability of the alleged risk materializing, but rather the plaintiff's very persistent fear, as a consequence of past mistreatment. Relying on medical and psychiatric reports, the court found that Ms X indeed suffered mistreatment which made her afraid of returning to Turkey because of her status as a woman. The Court granted to Ms X the status of a refugee.	domestic violence	<a href="http://www.rvv-cc.be/sites/default/files/arr/A177178.AN.pdf">http://www.rvv-cc.be/sites/default/files/arr/A177178.AN.pdf</a>	
<b>Integration and Residence Permits</b>	<b>Criminalisation</b>	<b>The Attorney General v. Amanda Marreakhy - [2016]JRC199A</b>	Jersey Royal Court (Samedi)	4/nov/16	Jersey	A woman facilitated the illegal entry of her brother-in-law into the UK. The relevant immigration laws called for imprisonment. The Court found that exceptional circumstances, including that the offence arose out of familial concerns and the fact that the brother-in-law was "infirm", warranted community service rather than imprisonment.	Unauthorised entry, transit and residence; Borders management; European Border and Coast Guard; Family reunification; Family-life; Severely ill; Disability; Pregnant women	<a href="https://www.jerseylaw.ie/judgments/unreported/Pages/[2016]JRC199A.aspx">https://www.jerseylaw.ie/judgments/unreported/Pages/[2016]JRC199A.aspx</a>	
		<b>Hesham Ali v Secretary of State for the Home Department - [2016] UKSC 60</b>	United Kingdom Supreme Court	16/nov/16	UK	The Tribunal should have considered whether Mr. Ali's deportation was a breach of his right to respect for private and family life (art 8 ECHR), taking into account the fact that the appellant's family life had been established when his migration status was precarious. However, the appeal was dismissed as it was not established how the relationship between the appellant and his partner outweighed the public interest in the deportation of the appellant, as a foreign criminal.	Deportation; Criminal record	<a href="https://www.supremecourt.uk/cases/docs/uksc-2015-0126-judgment.pdf">https://www.supremecourt.uk/cases/docs/uksc-2015-0126-judgment.pdf</a>	
<b>Children</b>	<b>Integration and Residence Permits</b>	<b>Makhlouf v. Secretary of State for the Home Department - [2016] UKSC 59</b>	UK Supreme Court	16/nov/16	United Kingdom	Appeal brought by a foreign national against a deportation order issued after he was convicted of several criminal offences. The appellant argued that, when making the order, the Secretary of State did not take sufficient account of the interests of his two children who are citizens of and resident in the UK. The Supreme Court however dismissed the appeal, noting that nothing suggested that the best interests of these children required that their father should remain in the UK as he did not enjoy any relationship with them.	Deportation, criminal record, best interest of the child, family life, spouse-dependent visa	<a href="https://www.supremecourt.uk/cases/docs/uksc-2015-0092-judgment.pdf">https://www.supremecourt.uk/cases/docs/uksc-2015-0092-judgment.pdf</a>	

Integration and Residence Permits		V.M. and Others v. Belgium - no. 60125/11	European Court of Human Rights (Grand Chamber)	17/nov/16	Belgium	Reviewing a finding of inhumane and degrading treatment in violation of Article 3 of the ECHR in a case involving the reception and treatment of a family of Roma origin seeking asylum in France and Belgium, the Grand Chamber of the European Court of Human Rights effectively dismissed the entire case because the family returned to Serbia and did not or was not able to maintain contact with their lawyer.	Legal aid / access to legal counsel; Returns Directive; Torture and inhuman or degrading treatment or punishment; Effective remedy; Procedural safeguards; Non-refoulement; Unauthorised entry; Unlawful detention;	<a href="http://hudoc.echr.coe.int/en?i=001-169047">http://hudoc.echr.coe.int/en?i=001-169047</a>	
Borders and Detention	Children	Abdullahi Elmi and Aweys Abubakar v. Malta - nos. 25794/13 and 28151/13	European Court of Human Rights (Fourth Section)	22/nov/16	Malta	The Court found that articles 3 and 5 ECHR were violated, because of the minors' detention for more than 8 months in an adult facility where they faced poor conditions; without access to effective remedies, and the difficulty they faced applying for the age verification test. In addition, their continued detention after they were identified as minors made their detention unlawful.	Returns Directive; Torture and inhuman or degrading treatment or punishment; Detention Conditions; Effective remedy; Procedural Safeguards; Non-refoulement; Right to be heard;	<a href="http://hudoc.echr.coe.int/en?i=001-168780">http://hudoc.echr.coe.int/en?i=001-168780</a>	
Integration and Residence Permits		R (on the application of Said Aitjilal) v Secretary of State for the Home Department - [2016] UKUT 563 (IAC)	Upper Tribunal (Immigration and Asylum Chamber)	9/dec/16	UK	A Moroccan national resided with his spouse and children in the UK. After being convicted and imprisoned for criminal offenses, he was notified that he would be deported, but the deportation order was not signed for two years. The Court found that despite this delay, he was not entitled to automatic reconsideration of the decision and could only appeal the deportation order after he had left the UK and waited until the end of the two year period required under the EEA Regulations.	Effective remedy; Procedural safeguards; Right to be heard; Deportation; Criminal record; Schengen; Family reunification; Family life; Spouse-dependent visa	<a href="http://www.bailii.org/uk/cases/UKUT/IAC/2016/563.html">http://www.bailii.org/uk/cases/UKUT/IAC/2016/563.html</a>	
Integration and Residence Permits		Paposhvili v. Belgium (41738/10, GC),	Grand Chamber of the ECtHR	13/dec/16	Belgium	The Grand Chamber considered whether the application of Article 3 of the Convention only to situations where the aliens facing expulsion are close to death, which has been followed since the judgment in N. v. the United Kingdom, deprives persons who are seriously ill (but whose condition is not 'close to death') of the benefit of the Convention. The Grand Chamber reshaped the restrictive application of the high threshold set in N. v. the United Kingdom for purposes of Article 3 and introduced a more rigorous assessment of the risk of ill-treatment in such cases.	Procedural safeguards, deportation, severely ill	<a href="http://hudoc.echr.coe.int/en?i=001-169662">http://hudoc.echr.coe.int/en?i=001-169662</a>	
Integration and Residence Permits		Mirza & Ors, R (on the applications of) v Secretary of State for the Home Department [2016] UKSC 63	UK Supreme Court	14/dec/16	United Kingdom	On whether invalid applications to extend a leave to remain could automatically extend leave for the duration of the proceedings under Section 3C of the Immigration Act 1971, the UK Supreme Court held that procedurally flawed applications could have no substantive effect and as such could not suspend the expiry of one's leave.		<a href="http://www.bailii.org/uk/cases/UKSC/2016/63.html">http://www.bailii.org/uk/cases/UKSC/2016/63.html</a>	

Integration and Residence Permits		Abuhmaid v. Ukraine no. 31183/13	European Court of Human Rights (Fifth Section)	12/jan/17	Ukraine	A Palestinian national resided in Ukraine for over 20 years on temporary resident permits. When authorities found him in violation of migration laws, he argued that the uncertainty of his status and stay in Ukraine violated his private-life interests (art 8 ECHR). The Court found no violation because Ukrainian law provided for effective and accessible procedures enabling determination of his status and because his asylum application was still pending.	Legal aid / access to legal counsel; Returns Directive; Effective remedy; Procedural safeguards: Non-refoulement; Right to be heard; Deportation; Unauthorised entry, transit and residence; Family life	<a href="http://hudoc.echr.coe.int/en?i=001-170285">http://hudoc.echr.coe.int/en?i=001-170285</a>	
Borders and Detention		Kebe and Others v. Ukraine - no. 12552/12	European Court of Human Rights (Fifth Section)	12/jan/17	Ukraine	This case involves 3 stowaways who were discouraged from seeking asylum by border officials at a Ukrainian port. The Court found a violation of their rights, holding that they were entitled to effective and accessible procedures for submitting an asylum application upon arriving at the port.	Legal aid / access to legal counsel; Returns Directive; Torture and inhuman or degrading treatment or punishment; Effective remedy; Procedural safeguards; Right to be heard; Safe third country; Deportation;	<a href="http://hudoc.echr.coe.int/en?i=001-170058">http://hudoc.echr.coe.int/en?i=001-170058</a>	
Borders and Detention		R (Ademiluyi) v SSHD [2017] EWHC 935 (Admin)	England and Wales Court of Appeal (Civil Division)	20/jan/17	United Kingdom	The case concerns a successful claim for judicial review and damages by an individual unlawfully detained under the SSHD's immigration powers. There could not be a removal within a period of time that was reasonable justifying ongoing immigration detention, as it was clear that deportation would be resisted on Article 8 ECHR grounds (right to respect for private and family life).	Unlawful detention, deportation, family life	<a href="http://www.bailii.org/ew/cases/EWHC/Admin/2017/935.html">http://www.bailii.org/ew/cases/EWHC/Admin/2017/935.html</a>	
Children	Integration and Residence Permits	El Ghatet v. Switzerland - no. 56971/10	European Court of Human Rights (Third Section)	8/feb/17	Switzerland	A child sought to leave his country and reunite with his father who had been granted asylum in Switzerland. The ECtHR found a violation of Art 8 ECHR, reasoning that because the domestic courts merely examined the best interest of the child in a brief manner and put forward summary reasoning, the child's best interests had not sufficiently been placed at the center of the relevant balancing exercise, which weighs a family's interest in reunification against the public interest to control immigration.	Family reunification; Best interest of the child; Family life	<a href="http://hudoc.echr.coe.int/en?i=001-168377">http://hudoc.echr.coe.int/en?i=001-168377</a>	
Integration and Residence Permits		R (on the application of MM (Lebanon) and others) [2017] UKSC 10. On appeals from [2014] EWCA Civ 985, [2015] EWCA Civ 387	UK Supreme Court	22/feb/17	United Kingdom	Provisions in the Immigration Rules imposing minimum income requirements on those with the right to live in the UK who wished to bring their non-EEA citizen spouses to live with them were not open to challenge and did not interfere with article 8 of the ECHR. However, there were aspects of the relevant instructions to entry clearance officers which required revision to ensure that their decisions were consistent with their duties under the Human Rights Act 1998.	Family life, family reunification	<a href="https://www.supremecourt.uk/cases/docs/uksc-2015-0011-judgment.pdf">https://www.supremecourt.uk/cases/docs/uksc-2015-0011-judgment.pdf</a>	

Borders and Detention		Action for annulment — EU-Turkey statement of 18 March 2016 - Cases T-192/16, T-193/16 and T-257/16 NF, NG and NM v. European Council	CJEU	28/feb/17	European Council	The EU General Court ruled that the “EU-Turkey statement, 18 May 2016” is not a measure of the EU and thus the EU Courts lack jurisdiction to annul it.	Non-refoulement	<a href="https://tinyurl.com/yblhxcce">https://tinyurl.com/yblhxcce</a>	
Integration and Residence Permits	Children	Ayache, R (on the application of) v SSHD (paragraph 353 and s94B relationship) [2017] UKUT 122 (IAC)	Upper Tribunal (Immigration and Asylum Chamber)	8/mrt/17	United Kingdom	The Upper Tribunal rejected the applicant’s claim, because he should have made further submissions for consideration in accordance with paragraph 353 of the Immigration Rules, which provides the appropriate remedy, rather than such material being considered in judicial review proceedings. The evidence before the respondent at the date of the decision led the UT to correctly certify the claim under s94B, meaning that a right of appeal could only be exercised from outside of the UK (after removal had taken place)	Deportation, criminal record, best interest of the child, family life	<a href="http://www.bailii.org/uk/cases/UKUT/IAC/2017/122.html">http://www.bailii.org/uk/cases/UKUT/IAC/2017/122.html</a>	
Borders and Detention		Al Chodor, aff. C-528/15	C.J.EU.	15/mrt/17	Czech Republic	The CJEU replied to a question of the Czech Supreme Administrative Court, saying that the Dublin III Regulation had to be interpreted as requiring Member States to set objective criteria to establish the existence of a significant risk of absconding in national law, i.e. in a binding provision of general application.	Unlawful detention, Schengen, unauthorised entry, transit and residence	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=188907&amp;pageIndex=0&amp;doclang=fr&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=644628">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=188907&amp;pageIndex=0&amp;doclang=fr&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=644628</a>	
Integration and Residence Permits		Butt v SSHD [2017] EWCA Civ 184	England and Wales Court of Appeal (Civil Division)	28/mrt/17	United Kingdom	Butt appealed the decision of the Upper Tribunal (UT) dismissing his appeal against a decision of the Secretary of State to reject his claim for asylum and associated claims under the ECHR, and his challenge to directions issued under the Immigration and Asylum Act 1999 to remove him and his wife from the UK. The Court of Appeal dismissed the appeal, finding that the UT judge had not erred when considering the proportionality of removing the parents.	deportation	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2017/184.html#back7">http://www.bailii.org/ew/cases/EWCA/Civ/2017/184.html#back7</a>	
Integration and Residence Permits		Akinyemi v SSHD [2017] EWCA Civ 236	England and Wales Court of Appeal (Civil Division)	4/apr/17	United Kingdom	Mr Akinyemi was not a British national, but was born in the UK and had never left the country. He faced deportation to Nigeria due to his extensive criminal record, but argued this would breach his convention rights. He was not considered to be in the UK unlawfully, he was also not required to apply for leave to remain. It was therefore held his presence in the UK was not unlawful. The case was remitted to the Upper Tribunal to decide whether Mr Akinyemi’s circumstances presented compelling reasons outweighing the public interest in his deportation.	deportation, criminal record	<a href="http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2017/236.html">http://www.bailii.org/cgi-bin/format.cgi?doc=/ew/cases/EWCA/Civ/2017/236.html</a>	

Children	Integration and Residence Permits	CS and Others (Proof of Foreign Law : India) [2017] UKUT 199 (IAC) (2 May 2017)	Upper Tribunal (Immigration and Asylum Chamber)	4/apr/17	United Kingdom	This is an application for judicial review challenging the decision of the Home office, which refused the applicants' leave to remain application based on their Article 8 ECHR rights. Half of the family would be sent to India, the other half to Pakistan. The Upper Tribunal granted the application under Article 8 ECHR and Section 55 of the 2009 Act.	Collective expulsion, deportation, unauthorised entry, transit and residence, family reunification, best interest of the child, family life	<a href="http://www.bailii.org/uk/cases/UKUT/IAC/2017/199.html">http://www.bailii.org/uk/cases/UKUT/IAC/2017/199.html</a>	
		SXH (Appellant) v The Crown Prosecution Service (Respondent) [2017] UKSC 30.	UK Supreme Court	11/apr/17	United Kingdom	The Supreme Court unanimously refused to award damages against the Crown Prosecution Service (CPS) to a refugee who was prosecuted for possession of a passport belonging to someone else. The appellant's claim that prosecution violated her rights under article 8 ECHR was rejected on the grounds that presenting an immigration officer with false papers was not an activity which formed part of her private life.	family life, privacy	<a href="https://www.supremecourt.uk/cases/docs/uksc-2014-0148-judgment.pdf">https://www.supremecourt.uk/cases/docs/uksc-2014-0148-judgment.pdf</a>	
Children	Integration and Residence Permits	OO (Nigeria), R (on the application of) v Secretary of State for the Home Department [2017] EWCA Civ 338	England and Wales Court of Appeal (Civil Division)	10/mei/17	United Kingdom	The case challenges a Decision by which a Nigerian resident in the UK should be removed from the UK pending appeal because he had been convicted for a criminal offence. The Court however considered that public interest in deporting the Nigerian resident would result in a disproportionate interference with the rights to family life.	Collective expulsion, deportation, criminal record, family reunification, best interest of the child, family life	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2017/338.html">http://www.bailii.org/ew/cases/EWCA/Civ/2017/338.html</a>	
Borders and Detention		S.S.M. v. United Kingdom (no. 77450/12)	ECtHR	22/jun/17	UK	The Court found that UK authorities violated Article 5(1) ECHR by failing to exercise sufficient due diligence in not expediently deciding on an asylum application, particularly in light of the applicant's mental health difficulties.	Unlawful detention, procedural safeguards, mental health	<a href="http://hudoc.echr.coe.int/en/g?i=001-174442">http://hudoc.echr.coe.int/en/g?i=001-174442</a>	
Borders and Detention		Preliminary ruling - Judgment and AG Opinion in Case C-225/16 Ouhrami v. Netherlands	CJEU	26/jul/17	The Netherlands	Article 11(2) of the Return Directive (Directive 2008/115/EC), which sets out the five year maximum period for an entry ban, starts to operate from the date on which the individual subject to the ban actually leaves the territory of the Member State in question.	Returns Directive, deportation, unauthorised entry, transit and residence	Judgment: <a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=193211&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=632850">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=193211&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=632850</a> AG Opinion: <a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=193211&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=632850">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=193211&amp;pageIndex=0&amp;doclang=EN&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=632850</a>	

Integration and Residence Permits	Children	Alfredo Rendón Marín v. Administración del Estado - C-165/14	European Court of Justice - Grand Chamber	13 September 2016	Spain	European law does not permit a national of a non-EU Member State who has the sole care of a minor EU citizen to be automatically refused a residence permit on the sole ground that he has a criminal record.	Family life; Criminal Record; Citizens' Directive	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=183270&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=421403">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=183270&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=421403</a>	
Borders and Detention	Social Rights	Muzamba Oyaw v. Belgium ( no. 23707/15)	ECtHR	28 February 2017	Belgium	The European Court of Human Rights rejected a Congolese asylum seeker's complaint for unlawful detention where he was detained for over 2 months at the time that his partner was at an advanced stage of a difficult pregnancy. The court found that the Belgian authorities had legitimate reasons for the detention that would override any interference into the claimant's right to the effective enjoyment of his family and private life.	Unlawful detention, detention conditions, unauthorised entry, transit and residence, family life, pregnant women	<a href="http://hudoc.echr.coe.int/en/g#{" itemid":["001-172659"]}"="">http://hudoc.echr.coe.int/en/g#{"itemid":["001-172659"]}</a>	
Borders and Detention	Children	Ali, R (on the application of) v The Secretary of State for Home Department & Anor 2017 EWCA Civ 124	England and Wales High Court (Administrative Court)	9 March 2017	UK	The detention of an unaccompanied minor is unlawful if the minor is mistakenly considered as an adult by domestic authorities because the authorities "genuinely believe" or suspect at the time of the detention that the individual was an adult. Rather the word "child" should be interpreted literally and objectively. It is decisive whether the detainee is actually 18 or not.	Unlawful detention, Best Interest of the Child, Unaccompanied childre,	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2017/138.html">http://www.bailii.org/ew/cases/EWCA/Civ/2017/138.html</a>	
Social Rights		TA Lille N°1702397	Tribunal Administratif de Lille	22 March 2017	France	The tribunal suspended the execution of various orders issued by the mayor of Calais in early 2017 that prohibited the distribution of meals in the Dunes and Bois de Dubrulle areas of Calais (where a large number of migrants are located).	Torture and inhuman or degrading treatment or punishment	<a href="http://combatsdroitshomme.blog.lemonde.fr/files/2017/03/ordonnance-r%C3%A9f%C3%A9r%C3%A9-TA-Lille-22-mars-2017-Calais-distribution-1702397.pdf">http://combatsdroitshomme.blog.lemonde.fr/files/2017/03/ordonnance-r%C3%A9f%C3%A9r%C3%A9-TA-Lille-22-mars-2017-Calais-distribution-1702397.pdf</a>	
Borders and Detention		Z.A and others v Russia (nos. 61411/15, 61420/15, 61427/15,3028/16)	ECtHR	28 March 2017	Russia		Torture and inhuman or degrading treatment or punishment, borders management, privcay, detentions conditions	<a href="http://hudoc.echr.coe.int/en/g#{" itemid":["001-172107"]}"="">http://hudoc.echr.coe.int/en/g#{"itemid":["001-172107"]}</a>	

Borders and Detention	Criminalisation	Arben Draga v the United Kingdom (Application no. 333441/13)	ECtHR	25/apr/17	UK	The ECHR found that the fact that UK law does not have time limit on immigration detention or provide for an automatic judicial review of the lawfulness of detention does not violate the European Convention of Human Rights, an in particular article 5 on the right to liberty.	Unlawful detention, deportation, criminal record,	<a href="http://hudoc.echr.coe.int/en?i=001-173881">http://hudoc.echr.coe.int/en?i=001-173881</a>	
Borders and Detention		LC (Albania) v The Secretary of State for the Home Department & Anor [2017] EWCA Civ 351 (09 May 2017)	England and Wales Court of Appeal (Civil Division) Decisions	9 May 2017	UK	The England and Wales Court of Appeal ruled that the four-stage test given by the Supreme Court in HJ (Iran), to determine the claim where an asylum-seeker claims that, if returned to his home country, he will be persecuted because he is gay, complies with the EC Council Directive 2004/89/EC of 29 April 2004 as interpreted by the ECJ and is accurate.	Non refoulement, LGBTI	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2017/351.html">http://www.bailii.org/ew/cases/EWCA/Civ/2017/351.html</a>	
Children		Case No. KHO:2017:81	Finnish Supreme Administrative Court	15 May 2017	Finland	A (on behalf of himself and his son B) appealed a ruling of the Finnish Administrative Court holding that the Finnish Immigration Service ("FIS") had not acted wrongly in deciding that A's teenage child B did not need to be heard before the FIS could make a decision on the asylum application of A and B. The Supreme Administrative Court overturned the Administrative Court's judgment, and returned the asylum application to the FIS, holding that the FIS had acted wrongly in not hearing B.	procedural safeguards, right to be heard, deportation, best interests of the child	<a href="http://www.kho.fi/fi/index/paatoksia/vuosikirjapaatoset/vuosikirjapaatos/1494411512380.html">http://www.kho.fi/fi/index/paatoksia/vuosikirjapaatoset/vuosikirjapaatos/1494411512380.html</a>	
Borders and Detention		Unnamed asylum seeker v. the French Republic., TA Toulouse n°1702143	Tribunal Administratif de Toulouse	22 May 2017	France	The tribunal found the detention of an asylum seeker by the French authorities illegal in the absence of precise and objective criteria to determine that the asylum seeker intended to "delay or frustrate the enforcement of a return decision".	unlawful detention, unauthorised entry, transit and residence	<a href="http://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/TA%20Toulouse%2022%20mai%202017.pdf">http://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/TA%20Toulouse%2022%20mai%202017.pdf</a>	
Borders and Detention	Children	SS, R (on the application of) v Secretary of State for the Home Department & Anor 2017 EWHC 1295	England and Wales High Court (Administrative Court)	26 May 2017	UK	A detention is in conflict with article 28 of Dublin III and therefore unlawful when there are no objective criteria for determining a risk of absconding. The legality of treating an individual as an adult for determining the lawfulness of the detention depends on whether the authorities had made a manifest error of age assessment.	Unaccompanied children, unlawful detention	<a href="http://www.bailii.org/ew/cases/EWHC/Admin/2017/1295.html">http://www.bailii.org/ew/cases/EWHC/Admin/2017/1295.html</a>	

Integration and Residence Permits		Preliminary ruling - AG Opinion in Case C-165/16 Toufik Lounes v Secretary of State for the Home Department	CJEU	30 May 2017	UK	The Advocate-General opined that the rights contained within the Citizens Directive are no longer applicable to an EU national and their family members, once the EU national has acquired the nationality of the host Member State.	deportation, unauthorised entry, transit and residence, citizens directive, family reunification, family life, spouse-dependent visa	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=191183&amp;pageIndex=0&amp;doclang=EN&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1&amp;cid=747813">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=191183&amp;pageIndex=0&amp;doclang=EN&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1&amp;cid=747813</a>	
Borders and Detention	Children	TA Nice n°1702161	Tribunal Administratif de Nice	8 June 2017	France	The tribunal considered the decision of the relevant French authorities to create a provisional detention zone in the city of Menton and, although it did not have sufficient information before it to suspend the French authorities' decision altogether, it affirmed that detainees that have been held by police for more than 4 hours had to be transferred to official transit zones.	Legal aid, unlawful detention, detention conditions, unaccompanied children, unauthorised entry, transit and residence	<a href="http://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/43763103_1702161_anafe_2%20detention.pdf?utm_source=ECRE+Newsletters&amp;utm_campaign=fc0d39f9f6-EMAIL_CAMPAIGN_2017_06_30&amp;utm_medium=email&amp;utm_term=0_3ec9497afd">http://www.asylumlawdatabase.eu/sites/www.asylumlawdatabase.eu/files/aldfiles/43763103_1702161_anafe_2%20detention.pdf?utm_source=ECRE+Newsletters&amp;utm_campaign=fc0d39f9f6-EMAIL_CAMPAIGN_2017_06_30&amp;utm_medium=email&amp;utm_term=0_3ec9497afd</a>	
Borders and Detention		Preliminary Ruling - Case C -9/16 A. V Staatsanwaltschaft Offenburg	CJEU (First Chamber)	21 June 2017	Germany	In the case presented here, the CJEU has to adjudicate on request of the local court (Amtsgericht) of Kehl (Germany) on the decision of 21 December 2015 in the criminal proceedings against A, who has been arrested and charged with the offence of resisting an enforcement officers pursuant to section 113 (1) of the German Criminal Code.	Schengen, Borders management, unauthorised entry, transit and residence, European Border and Coast Guard	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=192045&amp;pageIndex=0&amp;doclang=DE&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1&amp;cid=843895&amp;utm_source=ECRE+Newsletters&amp;utm_campaign=eb97191676-EMAIL_CAMPAIGN_2017_06_23&amp;utm_medium=email&amp;utm_term=0_3ec9497afd">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=192045&amp;pageIndex=0&amp;doclang=DE&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1&amp;cid=843895&amp;utm_source=ECRE+Newsletters&amp;utm_campaign=eb97191676-EMAIL_CAMPAIGN_2017_06_23&amp;utm_medium=email&amp;utm_term=0_3ec9497afd</a>	
Children		MA (Pakistan) & Ors, R (on the application of) v Upper Tribunal (Immigration and Asylum Chamber) & Anor 2016 EWCA Civ 705	England and Wales Court of Appeal (Civil Division)	7 July 2017	UK	The judgment applies to appeals on six different cases in which there was an application for leave to remain in the territory of the UK brought either by a child or a parent of the child based on the fact that the child had lived continuously in the UK for at least seven years. Under rule 276ADE(1)(iv) of the UK Immigration Rules and section 117B(6) of the Nationality, Immigration and Asylum Act 2002, leave may be granted if it would not be reasonable to expect the child to leave the UK.	Deportation, Family Life	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2016/705.html">http://www.bailii.org/ew/cases/EWCA/Civ/2016/705.html</a>	
Children	Healthcare	European Roma and Travellers Forum (ERTF) v the Czech Republic - no. 104/2014	European Committee on Social Rights (ECSR)	28 October 2016	Czech Republic	This decision by the European Committee of Social Rights considers various housing and health challenges faced by Roma in the Czech Republic and finds that many constitute violations of Articles 11 and 16 of the 1961 European Social Charter ("the 1961 Charter").	occupational safety and health, housing, homelessness, right to life, education, best interest of the child, family life, mental health, discrimination on prohibited grounds		

Borders and Detention		Thuo v. Cyprus (no. 3869/07)	ECTHR	4/apr/17	Cyprus	Mr. David William Thuo (the Applicant) relying on Article 3 of the Convention, complained of his ill-treatment during his deportation to Nicosia Central Prisons, and the conditions of his detention there. The Court held there was a violation of Article 3 of the Convention.	unlawful detention, torture and inhuman or degrading treatment or punishment, detention conditions, deportation, borders management, unauthorised entry, transit and residence	<a href="http://www.asylumlawdatabase.eu/en/content/ecthr-thuo-v-cyprus-no-386907-article-3-4-april-2017">http://www.asylumlawdatabase.eu/en/content/ecthr-thuo-v-cyprus-no-386907-article-3-4-april-2017</a>	
Borders and Detention	Social Rights	Sadikou Gnandi v Etat belge C - 181-16 Preliminary Ruling GA	CJEU	15 June 2017	Belgium	According to a preliminary ruling by Advocate General Paolo Mengozzi in a question brought by Belgium before the Court of Justice of the European Union, EU Member States may not expel an asylum seeker upon rejection of his or her asylum application by the Commissioner General for Refugees and Stateless Persons until the legal remedies available against the rejection decision can be exhausted and the asylum procedure can be definitively concluded.	Returns Directive, effective remedy, procedural safeguards, non-refoulement, deportation, unauthorised entry, transit and residence,	<a href="https://tinyurl.com/y8owilbc">https://tinyurl.com/y8owilbc</a>	
Borders and Detention		The Secretary of State for the Home Department v Mosira 2017 Civ 407	England and Wales Court of Appeal (Civil Division)	18 May 2017	UK		procedural safeguards, non-refoulement, deportation, criminal record, family life,	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2017/407.html">http://www.bailii.org/ew/cases/EWCA/Civ/2017/407.html</a>	
Borders and Detention		Chaparadza, R (On the application of) v Secretary of State for the Home Department 2017 EWHC 1209	England and Wales High Court (Administrative Court)	24 May 2017	UK			<a href="http://www.bailii.org/ew/cases/EWHC/Admin/2017/1209.html">http://www.bailii.org/ew/cases/EWHC/Admin/2017/1209.html</a>	unlawful detention, deportation, criminal record,
Borders and Detention		Kiarie and Byndloss, R (on the applications of) v Secretary of State for the Home Department [2017] UKSC 42	Supreme Court of the UK	14 June 2017	UK	Appeal against Court of Appeal judgment dismissing applications by the appellants for judicial review of the lawfulness of "out-of-country" appeals certificates issued by the Home Secretary under s.94B of the Nationality, Immigration and Asylum Act 2002 ("NIAA") (as amended by section 17(3) of the Immigration Act 2014). The issue of such certificate, requiring a person who was bringing a human rights challenge to his deportation to pursue his appeal from abroad, would give rise to a breach of that person's rights under Art.8 of the European Convention on Human Rights ("ECHR") as an out-of-country appeal would not be effective.	Legal aid/ access to legal counsel, procedural safeguards, right to be heard, deportation, criminal record, borders management,	<a href="http://www.bailii.org/ew/cases/EWHC/Admin/2017/1295.html">http://www.bailii.org/ew/cases/EWHC/Admin/2017/1295.html</a>	

Borders and Detention	Children	Secretary of State for the Home Department v RF (Jamaica) 2017 EWCA Civ 124	England and Wales Court of Appeal (Civil Division)	13 March 2017	UK	An immigrant with a British wife and child received a conviction of 4 years which led to him being subject to a deportation order under section 32(5) of the UK Borders Act 2007. As he was outside of statutory exceptions available to those sentenced to less than 4 years set out at 399 and 399A of the Immigration Rules, he was required to show 'exceptional circumstances' if the public interest in his deportation was to be outweighed.	Deportation, criminal record, borders management, best interest of the child, family life, spouse-dependent visa	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2017/124.html">http://www.bailii.org/ew/cases/EWCA/Civ/2017/124.html</a>	
Borders and Detention		Ilias and Ahmed v Hungary no 47287/15	ECtHR	14 March 2017	UK	Two Bangladeshi nationals ("the applicants") sought asylum in Hungary. The Hungarian asylum authorities rejected their application and expelled them to Serbia. The applicants instituted proceedings before the European Court of Human Rights ("the Court"), alleging that Hungary had committed multiple violations of their rights under the European Convention on Human Rights ("the Convention") by expelling them to Serbia despite a real risk of chain-refoulement to Greece, and unlawfully detaining them under inhuman conditions at the transit zone, without recourse. The Court held that the applicants' confinement at the transit zone amounted to an unlawful deprivation of their liberty, and that the Hungarian authorities had not taken proper measures towards ensuring that the applicants were protected from the risk of being subjected to inhuman or degrading treatment in light of a possible chain-refoulement.	unlawful detention, detention condition, torture and inhuman or degrading treatment or punishment, detention conditions, effective remedy, procedural safeguards, non-refoulement, deportation, safe third country	<a href="http://hudoc.echr.coe.int/en/?i=001-172091">http://hudoc.echr.coe.int/en/?i=001-172091</a>	
Integration and Residence Permits	Social Rights	R (HC) v Secretary of State for Work and Pensioners [2017] UKSC 73	Supreme Court of the UK	15/nov/17	UK	An Algerian national, who over-stayed her leave, has been living in the UK since 2008. In 2010 she married a British national and had two children with him, born in 2011 and 2013 and are British nationals. Her marital status ended as a result of domestic violence in 2012. Since then, she has been provided with accommodation and an allowance of £80.50 a week as subsistence support by the council. As the carer of British national children, she has been entitled to the support provided by the council and the right to work and reside in the UK.	housing, family reunification, best interest of the child, family life, privacy, domestic violence	<a href="https://www.freemovement.org.uk/supreme-court-benefits-zambrano-carers/?utm_source=rss&amp;utm_medium=rss&amp;utm_campaign=supreme-court-benefits-zambrano-carers&amp;utm_source=FM+master+list&amp;utm_campaign=a3bce30402-RSS_EMAIL_CAMPAIGN_WEKLY&amp;utm_medium=email&amp;">https://www.freemovement.org.uk/supreme-court-benefits-zambrano-carers/?utm_source=rss&amp;utm_medium=rss&amp;utm_campaign=supreme-court-benefits-zambrano-carers&amp;utm_source=FM+master+list&amp;utm_campaign=a3bce30402-RSS_EMAIL_CAMPAIGN_WEKLY&amp;utm_medium=email&amp;</a>	
Integration and Residence Permits		Case C-165/16 Toufik Lounes v Secretary of State for the Home Department	CJEU	14/nov/17	UK	Where an EU citizen moves to another Member State, acquires the nationality of that Member State and subsequently marries a third-country national, the third-country national is entitled to residency in that Member State.	family life	<a href="http://curia.europa.eu/juris/celex.jsf?celex=62016CJ0165&amp;lang1=en&amp;type=TEXT&amp;ancre">http://curia.europa.eu/juris/celex.jsf?celex=62016CJ0165&amp;lang1=en&amp;type=TEXT&amp;ancre</a>	

Integration and Residence Permits		Kamki v Secretary of State for the Home Department [2017]	England and Wales Court of Appeal (Civil Division)	31/oct/17	UK	Mr. Kamki, a resident of the UK under EEA regulations, was convicted of rape and sexual assault and served six years imprisonment. Upon his release, the National Offender Management Service assessed that there was a low probability of him reoffending but that the harm would be very serious if he did so. The Secretary of State decided to deport him under Regulation 21 of the EEA regulations on the basis of this assessment. Mr. Kamki appealed to the First-tier Tribunal, which dismissed his appeal. Mr. Kamki then appealed to two higher courts on the basis that the First-tier Tribunal erred in its decision. His appeal was dismissed.	deportation, criminal record	<a href="http://www.bailii.org/ew/cases/EWCA/Civ/2017/1715.html">http://www.bailii.org/ew/cases/EWCA/Civ/2017/1715.html</a>	
Social Rights	Integration and Residence Permits	Secretary of State for Work and Pensions v Gubeladze [2017] EWCA Civ 1751	England and Wales Court of Appeal (Civil Division)	7/nov/17	UK	Appeal by the Secretary of State for Work and Pensions ("the Secretary of State") against a decision by the Upper Tribunal that the respondent, a Latvian national, was entitled to state pension credit. Appeal rejected. The Court of Appeal refused to overturn the Upper Tribunal's decision that the UK Government's extension of the Worker Registration Scheme ("WRS") for nationals of A8 states (Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia, Slovenia) in April 2009 for two years pursuant to the Accession (Immigration and Worker Registration) (Amendment) Regulations 2009 (the "Extension Regulations") was disproportionate and incompatible with EU Law. Accordingly, the respondent had not been under any obligation to register under the WRS during the extension period. The Secretary of State's denial of respondent's state pension credit therefore failed.			
Integration and Residence Permits		Commission v Belgium - Case C-564/17	CJEU	13/nov/17	UK	The European Commission seeks an order that (i) the Kingdom of Belgium ("Belgium") has failed to adopt all the laws, regulations and administrative actions necessary to comply with Directive 2011/98/EU of the European Parliament and of the Council of 13 December 2011 on a single application procedure for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State, and in any event has failed to communicate those provisions to the Commission; (ii) that Belgium should pay EU 70 829.80 per day to the Commission from the date on which judgment is delivered; (iii) that Belgium pay the costs of the proceeding.			case pending
Borders and Detention		decision 218/2017	Administrative court of mytilene	8/nov/17	Greece	Asylum applicant was detained with a view to be deported to Turkey. His application was considered a means to frustrate his deportation process and his detention was prolonged until completion of the deportation procedure. The court held that the authorities did not justify by means of an objective reasoning their conviction that the applicant's purpose was to delay his deportation process and ordered that the applicant be freed and remain on the island of Lesbos [until his application is considered].	unlawful detention	<a href="http://www.immigration.gr/2017/11/blog-post.html">http://www.immigration.gr/2017/11/blog-post.html</a>	

Borders and Detention		Decision 2017/2017	Administrative court of mytilene	9/nov/17	Greece	Syrian asylum applicant was detained with a view to be deported to Turkey. The applicant was considered to present a high fleeing risk because he had no travel or other documents. The court held that an applicant cannot be considered as having no travel documents where the same have been collected by another authority and their authenticity has not been challenged. The court ordered that the applicant be freed and remain on the island of Lesbos [ <i>until his application is considered</i> ].	unlawful detention	<a href="http://www.immigration.gr/2017/11/blog-post.html">http://www.immigration.gr/2017/11/blog-post.html</a>	
Borders and Detention		Case of K.I. V Russia (Application no. 58182/14)	ECTHR	7/nov/17	Russia	The case originated in an application against the Russian Federation lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by a Tajik national, K.I. (“the applicant”), on 2 August 2014. The applicant alleged, in particular, that he would risk being subjected to ill-treatment if removed from Russia to Tajikistan, and that his detention in Russia pending expulsion had been unlawful and had involved procedural defects.	unlawful detention, effective remedy, deportation, border management, unauthorised entry/transit/residence	<a href="https://hudoc.echr.coe.int/eng#{" itemid":["001-178361"]}"="">https://hudoc.echr.coe.int/eng#{"itemid":["001-178361"]}</a>	
Borders and Detention		A.S. V Belgium (no. 68739/14)	ECTHR	19/sep/17	Belgium	The case originated in an application against Belgium lodged with the Court under Articles 3 and 13 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by a national of Iraq, whose name is not disclosed (“the Applicant” of “A.S.”), on 22 October 2014.	torture and inhumane or degradng treatment or punishment, effective remedy, safe third country.	<a href="https://hudoc.echr.coe.int/eng#{" itemid":["001-178109"]}"="">https://hudoc.echr.coe.int/eng#{"itemid":["001-178109"]}</a>	
Integration and Residence Permits		Case C-353/16 MP v Secretary of State for the Home Department (opinion of advocate general)	CJEU	24/oct17	UK	The Secretary of State for the Home Department rejected the asylum application of MP, a Sri-Lankan national, on the grounds that it was not established that he would once again be at risk if he returned to his country of origin. MP challenged this decision. The decision was confirmed at first instance and appeal and moved to the Supreme Court. Because MP’s challenge was in part based on EU Directive 2004/83, the Supreme Court stayed the proceedings and referred a preliminary question of EU law to the Court of Justice of the European Union (the “ECJ”).	torture and inhuman or degrading treatment or punishment, mental health, disability	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=195901&amp;pageIndex=0&amp;doclang=EN&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=195901&amp;pageIndex=0&amp;doclang=EN&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1</a>	
Children	Social Rights	Affaire C-550/16 A, S contre Staatssecretaris van Veiligheid en Justitie (opinion of the advocate general)	CJEU	26/oct/17	Netherlands	Advocate General BOT published its opinion regarding the right to family reunification of a child who reach the age of majority after lodging an application for international protection and before requesting reunification with her family.	family reunification, family life,	<a href="http://curia.europa.eu/juris/document/document_print.jsf?doclang=FR&amp;text=&amp;pageIndex=0&amp;part=1&amp;mode=req&amp;docid=196143&amp;occ=first&amp;dir=&amp;cid=1821437&amp;utm_source=ECRE+Newsletters&amp;utm_campaign=02e7139555-EMAIL_CAMPAIGN_2017_10_27&amp;utm_medium=email&amp;u">http://curia.europa.eu/juris/document/document_print.jsf?doclang=FR&amp;text=&amp;pageIndex=0&amp;part=1&amp;mode=req&amp;docid=196143&amp;occ=first&amp;dir=&amp;cid=1821437&amp;utm_source=ECRE+Newsletters&amp;utm_campaign=02e7139555-EMAIL_CAMPAIGN_2017_10_27&amp;utm_medium=email&amp;u</a>	

Integration and Residence Permits		Case C-165/16 Toufik Lounes v Secretary of State for the Home Department (opinion of advocate general)	CJEU	30/may/17	UK	The UK Secretary of State for the Home Department denied to Mr. Toufik Lounes, an Algerian national, the right to remain in the United Kingdom despite the fact that Mr. Lounes was married to a Spanish-UK national. Mr. Lounes challenged the Home Department's decision. The UK High Court of Justice stayed the proceedings initiated by Mr. Lounes and referred a preliminary question of EU law (regarding Directive 2004/38) to the Court of Justice of the European Union (the "ECJ").	unauthorised entry/transit/residence, Citizens Directive, Family life, spouse-dependent visa.	<a href="http://curia.europa.eu/juris/celex.jsf?celex=62016CC0165&amp;lang1=en&amp;type=TXT&amp;ance=">http://curia.europa.eu/juris/celex.jsf?celex=62016CC0165&amp;lang1=en&amp;type=TXT&amp;ance=</a>	
Borders and Detention		Affaire C-181/16 Sadikou Grandi contre Etat Belge	CJEU	15/jun/17	Belgium	The Advocate General considered that European law (and specifically Article 2, paragraph 1 and Article 5 of Directive 2008/115/EC, as well as Article 19, paragraph 2 and Article 45 of the Charter of fundamental rights of the European Union) precluded the issuance of a return decision against a third-country national who filed an application for international protection and who, pursuant to European and/or national law, is allowed to remain in the Member State in which he filed his application during the time specified for an appeal and, if the appeal was filed in due time, during the examination of the appeal.	returns directive, non-refoulement, unauthorized entry/transit/residence	<a href="http://curia.europa.eu/juris/celex.jsf?celex=62016CC0181&amp;lang1=en&amp;type=TXT&amp;ance=">http://curia.europa.eu/juris/celex.jsf?celex=62016CC0181&amp;lang1=en&amp;type=TXT&amp;ance=</a>	
Borders and Detention		Case T-192/16	EU general court	28/feb/17	Europe/Greece	NF submitted an application based on Article 263 of the Treaty on the Functioning of the European Union ("TFEU") seeking the annulment of an alleged agreement between the European Council ("EC") and the Republic of Turkey ("Turkey"). The alleged agreement, recounted in its entirety in the body of Press Release No. 144/16 ("Press Release"), followed a meeting of EU Member States and Turkish Prime Minister on 18 March 2016. The EC argued that no international agreement resulted from the Press Release. The EC reasoned the statement was agreed to by Member States of the European Union ("EU") and Turkey in their capacity as representatives of their governments or States and not on behalf of the EU.	non-refoulement, safe third country, deportation, borders management, unauthorised entry/transit/residence	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=188483&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=426840&amp;utm_source=ECRE+Newsletters&amp;utm_campaign=d360e6a438-EMAIL_CAMPAIGN_2017_03_10&amp;utm_medium=email&amp;utm_term=0_3ec9497afd-d360e6a438-422300837">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=188483&amp;pageIndex=0&amp;doclang=en&amp;mode=lst&amp;dir=&amp;occ=first&amp;part=1&amp;cid=426840&amp;utm_source=ECRE+Newsletters&amp;utm_campaign=d360e6a438-EMAIL_CAMPAIGN_2017_03_10&amp;utm_medium=email&amp;utm_term=0_3ec9497afd-d360e6a438-422300837</a>	
Borders and Detention		Case C-9/16	CJEU	21/jun/17	Germany	The German local court requested a preliminary ruling concerning the interpretation of EU laws, specifically Article 67(2) of TFEU and Articles 20 and 21 of Regulation No. 562/2006, establishing a Community Code on the rules governing the movement of persons across borders. The request was made in criminal proceedings brought against A, a German national, accused of offences under German narcotics legislation and of resisting an enforcement officer. The national German court requested a ruling on whether national German laws pertaining to checks nearby the German border were precluded under EU border checks laws.	european border and coast guard	<a href="http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=192045&amp;pageIndex=0&amp;doclang=EN&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1&amp;cid=843895&amp;utm_source=ECRE+Newsletters&amp;utm_campaign=eb97191676-EMAIL_CAMPAIGN_2017_06_23&amp;utm_medium=email&amp;utm_term=0_3ec9497afd-eb97191676-422300837">http://curia.europa.eu/juris/document/document.jsf?text=&amp;docid=192045&amp;pageIndex=0&amp;doclang=EN&amp;mode=req&amp;dir=&amp;occ=first&amp;part=1&amp;cid=843895&amp;utm_source=ECRE+Newsletters&amp;utm_campaign=eb97191676-EMAIL_CAMPAIGN_2017_06_23&amp;utm_medium=email&amp;utm_term=0_3ec9497afd-eb97191676-422300837</a>	