

## PICUM QUARTERLY January - March 2014

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## BORDERS

### **GREECE / ProAsyl and ECRE call for an investigation after push-back operation leads to death of migrants**

Following an incident of death at sea off the Greek island Farmakonisi on 20 January 2014 in which nine children and three women died, ProAsyl and the European Council on Refugees and Exiles (ECRE) called for an independent investigation into an alleged push-back. According to the survivors, the Greek coast guard vessel was towing the boat toward the Turkish coast at high speed when the boat capsized. In November 2013, ProAsyl published a [report](#) on human rights violations occurring when boats are pushed back.

Source: [ProAsyl and ECRE](#), 22 January 2014

### **ITALY / Lampedusa nominated for the 2014 Nobel Peace Prize**

After nearly 360 migrants died at sea on 3 October 2013, the Italian Newspaper 'Espresso' started a petition to nominate Lampedusa for the 2014 Nobel Peace Prize. Professor Elisabeth Eide, from Oslo University, stated in a letter to the Norwegian Nobel Committee that many of the migrants who managed to survive the dangerous journey across the Mediterranean often received help from the island's inhabitants. About 20,000 migrants have died in the sea while trying to reach the island of Lampedusa over the last 20 years. 640 died between 30 September and the 11 October 2013 alone, including at least 100 children.

Sources: [L'Espresso](#), 5 February 2014; [L'Espresso](#), 31 January 2014

### **SPAIN / 200 sub-Saharan migrants cross border fence in Melilla**

About 200 sub-Saharan migrants scaled the border fence at the Spanish North-African enclave of Melilla on 28 February 2014. This follows several other border crossings involving large numbers of migrants in early 2014. An estimated 500 people have entered the Spanish enclave since the beginning of the year. This time, Spanish Guardia Civil officials did not use rubber bullets after a recent incident in which 14 sub-Saharan migrants died in their attempt to swim from Morocco to Ceuta (See [PICUM Bulletin 20 February 2014](#)). After crossing the fence, the sub-Saharan migrants came to the Centre for the Temporary Stay of Immigrants (CETI) which was already at more than twice its capacity, with 1,080 undocumented migrants. Spanish Prime

Minister, Mariano Rajoy, urged the EU to provide Spain and other EU border countries with more support to reduce irregular entry.

Sources: [EFE](#), 28 February 2014; [EFE](#), 28 February 2014

#### **DATA / New records of migrant deaths**

A new initiative entitled "The Migrant Files" aims to keep a record of deaths of migrants on their way to Europe since the year 2000. According to the database, more than 23,000 migrants have died since 2000. The collected data includes death through drowning at sea, death through violence at the EU's borders, death in detention as well as data of migrants who were killed after deportation to the country of origin. The initiative was founded by a pan-European consortium of journalists of various national and EU level media and draws on previously collected data of United for Intercultural Action between 1993 and 2012.

Source: [The Migrant Files](#), March 2014

## **EUROPEAN POLICY DEVELOPMENTS**

#### **EUROPEAN COMMISSION / Adoption of Communication on EU Return Policy**

The European Commission (EC) adopted, on 28 March 2014, a [Communication on the EU's Return Policy](#) highlighting the need for better practical implementation of the EU Return Directive and of return policies in general. The EC highlights that the full respect for fundamental rights has to be ensured within return procedures and states the intention of adopting, within one year, a "Return Handbook" containing common guidelines, best practices and recommendations to member states for carrying out returns in a manner consistent with relevant international standards, and in line with the safeguards established within the Return Directive. The assessment also includes comparative country information on detention, including alternatives to detention, monitoring of forced return and suspensive effects of an appeal against removal directions

Sources: Communication from the Commission to the Council and the European Parliament on EU Return Policy; [European Commission Press Release](#), 28 March 2014

#### **EUROPEAN COMMISSION / Stakeholders consultation: 'An open and safe Europe – what next?'**

Succeeding the current framework known as the [Stockholm Programme](#), 2014 will see the European Union setting the agenda for the forthcoming years in the Area of Freedom, Security and Justice (AFSJ), including migration policies. The Directorate General of the European Commission in charge of Home Affairs policies (DG Home) launched a public consultation entitled "An open and safe Europe – what next?" Contributions of various entities to the consultation are available [here](#). The Commissioner for Home Affairs, Cecilia Malmström, spoke about the future of Home Affairs policies at a [conference on 29 January 2014](#).

#### **COUNCIL OF EUROPE / Spain condemned for denying health care to undocumented migrants**

The Council of Europe expressed concern about the regressive legislative developments concerning access to health care for undocumented migrants in Spain on 29 January 2014. The conclusion is part of a report by the European Committee on Social Rights that examines if national laws are in line with the European Social Charter. On 20 April 2012 the Spanish government issued a Royal Decree-Act limiting access to health care services for irregular migrants to emergency, maternity and child care only (See [PICUM Bulletin 29 May 2012](#)). The report also listed other countries that violate their health care obligations towards irregular migrants such as Austria, Belgium, Bulgaria, Czech Republic, Denmark, Finland and France.

Sources: [El País](#), 29 January 2014; [El País English](#), 29 January 2014

#### **COUNCIL OF EUROPE / Report after country visit by Council of Europe Commissioner for Human Rights**

Following his visit to Denmark from 19 to 21 November 2013, Council of Europe Commissioner for Human Rights, Nils Muižnieks, published a [report](#) commenting on selected human rights issues including asylum and immigration practices in Denmark. In Denmark, immigration detention was reported to be prolonged to for up to one year in some cases. When visiting the Ellebaek detention centre, the Commissioner was concerned to hear that in some cases particularly vulnerable persons such as children or victims of trafficking were detained. The report puts a particular focus on the rights of children in the context of asylum and immigration. The Commissioner highlighted that authorities frequently do not decide in the best interests of the child and deny family reunification or deport children and family members.

Sources: [Council of Europe](#), 24 March 2014

#### **EUROPEAN PARLIAMENT / Adoption of regulation establishing rules for sea operations coordinated by Frontex**

The European Parliament adopted the [Regulation establishing rules of surveillance in Frontex coordinated joint operations](#) on 16 April 2014 by 528 votes for, with 46 abstentions and 88 against. The European Parliament Committee on Civil Liberties, Justice and Home Affairs (LIBE) on 20 February 2014 voted in support of the [compromise text](#) on the regulation. The rules require units participating in Frontex operations to ensure the safety and human dignity of intercepted or rescued persons including an obligation to identify vulnerable persons such as victims of trafficking and unaccompanied migrant children and provide them

with adequate assistance. Meanwhile, Frontex reported that the number of irregular entries to the EU almost doubled in the third quarter of 2013 (42,618) compared to the same period in the previous year.

Sources: [European Commission Press Release](#), 16 April 2014; [Frankfurter Allgemeine Zeitung](#), 19 February 2014

### **EUROPEAN PARLIAMENT / Resolution on “Undocumented Migrant Women in the EU”**

Underlining the need for equal access to justice and services for all women regardless of administrative status, the European Parliament passed a resolution on “Undocumented Migrant Women in the EU” on 4 February 2014. The motion for this resolution came from an own-initiative report of the Committee on Women's Rights and Gender Equality (FEMM) prepared by Rapporteur Norica Nicolai (ALDE, Romania). The resolution calls on national and European authorities to ensure that a woman's immigration status does not prevent her from accessing decent housing, health care, education, and justice. The resolution also recommends that member states now delink the prosecution of violence from immigration control, so that all victims can safely report crimes. Information on the votes of MEPs is available [here](#).

### **EUROPEAN PARLIAMENT / STUDY / Access to shelters of undocumented migrant women fleeing domestic violence**

Bringing together data on undocumented women and the difficulties they face to access shelter and support, the study entitled “Access to shelters of undocumented migrant women fleeing domestic violence: the legal and practical situation in the Member States” outlines the situation in eight EU member states. The study is authored by the European Parliament, Directorate-General for Internal Policies of the Union. It provides key recommendations to national authorities and EU institutions and is available [here](#) in English, French and German.

### **EUROPEAN PARLIAMENT / Non-EU seasonal workers entitled to better working conditions**

The European Parliament adopted new legislation on seasonal workers on 5 February 2014. The new rules that passed with a majority of 498 votes to 56, with 68 abstentions, will give non-EU seasonal workers the same labour rights on minimum pay, dismissal, working hours, holidays, and health and safety requirements, as EU nationals. The legislation requires all applications for entering the EU as a seasonal worker to include a work contract or a binding job offer specifying payments, working hours, as well as evidence that the worker will have appropriate accommodation. Employers in breach of their obligations will face penalties and will have to compensate the seasonal worker concerned. However, member states will keep the right to decide how many seasonal workers they allow into their country each year and to fix a maximum length of stay of between five and nine months over a year.

Source: [European Parliament News](#), 5 February 2014; [EU Observer](#) 6 February 2014

### **EUROPEAN COUNCIL / Priorities of the Greek Presidency of the European Union**

The Greek Council Presidency presented its priorities to the various committees of the European Parliament during the week from 16 to 23 January 2014. Main concerns of the Greek Presidency in the area of Civil Liberties, Justice and Home Affairs include the implementation and functioning of the Smart Borders package; addressing the situation of migrants and asylum seekers in the European Union; and the rise of far right movements across Europe. Discussions within the LIBE Committee of the European Parliament also highlighted internal policy issues, such as the rise of extremist parties, police violence and poor detention conditions of migrants and asylum seekers in Greece. For more information on the Greek Presidency's programmes and priorities, click [here](#).

Sources: [European Voice](#), 12 December 2013; [European Parliament News](#), 23 January 2014

### **PUBLICATION / Criminalisation of irregular migrants and their supporters**

The European Union Agency for Fundamental Rights (FRA) has published a paper on the criminalisation of irregular migrants on 27 March 2014. The paper looks at measures used in EU member states to counteract irregular migration. The report analyses which EU member states criminalise irregular stay and which member states also criminalise support of undocumented migrants by other persons, for instance through providing shelter. To read the full report click [here](#).

## **NATIONAL DEVELOPMENTS**

### **CYPRUS / Action plan to prevent and fight irregular migration**

Speaking at a press conference to launch the programme ‘Colourful Societies’, which promotes the integration of third country nationals who regularly reside in Cyprus, Minister for the Interior, Socratis Hasikos, announced an action plan to prevent and fight irregular migration. Mr Hasikos stated that tackling irregular migration would be essential for the development of an effective migration policy and would help to prevent exploitation of migrant workers and support the labour market.

Source: [InCyprus](#), 12 February 2014

### **FRANCE / New circular calls for deportations**

Shortly before the municipal elections, on 11 March 2014, the Minister of the Interior, Manuel Valls, discussed the issue of irregular migration in a [circular](#) that addressed the prefects of the Paris police, of the departments of the country and of the Bouche du Rhône Police. After expressing his satisfaction on the effective tools and services in 2013, the circular calls for a systematic deportation of undocumented migrants. The main targets are unsuccessful asylum seekers. The circular specifies that the right to emergency shelters will no longer apply to unsuccessful asylum seekers.

Source: [Passeur d'hospitalité](#), 16 March 2014

#### **GREECE / Addressing criminalisation and violence against migrants in Greece**

A joint group of organisations, representing and working with migrants and asylum seekers in Greece and at EU level, published recommendations on 20 March 2014 towards European Union policymakers and other representatives of the EU institutions calling for urgent action to improve the situation of migrants in Greece. The recommendations address EU migration and asylum policy, justice policy, employment and social inclusion policy and stakeholder consultation. To read the recommendations, click [here](#).

#### **GERMANY / Fines for airlines which transport irregular migrants**

German authorities increasingly focus on travel agencies, particularly airlines, in efforts to deter irregular migration. Airlines had to pay fines totalling 2, 6 million euro for transporting irregular migrants last year. Each case involves fines between 1,000 and 5,000 euro. Countries of origin often do not verify the validity of travel documents of passengers. Meanwhile, the number of deportations increased. In 2013, 10,200 people were deported from Germany to their country of origin compared to 7,600 deportations in the previous year.

Source: [Süddeutsche Zeitung](#), 18 March 2014

#### **GERMANY / Migration Report 2012 released**

The Federal Office for Migration and Refugees published its findings on migration trends in Germany for the year 2012. This report was adopted by the Federal Cabinet on 15 January 2014 and dedicates one chapter to irregular migration, stating that authorities are generally obliged to report undocumented migrants to the responsible foreigners or police office. In accordance with the Law for Transposition of Directives (Richtlinienumsetzungsgesetz) of November 2011, schools are exempted from transmitting data to allow access to education for undocumented migrant children. This exemption is also extended to other educational facilities. The federal police recorded 25,670 irregular entries to Germany in 2012.

The full report is available (in German) [here](#).

#### **ITALY / Italian Parliament passes reform bill decriminalising irregular entry and stay**

The Italian Parliament passed a [reform bill](#) into law on 2 April 2014 which decriminalises irregular entry and irregular stay. The Italian Senate, on 21 January 2014, voted in favour of the abolishment of the crime of irregular entry and irregular stay, through the adoption of an amendment to the proposed law n. 925/2014 regulating procedural reforms of the current prison law. According to the new amendment, irregular entry and irregular stay, from now on, will be considered administrative infringements and punished with removal. Irregular entry will still be considered a crime in cases of re-entry and any other violation of migration administrative orders (i.e. duty to report, removal directions, re-entry ban etc.) will still be punished under criminal law.

Source: [Agence France Presse](#), 2 April 2014; [La Stampa](#), 21 January 2014

#### **MOROCCO / Regularisation campaign launched**

The regularisation campaign in Morocco was launched on 2 January 2014. It is the result of a decision by King Mohammed VI made in September 2013 (see [PICUM Bulletin 31 October 2013](#)). Irregular migrants have until 31 December 2014 to become regularised. Organisations welcome this initiative but note that the criteria are strict. For instance, the migrants should have been residing in Morocco for at least five years, have been employed for the past two years or should be able to prove at least two years of living with their spouse. Overall, the campaign should reach 25,000 to 30,000 undocumented migrants.

Sources: [Radio France International](#) (RFI), 3 January 2014; [Jeune Afrique](#), 12 November 2013

#### **NETHERLANDS / Amsterdam provides medical assistance and shelter to undocumented migrants**

Advocacy efforts by the Dutch Green party (GroenLinks) led to approval by the city council of Amsterdam on 13 April 2014 to provide assistance to undocumented migrants. The city council committed to providing shelter and medical care to irregular migrants. Furthermore, Amsterdam will work with the ROC, the regional education centre, in the future. Earlier in the week, the city council approved a motion which states that children should keep receiving youth support even though they are undocumented.

Source: [GroenLinks](#), 13 March 2014

#### **UK / Immigration Minister resigns over employing undocumented domestic worker**

Mark Harper, the UK's Immigration Minister, resigned on 7 February 2014 after it was revealed that his domestic worker, whom he hired in April 2007, was undocumented. Most recently, Mark Harper was steering an immigration bill through the House of

Commons (see [PICUM Bulletin 2 December 2013](#)) which warns employers of their duty to check the migration status of employees and landlords of their duty to check the status of tenants and he was behind the controversial campaign that put "go home or face arrest" adverts on UK vans in summer 2013 (see [PICUM Bulletin 22 August 2013](#)) urging undocumented migrants to leave Britain. Meanwhile, the Latin American Women's Rights Service, as part of a broader coalition of Latin American NGOs in the UK (CLAUK), launched on 18 March 2014 a campaign to show solidarity and financial support to Mr Harper's former domestic worker. The campaign sets out to raise a minimum of £10,000 for the domestic worker's Legal Defence Fund. To find out more about the campaign, click [here](#). To sign a petition calling for Theresa May, UK Home Secretary, to regularise the domestic worker's status, click [here](#). Human Rights Watch (HRW) published a report entitled "[Hidden Away: Abuses against Migrant Domestic Workers in the UK](#)" on 31 March 2014 providing data and testimonies on a wide range of criminal and labour abuses against domestic workers in the UK.

Sources: [The Guardian](#), 9 February 2014; [International New York Times](#), 9 February 2014

### **US / Mayor of New York City proposes municipal ID cards for undocumented migrants**

Democrat Bill de Blasio, who was elected Mayor of New York City in November 2013, stated in his first State of the City address that New York would become the largest municipality to offer identification cards to residents regardless of their residence status. This should make it easier for undocumented migrants to open bank accounts, lease apartments, or borrow library books. With this proposal, Mr de Blasio bypasses federal lawmakers in Washington D.C., whose efforts to enact similar policies have recently run to a standstill. Similar initiatives already exist in other US municipalities such as San Francisco and Los Angeles.

Source: [New York Times](#), 10 February 2014

## **HEALTH CARE**

### **PORTUGAL / Manual on access to health care for non-citizens**

The Central Administration of the Portuguese Health System published a manual on access to the health system for foreign citizens in December 2013. The document also explains the rights and the responsibilities of third country nationals. Migrants and temporary residents must register initially with the local health care authority in order to obtain a "user's card". Only then may they sign up for the National Health Service (Serviço Nacional de Saúde, SNS). A residence title issued by the Service for Borders and Frontiers (Serviço de Estrangeiros e Fronteiras, SEF) is required to start the process. Expired visas issued by the SEF are also accepted, if accompanied by a demand for visa renewal. Migrants who are unable to provide such documents may still receive the card, but are required to pay for medical services. The Central Authority stresses that undocumented migrants do have the right to access the Portuguese health care system. The Order 25 360/2001 ([Despacho 25 360/2001](#)) stipulates that all children below the age of 16 have access to health care services granted by the National Health Service. Further information can be found [here](#).

Source: [O Povo](#), 28 January 2014

### **US / Pregnant women detained by immigration authorities**

A total of 13 pregnant women were detained by Immigrations and Customs Enforcement (ICE) at one detention centre in El Paso, Texas from August to November 2013. Despite the agency's guidelines stating pregnant women should not be detained unless they are a threat to public safety or meet the requirements of mandatory detention, the women were held after attempted border crossings. Some were released the same day, while others were detained for several weeks. The cases were brought to public attention by the National Immigrant Youth Alliance. Advocates fear these figures are indicative of a broader trend across ICE facilities of detaining pregnant women.

Source: [Fusion](#), 13 December 2013

### **US / Californian legislator promotes access to health care for undocumented migrants**

Ricardo Lara, Californian Democratic Senator, spoke in favour of health care coverage for undocumented migrants in California. A state version of the Affordable Care Act, currently available only to U.S. citizens, should also apply to undocumented migrants. Lara argues that if federal law is to provide health care for the uninsured, immigration status should not be a barrier. Out of the estimated 2.6 million irregular migrants in California, one million are left uninsured. Lara is working with Health Access, an advocacy group, to create the health care bill.

Sources: [Los Angeles Times](#), 10 January 2014; [Press Telegram](#), 10 January 2014

## **LABOUR AND FAIR WORKING CONDITIONS**

### **HONG KONG / Exploitation of domestic workers**

Recent cases of severe physical abuse of migrant domestic workers have stirred protests in Hong Kong. Erwiana Sulistyarningsih, an Indonesian domestic worker, left Hong Kong on 10 January 2014 disfigured after having suffered severe physical abuse for nearly eight years as a domestic worker. On 15 January 2014, during a protest outside of Erwiana's former employment agency, a second Indonesian domestic worker reported physical abuse from the same employer. In 2012, a Mission for Migrant Workers survey reported that 18 percent of migrant domestic workers in the city had been physically abused.

Sources: [World Time](#), 15 January 2014; [World Time](#), 16 January 2014

### **RUSSIA / OLYMPICS / Exploitation of migrant workers**

Before the Winter Olympic Games in Sochi, Russia were launched on 7 February 2014, new reports revealed the labour exploitation of undocumented migrant workers in the \$50 billion construction of the games. Migrants reported to have worked without a contract and have been threatened when they asked for their payment after finishing their jobs. A group of Serbs reported that the visas they were promised expired, they stayed in overcrowded accommodation lacking sufficient sanitation, and were then arrested and detained. After several days in detention, the workers were flown back to Serbia having each earned only 250 Euros.

Sources: [Reuters](#), 5 February 2014; [Human Rights Watch](#), February 2014

### **US / Undocumented migrant admitted to practice law**

The California Supreme Court [ruled on 2 January 2014](#) that 36-year old Sergio Garcia, who entered the country irregularly and earned his way through law school doing manual work, will be admitted to the state bar and can practice law. However, under federal law, no law firm, business or public agency is allowed to hire him. Mr Garcia announced that he plans to open his own law firm as there is no law in the country restricting entrepreneurs. While the US Congress remains stalled on overhauling the country's immigration laws, some states have progressively granted rights to undocumented migrants allowing undocumented migrants to receive in-state college tuition, or obtaining a driver's license in some states.

Sources: [New York Times](#), 2 January 2014; [The Wall Street Journal](#), 21 January 2014

## **UNDOCUMENTED WOMEN**

### **SPAIN / PUBLICATION / Undocumented women facing sexual violence in Spain**

The Aspacia Foundation (Fundacion para la Convivencia Aspacia) published a study entitled "Amidst fear and lack of protection. Undocumented migrant women facing sexual violence in Spain" (Entre el miedo y la desprotección. Mujeres migrantes en situación irregular frente a la violencia sexual en España) in November 2013. The report examines the obstacles undocumented women face in their access to protection and justice in Spain. In particular, cultural and structural discrimination, barriers to health care services, and obstacles in reporting sexual violence because of fear of being deported. To see the full report (in Spanish), click [here](#).

## **UNDOCUMENTED CHILDREN AND THEIR FAMILIES**

### **BELGIUM / MEPs criticise Belgian government for treatment of undocumented Afghans in Brussels**

The head of the parliament's leftist GUE group, Gabi Zimmer, along with Portuguese MEP Alda Sousa from the same faction, announced on 23 January 2014 that they would circulate a letter among euro-deputies to denounce Belgium's treatment of the Afghans, asking the government to change its position on whether it is safe for them to return to Afghanistan. A group of homeless undocumented Afghans, including many families, are currently staying at the Beguinage church in Brussels. Speaking at an event on 11 February, Gabi Zimmer deplored the lack of services, including health care and water, provided to migrants, and particularly children and families, who are unable to return to their country of origin.

Sources: [EU Observer](#), 23 January 2014; [GUE/NGL Letter to Belgian Prime Minister](#), 7 February 2014

### **GREECE / Greek Council of State rules against naturalisation of children born in Greece to foreign parents**

The Greek Council of State ruled in its decision n. 460/2013 on 6 February 2014 to withdraw Law 3838/2010, which originally allowed the naturalisation of migrants who had been residing in Greece for more than six years while attending the Greek educational system or for those who were born in the country as second generation migrants. According to the Court's ruling, third country nationals will also no longer be entitled to vote or to be elected in municipal elections and children born in Greece

to foreign parents will no longer be able to acquire Greek nationality based on the length of their residence and education in Greece.

Sources: [European University Issue](#), 18 February 2014; [Greek Crisis Review](#), March 2014

#### **NETHERLANDS / Amsterdam starts providing social benefits for single-parent families to undocumented parents of Dutch children**

Dutch children who are cared for by a single parent who has no right of residence are now entitled to social benefits for single-parent families in Amsterdam. Several other municipalities in the Netherlands already have this policy. Generally, all children, including undocumented children, have the right to protection, healthcare, education and other basic services in the Netherlands.

Sources: [Stichting LOS Newsletter](#), Volume 3 Number 24, 9 December 2013

#### **NETHERLANDS / Evaluation of Children's Pardon**

In total about 3,270 applications have been submitted for regularisation in the Netherlands through the "Children's pardon" (kinderpardon), a mechanism to regularise children who have lived in the Netherlands continuously for more than five years before turning 18, and who had previously claimed asylum unsuccessfully. In total 1,340 applications have been granted. Approximately 1,800 applications have been rejected. Several recent court cases appealing negative decisions concerning the child's pardon have been successful.

Source: [Stichting LOS Newsletter](#), Volume 3 Number 24, 9 December 2013

#### **REPORT / Championing Children's Rights: A global study of independent human rights institutions for children**

The UNICEF Office of Research has released the first comprehensive global review of independent human rights institutions for children. The aim of the report is to help readers understand the purpose and potential of independent human rights institutions for children, what they do and how they operate. It also includes several cases where independent human rights institutions have intervened on violations of the rights of migrant children. Read the report [here](#).

Sources: [UNICEF Office of Research](#), December 2013; [Child Rights Information Network](#), CRINmail 1360, 15 January 2014

#### **STUDY / Eurochild and UNICEF launch publication urging the EU to move forward in realising children's rights for all children**

The publication "[Realising the rights of every child – moving forward with the EU](#)" published in February 2014 highlights the current and future role of the EU in realising children's rights across internal and external policy and action. Eurochild published at the same time their 'Discussion Paper': "[Mainstreaming Children's Rights in EU Legislation, Policy and Budget - Lessons from Practice](#)". The study provides guidance on how effective child rights mainstreaming can be undertaken in the EU's internal policies, budget and legislation.

#### **US / Scholarship fund created for undocumented students**

Former owner of the Washington Post, Donald E. Graham, together with fundraiser for the Democratic National Committee, Henry R. Muñoz, and former Republican cabinet secretary, Carlos Gutierrez, have launched a \$25 million [fund](#) to award scholarships to undocumented students. About 1,000 students will benefit from the fund in the next academic year. While 17 states in the US now allow undocumented students to receive in-state tuition rates, they are not eligible to receive federal financial aid. Each year, an estimated 65,000 undocumented students graduate from US high schools.

Source: [Washington Post](#), 4 February 2014

#### **UN / Call on states to address barriers for children to access justice**

The Office of the High Commissioner for Human Rights (OHCHR) released a report on "Access to justice for children" on 16 December 2013. The report addresses the need to establish accessible complaints procedures at the national and international level, to provide children with the advice and assistance they need to engage with the legal system, as well as ways of overcoming the other barriers that children face in upholding their rights. The report notes the additional barriers that migrant children face in accessing justice and urges states to address these and adopt special protective measures. The report is available [here](#) (in English, French, Spanish, Chinese, Arabic and Russian).

#### **UN / World Youth Report focuses on Youth and Migration**

The United Nations 2013 World Youth Report addresses the theme of migration and offers a broad understanding of the situation of young migrants from the perspective of young migrants themselves. Based on their own lives and told in their own voices, the report highlights some of the concerns, challenges and successes experienced by young migrants. The particular challenges around irregular migration for young migrants, as well as the impact an irregular status can have on a young person's well-being in countries of transit and destination are also addressed. Read the report [here](#).

#### **UN / Germany urged to respect the rights of undocumented children**

The UN Committee on the Rights of the Child periodic review of Germany's implementation of the Convention on the Rights of the Child on 31 January 2014 also considered the rights of undocumented children. In its concluding observations, the Committee urged the state to repeal any obligation for service providers to report undocumented children to immigration authorities. Moreover, the Committee expressed concern about inadequate health services for undocumented children, including treatment of acute illnesses, preventative health care and psychosocial therapy support when necessary. The report, which included specific recommendations regarding access to birth registration and health services, as well as immigration detention, is available [here](#).

## DETENTION AND DEPORTATION

### FRANCE / Children still detained

French President Francois Hollande promised in his presidential campaign to end the detention of children. However, detention of children still occurs and is not supervised in an improved manner. In late January 2014, at least two new families with young children were detained. A woman, her four month-old baby and two year old child were detained in Metz from 28 to 29 January 2014. They were deported the following morning to Italy.

Source: [La Cimade](#), 31 January 2014

### GREECE / Detention of Afghan children

Following a visit to Greece and an inspection of the Moira reception center, the Ecologist Greens party documented the detention of nine Afghan children who remained in detention for more than 20 days. This is a direct violation of the United Nations Convention on the Rights of the Child but continuously reported to occur in Greece. Between 2009 and 2012, Greece was condemned by the European Court for Human Rights in 11 cases on the living conditions of refugees and detained migrants in the detention centers.

Sources: [Okeanews](#), 15 January 2014; UNHCR Greece Press Review: 14 - 17 January 2014

### ITALY / Medici per i Diritti Umani release data on immigration detention in Italy

Medici per i Diritti Umani (MEDU) released [data](#) on 25 February 2014 on the use of administrative detention of undocumented migrants in Italy during the year 2013. The data shows that, in the course of 2013, a total of 6,016 migrants (5,431 men and 585 women) have been detained in Italian immigration detention centres (CIE). The study concludes that administrative detention of undocumented migrants is neither a deterrent to irregular migration nor an effective tool for ensuring return. The study is the result of MEDU's 18 visits to all the CIEs on the Italian territory during the period 2011-2013. A synthesis report of the visits is available [here](#).

Source: [Medici per i Diritti Umani](#), 25 February 2014

### NETHERLANDS / Coalition against child detention presents petition to Department of Security and Justice

The coalition '[Geen kind in de cel](#)' (No child in detention), which includes organisations such as Amnesty International, Defence for Children, VreemdelingenWerk Nederland, and UNICEF Nederland, presented the publication 'Daddy, have we done something bad?' (Papa, hebben wij iets ergs gedaan?) to the Department of Security and Justice on 28 January 2014. The publication gives a voice to children and families who were detained or are still detained and shows the long-term consequences detention can have for children. Click [here](#) to read the publication in Dutch.

Source: [Volkskrant](#), January 28, 2014

### NORWAY / Record number of deportations in 2013

Norway deported a record number of undocumented migrants with 5,198 deportations in 2013, an increase of 31 percent compared to 2012 (3,958 deportations). Reasons for deportation, among others, were violations of the country's immigration act. Nigerians and Afghans were the two largest groups of deported migrants.

Source: [The Local](#), 27 January 2014

### REPORT / Research reveals shortcomings of the EU Returns Directive in Spain, Italy, and Cyprus

A joint group of civil society organisations conducted research between August 2012 and January 2014 on the implementation of the EU Return Directive (2008/115/EC) in Italy, Cyprus and Spain. A main focus of this research was to investigate the conditions under which migrants are detained in the three countries. The project report entitled "[At the Limen. The implementation of the Returns Directive in Italy, Cyprus and Spain](#)" identified various breaches of the European Convention on Human Rights as well as breaches of the provisions of the Returns Directive concerning the detention of migrants in all three countries. These include that detention is not used as a last resort but rather long-term detention is the norm; migrants are deprived of their freedom, even in cases in which deportation cannot be carried out; children and other particularly vulnerable groups are detained; and migrants are often detained alongside those in custody for criminal offences.

Source: [KISA](#), January 2014

### **UK / Concerns regarding impact of administrative detention upon migrant women**

A report from the organisation Women for Refugee Women, entitled '[Detained: Women Asylum Seekers Locked Up in UK](#)', found that almost one third of the women who sought asylum in the UK in 2012 were detained. Following interviews with a sample of 46 migrant women in immigration detention, the research found that 93% felt depressed, 85% felt scared, more than half had thought about killing themselves and more than one in five had tried to kill themselves. An online petition addressed to British Home Secretary Theresa May, initiated by the daughter of an undocumented woman who was detained alongside her mother in Yarls Wood when she was thirteen years old, demands that the government stops detaining women who have sought asylum in the UK and to properly investigate allegations of abuse made against staff. The petition is available [here](#).

### **MAP / Launch of interactive website mapping detention in Europe**

The Migreurop network launched on 13 December 2013 an interactive and dynamic [mapping of the detention of migrants in Europe and beyond](#). The new website aims to record the places, forms and conditions of migrant detention and their serious human consequences; enable access to information related to migrant detention sites and contact with detained migrants. According to Migreurop, there are 393 closed camps detaining migrants in EU member states, in accession countries which have applied for membership to the EU, in those that qualify for the European Neighbourhood Policy (ENP) and in some of those which participated in the European migration policies in the period from 2011 to 2013. For more information on Migreurop, click [here](#).

### **PROJECT / The futile detention of unreturnable migrants**

The project of a joint group of civil society organisations entitled 'A face to the story: the issue of unreturnable migrants in detention' aims to raise awareness regarding unreturnable migrants and urges policymakers at national and EU level to put an end to their detention and to find solutions. The project involves case studies of the experiences of 39 unreturnable migrants in EU countries as well as the launch of the report "[Point of no return. The futile detention of unreturnable migrants](#)". For more information on the project, click [here](#).

## **PUBLICATIONS AND OTHER RESOURCES**

### **VIDEO CONTEST / PLURAL+ 2014 call for submissions**

[PLURAL+](#) is a youth video festival. A joint initiative of the United Nations Alliance of Civilisations (UNAOC), the International Organisation for Migration (IOM) and over 50 partner organisations organise the festival which aims to encourage young people to express themselves on topical issues of migration, diversity and social inclusion. To enter a video, participants must be between 9 and 25 years old. Three winning videos will receive \$1000 each and the young producers will be invited to New York to attend the award ceremony. The 2014 call for entries will close on 27 June 2014. For more information click [here](#).