

PICUM QUARTERLY April - June 2015

[BORDERS](#)

[UNITED NATIONS](#)

[EUROPEAN POLICY DEVELOPMENTS](#)

[NATIONAL DEVELOPMENTS](#)

[HEALTH CARE](#)

[LABOUR AND FAIR WORKING CONDITIONS](#)

[UNDOCUMENTED WOMEN](#)

[UNDOCUMENTED CHILDREN AND THEIR FAMILIES](#)

[DETENTION AND DEPORTATION](#)

[PUBLICATIONS AND OTHER RESOURCES](#)

BORDERS

DATA / Updated list with deaths of migrants and interactive map

To mark International Refugee Day 20 June 2015, the network UNITED for Intercultural Action published an updated edition of its List of Deaths of migrants and refugees at Europe's borders and through violence or denied access to services in Europe. The network also published an interactive [map](#) providing an overview of the deaths, and calls on civil society to protest against EU policies leading to deaths of migrants. In the period from 1993 to 2015, at least 22,000 deaths of migrants and refugees can be attributed to restrictive policies, according to the network. The data are collected through own research, information received from the 550 network organisations in 48 countries and from local experts, journalists and researchers in the field of migration. To view the list of deaths, click [here](#) and the interactive map, click [here](#).

EUROPOL / Launch of Joint Operational Team MARE

Europol launched the Joint Operational Team (JOT) MARE, a maritime intelligence centre, on 17 March 2015 with the aim of better identifying and tracking smuggling networks operating in the Mediterranean Sea. JOT MARE is hosted at the Europol headquarters in The Hague and will be tasked with carrying out coordinated and intelligence-driven actions to identify smuggling networks in the Mediterranean. Thirteen member states are participating in the Joint Operational Team: Belgium, Cyprus, Denmark, France, Germany, Greece, Italy, Malta, the Netherlands, Portugal, Spain, Sweden and the United Kingdom.

Sources: [Europol](#), 17 March 2015; [European Commission Press Release Database](#), 17 March 2015

FRONTEX / Annual Risk Analysis 2015

Frontex, the EU Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, published on 28 April 2015 its 2015 [Annual Risk Analysis Report](#). In the report, Frontex highlights that throughout 2014 a total of 280,000 detections of irregular border crossing were reported. The report also states that the central Mediterranean route still represents the main area for irregular border crossing, representing a total of 60% of all detections in 2014. The full report is available [here](#). Source: [Frontex](#), 28 April 2015

HUNGARY / Plans for border fence to prevent migrants and refugees from entering the country

Hungary plans to build a four-metre high, 175 km long fence along its border with Serbia to prevent migrants and refugees from entering the country. Hungarian and Serbian police chiefs met on 22 June 2015 and agreed to take joint steps to deter irregular migrants. Under the agreement, four mobile thermal cameras will be installed on the Serbian side of the joint border and additional police forces will go on duty on the Serbian-Macedonian border. The opposition Együtt party said the government “has failed in terms of humanity” and is constantly hurting national interests “by isolating Hungary from our Western allies”. The party said it was “unacceptable” that the government was refusing to help people whose lives are under threat. Less than a week after the plans for the fence were revealed, Hungary announced it would suspend the Dublin Regulation, meaning that it would refuse to receive migrants and asylum seekers who entered the EU through Hungary and moved on to other EU member states. The European Commission demanded an explanation from the Hungarian government of their reasons to defy the regulation.

Sources: [The Budapest Times](#), 26 June 2015 ; [Euronews](#) 23 June 2015

MEDITERRANEAN / Deaths and rescue operations of thousands of migrants continue

Thousands of migrants were rescued and over a thousand have died in the Mediterranean Sea between April and June 2015. As many 700 migrants are estimated to have drowned just outside the territorial waters of Libya on 19 April 2015. About 440 people died between 11 and 15 April trying to cross to Europe. Over 4,200 migrants trying to reach Europe were rescued from boats in the Mediterranean within just 24 hours on 30 May 2015, according to the Italian coastguard. They were saved from fishing boats and rubber dinghies in 22 operations involving ships from Italy, Ireland, Germany, Belgium and Britain. On 2 May, Médecins sans Frontières (MSF) and the private humanitarian venture Migrants Offshore Aid Station (MOAS) started a joint search and rescue mission to save migrants’ lives in the Mediterranean Sea. The operation is scheduled to run until the end of October 2015. On 18 June 2015, Human Rights Watch (HRW) released the report, 'The Mediterranean Migration Crisis: Why People Flee, What the EU Should Do'. The report documents human rights abuses in migrants’ countries of origin which drive people to make the sea crossing, as well as the shortcomings of EU migration and asylum policies. To download the full report, click [here](#).

Sources: [MOAS press release](#), 16 May 2015; [Malta Today](#), 2 May 2015; [The Guardian](#) 30 May 2015; [The Guardian](#), 19 April 2015

REPORT / Policy Brief on a comprehensive system of human protection

The Foundation for European Progressive Studies (FEPS) published in May 2015 the Policy Brief [“Migrants are not ‘problems at sea’: From corpse-free gates towards a comprehensive system of human protection”](#). The paper argues that instead of focusing on further restricting and punishing access to the EU, there should be a compulsory resettlement scheme based on a quota system. The paper further emphasises that those who flee conflict have a legitimate right to protection and that EU member states should comply with their search and rescue responsibilities. The paper is available [here](#).

Source: [FEPS](#), 8 May 2015

SPAIN / Law on Public Security approved by Parliament establishes special regime for Ceuta and Melilla

A new Law on Public Security entered into force in Spain on 1 April 2015. It amends the [Foreigners’ Act](#) and explicitly allows for the immediate and collective expulsion (“devoluciones en caliente”) of migrants without due process at the Spanish southern borders in Ceuta and Melilla. In a judgment issued on 22 April 2015 by a court in Melilla, the court states that the law reform adopted gives “legal cover” to the return practices carried out in Melilla. A video of the Spanish NGO Prodein showing such a summary deportation of migrants involving violence

in August 2014 by the Spanish Guardia Civil is available [here](#). Meanwhile, the organisation Asociación Pro Derechos Humanos de Andalucía (APDHA) highlighted in its annual report “Derechos Humanos en la Frontera Sur 2015” (Human Rights in the Southern Border 2015) the violations of fundamental rights that migrants are suffering in Ceuta and Melilla, an analysis of the cross border fences, as well as the situation of migrants in Morocco. The annual report which was published on 20 April 2015, is available [here](#). Sources: [Abogacía Española](#), 15 April 2015; [El Mundo](#), 22 April 2015.

SPAIN / Boy smuggled in suitcase across border due to father’s insufficient income for family reunification

A Moroccan woman was caught smuggling an 8-year old boy in a carry-on suitcase across the Moroccan-Spanish border in Ceuta on 7 May 2015. Shortly after, the father of the boy, a migrant from the Ivory Coast who has a residence permit and works on the island Fuerteventura, was apprehended. According to Spanish family reunification requirements, his monthly income of 1,131 euros was not enough (by 50 euros) to regularly bring his second child to Spain along with his wife and daughter. The father therefore first brought his wife and daughter to live with him, regularly, and paid a smuggler to bring his second child to live with the family. The news made headlines worldwide leading to a petition in favour of the reunification of the whole family which was signed by over 50,000 people within three days.

Sources: [Noticias](#) 7, May 2015; [Süddeutsche Zeitung](#), 8 May 2015

SOUTHEAST ASIA / Thousands of migrants people migrating by boat to Indonesia, Malaysia and Thailand

An estimated 7,000 to 8,000 migrants were trapped in the Andaman Sea, mainly from Bangladesh and Myanmar including ethnic Rohingya fleeing persecution in Myanmar. According to the UNHCR, more than 25,000 people have made the voyage across the Andaman Sea since the beginning of the year. Rohingyas and people from Bangladesh have been fleeing from persecution or poverty for years but the phenomenon became more visible after Thailand’s recent crackdown on smuggling networks. Indonesia, Malaysia and Thailand navies have been pushing boats of migrants away from their shores. Responding to international pressure, Indonesia and Malaysia agreed on 20 May 2015 to take in thousands of migrants stranded at sea until they can be returned to their country of origin or resettled in a third country. The International Organisation for Migration (IOM) appealed for \$26 million to assist up to 10,000 migrants in the Andaman Sea.

Sources: [The New York Times](#), 20 May 2015; [The International Organisation for Migration \(IOM\)](#) 26 May 2015

UNITED NATIONS

UN / UNHCR highlights risks on Western Balkans migration route

The UNHCR spokesperson expressed the agency’s concern over the growing risks faced by an increasing number of migrants and refugees on the Western Balkans route to the EU during a press briefing on 12 June 2015 (see Briefing Notes [here](#)). According to the UN Refugee Agency, between 2012 and 2014 the number of people registering their intention to seek asylum in the Western Balkans increased from 5,000 to 20,000. The situation is particularly difficult in the Former Yugoslav Republic of Macedonia. A Channel 4 News [report](#) released on 5 June 2015 revealed that hundreds of migrants are kidnapped by gangs in Macedonia and are held for ransom in secluded houses.

Sources: [Balkans Insight](#), 8 June 2015 ; [UNHCR](#), 12 June 2015

UN / New report of the Special Rapporteur on the human rights of migrants

The UN Special Rapporteur on the human rights of migrants, François Crépeau, published his report “Banking on mobility over a generation: follow-up to the regional study on the management of the external borders of the European Union and its impact on the human rights of migrants” ([A/HRC/29/36](#)) on 8 May 2015. The report focuses on the protection of the rights of migrants at the external borders of the European Union, highlights persistent human rights concerns in the region, and questions the long-term feasibility of the European Union’s overall migration policy underlining the need for regular channels for people to migrate to the EU.

Source: United Nations Human Rights, [29th regular session of the Human Rights Council](#)

EUROPEAN POLICY DEVELOPMENTS

EUROPEAN COMMISSION / European Agenda on Migration

The European Commission published its [European Agenda on Migration](#) on 13 May 2015. Priorities outlined in the agenda include saving lives at sea by tripling the budget for the Frontex joint operations Triton and Poseidon; targeting smuggling networks through possible security and defence policy operations to identify, capture and destroy vessels used by smugglers; more shared responsibility among EU member states through relocation; and working in partnership with third countries. Moreover, the agenda outlines four pillars to manage migration better: reducing incentives for irregular migration, including by increasing the enforcement rate of deportations of migrants to their countries of origin; border management; a strengthened common asylum policy; and new policy on regular migration. For more information on the European Agenda on Migration, click [here](#).

EUROPEAN COUNCIL / Fight against smugglers and intensified cooperation with countries of origin and transit

Migration was one of the major issues discussed by ministers during the European Council meeting on 25 and 26 June in Brussels. The debate focused on recently increased numbers of migrants and refugees coming by sea. Heads of state concluded that they would intensify cooperation with countries of origin and transit and would focus on the fight against smugglers. This includes the new EU naval operation against human smugglers and traffickers in the Mediterranean called "[EUNAVFOR Med](#)" which was launched by the Council on 22 June 2015. Migrant and refugee rights organisations such as ProAsyl have criticised the military operation for not solving the issue of saving lives and for being against international law. The European Council's debate also focused on the redistribution of 40,000 asylum seekers from Italy and Greece and the relocation of 20,000 refugees (mainly Syrians and Eritreans) who have fled their countries but not reached the EU. In total 60,000 asylum seekers and refugees should be relocated or resettled through a scheme to be defined by the end of July by the EU interior ministers. Luxembourg will take over the European Council presidency in July and thus be in charge of leading the negotiations. EU Commission President Jean-Claude Juncker called this a 'modest effort' in light of the numbers of migrants and refugees seeking protection.

Sources: [The Guardian](#), 26 June 2015; [Euranet Plus](#), 26 June 2015; [RTBF](#), 29 May 2015; [ProAsyl](#) 22 June 2015; [The Guardian](#), 15 June 2015; [Le Monde](#), 15 June 2015; [L'Humanité](#), 22 June 2015

EUROPEAN COMMISSION / Fact Sheet on "The European Union's cooperation with Africa on migration"

The European Commission published a Fact Sheet on "The European Union's cooperation with Africa on migration" on 22 April 2015. The Fact Sheet presents an overview of the legal basis for the cooperation between the EU and Africa on migration and of the [Global Approach to Migration and Mobility \(GAMM\)](#), the overarching framework of the EU external migration and asylum policy. The Fact Sheet also describes political agreements establishing cooperation with the African Union, including a [political declaration on migration and mobility](#) endorsed by the Heads of State and Government at the EU-Africa Summit in April 2014 and the [Action Plan \(2014-2017\)](#), following the political declaration.

Sources: [New Europe](#), 1 April 2015; [European Commission](#), 22 April 2015

EU / Two New Funds for EU Home Affairs

The two new EU funds, "Asylum, Migration and Integration fund" and "Internal Security fund", are allocated 6.9 billion euro for the period of 2014-2020. They replace the four funds set for 2007-2013: the External Borders Fund, the Return Fund, the Refugee Fund and the Fund for the Integration of Third-Country Nationals. The Asylum, Migration and Integration fund is allocated 3.1 billion euro and its focus areas include improving the situation of asylum seekers and the living conditions of documented migrants, as well as the reinforcement of return policies. The Internal Security fund is allocated 3.8 billion euro and is divided in two parts: one focusing on external borders and visas, the second one dedicated to law enforcement cooperation, prevention and repression of criminality as well as the management of crisis. It will give priority to security and combating irregular migration.

Source: [Nouvelle Europe](#), 7 April 2015

EUROPEAN PARLIAMENT / Briefing on “Irregular Immigration in the EU: Facts and Figures”

The European Parliament published in April 2015 a briefing entitled: “Irregular Immigration in the EU: Facts and Figures”. The short briefing provides figures concerning detection of irregular migrants, orders to leave the territory, and consequent departures (forced or assisted) in EU member states throughout 2014. The briefing highlights that, of a total of 547,335 irregular migrants detected in the EU in 2014, the majority were from Syria, Eritrea and Afghanistan, with citizens from these countries representing one third of the total. The report also shows that a total of 156,470 migrants have been deported or assisted to leave. The briefing is available [here](#).

NATIONAL DEVELOPMENTS

GREECE / Mayors agree to help accommodate undocumented migrants

Greek mayors assured their support for the government’s plan to deal with the increasing influx of undocumented migrants through helping to find accommodation as long as the state funds their contributions. The Central Union of Municipalities of Greece (KEDE) met on 16 April 2015 with the deputy Minister of Immigration Policy, Tasia Christidoulopoulou, who asked local authorities to propose venues and facilities where groups of 20 to 100 migrants could be temporarily accommodated. The aim is to swiftly transfer undocumented migrants from Greek islands to the mainland. The Mayor of Athens, Giorgos Kaminis, noted that the obligations must be equally shared throughout Greek territory and that help must be sought from the EU.

Source: [Greek Reporter](#), 18 April 2015; [Ekathimerini](#), 16 April 2015

GREECE / Parliamentary Committee approves draft citizenship law

A parliamentary committee approved a new bill which foresees the granting of Greek citizenship to second-generation immigrants on 10 June 2015. It is expected that this will benefit fewer than 100,000 people. The bill stipulates that applicants must have been enrolled at a Greek primary school and that their parents must have resided regularly in Greece for at least five years prior to the applicant’s birth. Despite facing some opposition, the bill was supported by SYRIZA, Potami, PASOK and Independent Greeks.

Source: [Ekathimerini.com](#), 9 June 2015

ITALY / Organisations call on government to put decriminalisation of irregular migration into effect

After the Italian Senate in January 2014, voted in favour of the abolition of the crime of irregular entry and irregular stay (see [PICUM Bulletin 27 January 2014](#)), the government measures foreseen to put decriminalisation into effect within 18 months were not taken. Therefore, a group of organisations including Amnesty International Italy, the Association for legal studies on migration (“Associazione di studi giuridici sull’immigrazione”), At good right (“A buon diritto”) and Doctors for Human Rights (“Medici per i diritti umani”) wrote a letter on 28 April to the President of the Italian Council asking for full elimination of irregular migration as a crime from the legal system. The criminalization of irregular migration meant that undocumented migrants risked having to pay a fine.

Source: [Stranieri in Italia](#), 4 May 2015

NETHERLANDS / Shelter only for undocumented migrants who cooperate in the return process

The Dutch government passed a new policy on 22 April 2015 providing shelter to refused asylum seekers who cooperate in the process of being returned to their country of origin. The duration of stay in the centres is limited to “a few weeks”. Those who refuse to cooperate will be denied access to the shelter. Further, only the five biggest cities are allowed to provide shelter while the other municipalities will be penalised when offering services.

Source: [Overheid](#), 22 April 2015; [Niederlande.net](#), 28 April 2015; Migration News Sheet, May 2015

SERBIA / Undocumented migrants and asylum seekers harassed and abused by Serbian police

The Serbian police have repeatedly violated the rights of migrants and asylum seekers, according to a report by Human Rights Watch (HRW). HRW interviewed 81 undocumented migrants and asylum seekers, including children, in Serbia and Macedonia between November 2014 and January 2015 who reported repeated violent assaults, threats, insults and illegal summary returns to Macedonia by the Serbian police. Migrants were also

prevented from applying for asylum and had to stay outside in the cold without accommodation. HRW particularly criticises the denial of the required special protection for migrant children and points out the responsibility of the Serbian government to adhere to the UN Convention on the Rights of the Child.

Source: [Human Rights Watch](#), 15 April 2015

HEALTH CARE

IRELAND / Free GP care for children aged five and under to come into effect in July 2015

The Irish government's long-planned scheme for free general practitioner (GP) care for children aged under six is to come into effect in July 2015 after a deal was agreed between the government and doctors' representatives, the Irish Medical Organisation (IMO). About 270,000 children stand to benefit from the agreement. Currently all people in Ireland are expected to pay for primary health services, including for children, unless their parents' income is below a certain level. Irregular migrants are not able to apply for the medical card which entitles the holder to these services free of charge, meaning primary care services must always be paid at full cost. Under the new arrangements, all children under six, regardless of residence status, will be eligible for GP care free at the point of service.

Source: [Department of Health, Press release](#), 29 April 2015; [RTÉ News](#), 10 April 2015; [Irish Times](#), 10 April 2015.

REPORTS / Significant legal and practical barriers to basic health care for undocumented pregnant women and children in Europe

Doctors of the World/ Médecins du Monde (MdM) published new reports on access to health care in May 2015. The report entitled "Access to healthcare for people facing multiple health vulnerabilities" is based on data collected from across MdM programmes covering just over 22,000 patients in 25 European cities. The report includes a special focus on children and pregnant women, and identifies numerous legal as well as practical barriers they face in accessing basic health care across Europe. According to the report, over half of the pregnant women surveyed had not had access to antenatal care when they came to MdM's centres. Undocumented pregnant women are entitled by law to some form of maternity services in the countries surveyed, but the extent of access varies widely, and considerable barriers exist in practice. The report also debunks the myth that migrants come to Europe for medical reasons, showing that only 3% had migrated for health reasons. MdM also published its report entitled "Legal report on access to healthcare in 12 countries" (Belgium, Canada, France, Germany, Greece, Luxembourg, Netherlands, Spain, Sweden, Switzerland, Turkey and the United Kingdom). The aim is to provide a tool for health care professionals, researchers, NGOs, policy makers and other stakeholders to better understand the legal and administrative barriers that prevent people from accessing the health care they need. To view the reports, click [here](#).

SWEDEN / Interim assessment of law extending health coverage for undocumented migrants

The Swedish Agency for Public Management released on 15 April 2015 its interim [report](#) assessing the implementation of the law regulating access to health care for undocumented migrants, and extending the level of services provided ([Law 2013:407](#); see [PICUM Bulletin 12 July 2013](#)). The Swedish Agency for Public Management finds that most undocumented migrants who seek health care are offered health care in accordance with Law 2013:407, which came into force on 1 July 2013. Nonetheless, some obstacles were identified. These include lack of information for and knowledge among health care professionals regarding the new legislation and how it should be applied in clinical practice; lack of procedures to support the administration and documentation of health care for undocumented migrants, resulting in inadequate medical records; and difficulties in interpreting the formulation "care that cannot be postponed". According to the Doctors of the World clinic in Stockholm, 20% of the undocumented patients they receive have been refused access to services they are entitled to. Another finding of the Swedish Agency for Public Management is that the demand for health care amongst undocumented migrants was overestimated when the new legislation was introduced. The Swedish Agency for Public Management also puts forward a number of recommendations in its interim report. These include that counties should update guidelines on who should be given care, ensure availability of accurate information, and provide more training for health professionals, as well as information for undocumented migrants. The report is available in Swedish [here](#).

LABOUR AND FAIR WORKING CONDITIONS

BELGIUM / Public service trade union demands that sub-contractors respect social and labour rights

At the initiative of the Brussels branch of the Confederation of Christian Unions (Confédération des syndicats chrétiens, CSC) on 2 June 2015, a group of 50 people including undocumented migrants gathered to protest against social dumping through subcontracting. Undocumented migrants are often affected by subcontracting. The CSC asks for a charter that connects the contractor and the sub-contractor to make sure social and labour rights are respected. The undocumented workers underlined that the employers promise them regularisation but in the meantime they work in exploitative conditions and for very low salaries.

Source: [La Libre](#), 2 June 2015

BELGIUM / Ratification of Convention 189 on Domestic Workers

Belgium ratified the International Labour Organization (ILO) [Convention 189 on the Rights of Domestic Workers](#) on 10 June 2015. On 16 June, International Domestic Workers' Day, mobilisations took place around the world calling for the ratification of C189 and labour reforms, including the right to a minimum wage and social protection for all domestic workers, many of whom are undocumented migrant women. With the last ratifications of Belgium, Dominican Republic, Finland, Panama and Chile, the total number of ratifications amounts to 21.

Source: OR.C.A, 11 June 2015 ([French](#)) ([Dutch](#)); [ITUC](#), 16 June 2015; [National Domestic Workers Alliance](#), press release, 11 March 2015

CAMPAIGN / Highlighting the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families

'Step It Up: Dignity, Rights, Development' is a global campaign launched by the Migrant Forum in Asia network and affiliated civil society organisations, trade unions, the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families, and the International Labour Organization, which highlights the significance of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW / UN Migrant Workers Convention). The campaign was launched ahead of the 25th anniversary of the adoption of the UN Migrant Workers Convention on 18 December 2015 and promotes its ratification. To view the campaign page, click [here](#).

GERMANY / Short film and book on human trafficking in Germany

The German NGO network against trafficking in human beings (Bundesweiter Koordinierungskreis gegen Menschenhandel e.V., KOK) published a short film and a book both entitled "Human Trafficking in Germany – An Overview from a Practical Standpoint" on 21 May 2015. The publications present the work of KOK and illustrate the complex phenomena of human trafficking. In the book, legal and practical aspects are connected and multiple forms of exploitation as well as data protection are addressed. The book is available in English and German and can be ordered [here](#) for 4€. The film is available in German and can be watched [here](#).

Source: [Bundesweiter Koordinierungskreis gegen Menschenhandel e.V.](#), 13 May 2015

POSITION PAPER / Analysing the impacts of the European Union Employers' Sanctions Directive

The Platform for International Cooperation on Undocumented Migrants (PICUM) launched a position paper on 1 May 2015 which analyses the practical impacts of the European Union Employers' Sanctions Directive (2009/52/EC). The position paper examines how the EU law has been applied in Belgium, Czech Republic, Italy and the Netherlands. Among others, the paper recommends the establishment of a 'firewall' between immigration law enforcement and labour inspectors, who should not be required to report undocumented migrants to immigration authorities to ensure safe reporting of exploitation and access to justice. To view the position paper, click [here](#).

UN / New case law database on human trafficking

The United Nations Office on Drugs and Crime (UNODC) has set up a human trafficking case law database, which provides immediate, public access to officially documented instances of this crime. With the database, UNODC

aims to increase the visibility of successful prosecutions and at the same time promote awareness of the realities of human trafficking. To access the case law database, click [here](#).

UNDOCUMENTED WOMEN

DECLARATION / International stakeholder meeting convened by Red Cross gives rise to Declaration on the rights of women migrant workers

The International Federation of Red Cross and Red Crescent Societies (IFRC), along with National Societies from Asia Pacific, the Middle East and North Africa, met at a conference on the 12-13 May 2015 to address how to provide better humanitarian assistance to labour migrants – in particular, female domestic workers. The conference gave rise to the Manila Declaration on Women Household Service Workers, which outlines a commitment by several National Societies to greater collaboration, including on efforts to influence their respective governments and other stakeholders, to address this issue.

Source: [International Federal of Red Cross and Red Crescent Societies](#), 19 May 2015

SWEDEN / Undocumented women who become victims of violence may not get support and protection in six out of ten municipalities

According to the 2015 barometer on violence against women, published by the shelter umbrella organisation Unizon, most cities do not have concrete guidelines on how to treat cases of undocumented women who are victims of violence. Six out of ten Swedish municipalities cannot guarantee support and protection to undocumented women who become victims of violence. Some municipality officials are unaware that, due to a change of law on 1 July 2013 (law SFS 2013:654), they are no longer obliged to inform immigration authorities when they come into contact with undocumented migrants, and when undocumented women contact them for help, report them to the Migration Agency. The report is accessible in Swedish [here](#).

Source: [Sveriges Radio](#), 7 April 2015

UNDOCUMENTED CHILDREN AND THEIR FAMILIES

EU / MEPs call for successor to EU Agenda on the Rights of the Child

The Intergroup on Children's Rights of the European Parliament published a statement on 30 April 2015 reiterating the need for the European Commission to adopt a successor to the EU Agenda on the Rights of the Child, which expired in 2014. The European Parliament also explicitly called on the Commission to develop a renewed Agenda for the Rights of the Child in its resolution on the occasion of the 25th anniversary of the UN Convention on the Rights of the Child in November 2014. Read the Intergroup statement [here](#).

EU / HANDBOOK / How to put the European Commission's Investing in Children Recommendation into practice

The '[Implementation Handbook – Putting the Investing in Children Recommendation into Practice](#)' was launched in the European Parliament on 1 April 2015. The publication, by the EU Alliance for Investing in Children, traces the emergency of combating child poverty in Europe and demonstrates how the European Commission Recommendation '[Investing in children: breaking the cycle of disadvantage](#)' can be implemented in practice. It presents 15 promising examples of existing policies and practice across Europe that put the EU policy guidance into action. Two of the examples address the inclusion of undocumented migrant children: the Legal Front Office – Legal Clinic model in Italy, which aims to tackle child poverty and inequality through improving access to justice, and inclusive services and practices in the City of Barcelona in Spain. The handbook and related documents are available to download [here](#).

UK / Home Office ordered to arrange for a deported migrant family to be returned to Britain from Nigeria

The UK Home Office was ordered to locate and transport back to the UK a Nigerian woman and her five-year-old son at the Home Office's expense in order to avoid contempt of court proceedings. The case concerned a 45-year-old Nigerian woman (known as BF) who was deported along with her five-year-old son (RA) in January 2015 despite evidence of the woman's mental health problems and the risk that the family could end up

destitute in Nigeria. The Office of the Children's Commissioner brought a judicial review of the deportation decision on behalf of the boy. The judgment found that the Secretary of State had failed to have regard to RA's best interests as a primary consideration.

Source: [The Independent](#), 22 April 2015; [The Electronic Immigration Network](#), 22 April 2015; Coram Children's Legal Centre- Migrant Children's Project Newsletter, April 2015

UK / Children trapped in poverty by 'dysfunctional system'

A new [study](#) entitled 'Safeguarding children from destitution: local authority responses to families with 'no recourse to public funds' has been released by COMPAS (Centre on Migration, Policy and Society at the University of Oxford). The research explores a contradiction between a requirement in immigration law that excludes some families from accessing welfare support from the state ('no recourse to public funds' (NRPF)) and a provision in the Children Act 1989 (Section 17) that requires local authorities to provide services to safeguard and promote the welfare of any child that is 'in need' and to keep families together. This NRPF status affects undocumented migrants, as well as their children, even if they are British citizens. Two thirds (66%) of families supported by the local authorities surveyed were undocumented. The findings include that some families are denied support, while some children that do receive local authority support face long periods in basic living conditions and survival on subsistence rates below those deemed minimal for any other category of people in the UK. Read the executive summary [here](#), and the full report [here](#).

DETENTION AND DEPORTATION

BELGIUM / Drop in the number of deportations and regularisations

The number of deportations in Belgium has dropped for the first time since 2010 as a consequence of budget cuts. In 2014, 2,586 undocumented migrants were deported compared to 3,167 in 2013. The Immigration Office has been subject to budget cuts for a couple of years. Two years ago, a total of 600 places were available in detention centres compared to 480 places today. Despite the budget cuts, the Secretary of State maintains his intention to make the deportation of undocumented migrants one of the priorities of his asylum and migration policy.

Sources: Migrations News Sheet, March 2015; [La Dernière Heure](#), 27 February 2015; [La Libre](#), 10 March 2015

COUNCIL OF EUROPE / Launch of campaign to end immigration detention of children

The Parliamentary Assembly of the Council of Europe (PACE) has launched the Parliamentary Campaign to End Immigration Detention of Children during an event in Strasbourg from 20 to 21 April 2015, marking a two-year commitment to work towards ending child detention in Europe. The campaign follows [PACE's landmark resolution](#) from 3 October 2014, and calls on member states to prohibit the immigration detention of children and implement non-custodial, community-based alternatives for children and families. According to the International Detention Coalition (IDC), there are an estimated 40,000 children who are detained each year in Europe.

Source: [End Immigration Detention of Children](#), April 2015

FRANCE / Organisations call for end of practice of detaining children in transit zones at airports

Anafé, the observatory of the detention of foreigners (Observatoire de l'enfermement des étrangers, OEE), the Network of Education without Borders (Réseau Education Sans Frontières, RESF) and the Journal of the Rights of Young People (Journal du droit des jeunes) wrote an [open letter](#) to the French government and parliamentarians on 25 June 2015 to ask for an end to the detention of children at airport transit zones. The letter follows the recent cases of two young girls, aged 3 and 6, who spent several days alone in a transit zone detention centre (Zone d'attente pour personnes en instance, ZAPI) at the Roissy-Charles-de-Gaulle airport in Paris. Administrative investigations have been opened to look into these two cases. The ombudsman also opened an investigation and called again for an end to the detention of migrant children in France. According to the organisation Anafé, there are 67 ZAPIs in France and a total of 350 unaccompanied children were put in the ZAPI of the Roissy airport in 2013.

Sources: [Libération](#), 12 Juin 2015; [L'Express](#), 12 June 2015

PUBLICATION / Position Paper on EU Return Directive

The Platform for International Cooperation on Undocumented Migrants released on 28 April 2015 a [position paper](#) on the EU Return Directive ([2008/115/EC](#)). The paper highlights the importance of ensuring compliance with fundamental rights in migration control and return mechanisms and presents examples from a number of member states to illustrate the shortcomings in current practice, such as systematic and prolonged detention, the detention of children and families, and human rights violations in the context of removal procedures. The paper is available in [English](#) and [Spanish](#).

Source: [PICUM](#), 28 April 2015

BRIEFING PAPER / Detention ineffective at reducing irregular migration

The International Detention Coalition (IDC) published the Briefing Paper entitled “Does Detention Deter?” in April 2015. The brief argues that detention is not only ineffective at reducing irregular migration, but also weakens other migration management outcomes such as case resolution, integration for people whose cases are approved and departure of people whose cases are refused. The brief shows policy development and targeted resource allocation are needed to improve the prospects of migrants by increasing regular pathways for migration and improving life chances in countries of origin and/or transit. To download the briefing paper, click [here](#).

REPORT / Overview of immigration detention in the Mediterranean region

The Global Detention Project released a [background paper](#) in April 2015 to highlight some of the difficulties faced by migrants when they are taken into custody in the Mediterranean region and to emphasise how EU policies have impacted the migratory phenomenon in the region. The report focuses on eight countries in Europe and North Africa (Italy, Malta, Spain, Libya, Tunisia, Egypt, Greece and Morocco). The backgrounder provides information on conditions of detention, figures and related decision-making for each of these countries and is accessible [here](#).

USA / Democrats demand end of detention of children and families, following judge’s ruling

A majority of Democrats of the House of Representatives sent Homeland Security Secretary Jeh Johnson a [letter](#) on 27 May 2015 highlighting the detrimental effects immigration detention has on children and families and calling for an end to family detention. The signatories also expressed their concern about the fact that children and mothers are detained despite serious medical needs. A federal court distributed a tentative ruling in April 2015 by U.S. District Judge Dolly Gee in California concluding that the policy of detaining families violates parts of an 18-year-old court settlement regarding the detention of migrant children. According to memos describing the tentative ruling obtained by the publisher McClatchy, the tentative ruling states that children and their mothers cannot be held in unlicensed secure facilities, such as those in the towns of Karnes City and Dilley, Texas, and that it is inappropriate to hold a child and accompanying parent unless there is a flight or safety risk. On 20 February 2015 the federal judge Judge James E. Boasberg ordered the Obama administration to stop the systematic detention of undocumented women and children. Judge James E. Boasberg of Federal District Court for the District of Columbia issued a preliminary injunction which prohibits the administration from detaining migrants solely “for the purpose of deterring future immigration.” More than 1,000 women and children are in US immigration detention.

Sources: [Sputnik News](#), 28 May 2015; [New York Times](#), 20 February 2015; [U.S. Immigration and Customs Enforcement](#), 13 May 2015

PUBLICATIONS AND OTHER RESOURCES

PUBLICATION / Human Rights Indicators for Migrants and their Families

KNOMAD’s Thematic Working Group (TWG) on Migrant Rights and Social Aspects of Migration published a paper entitled ‘Human Rights Indicators for Migrants and their Families’ in April 2015. The paper shows that the use of indicators for the human rights of migrants can facilitate and monitor progress and compliance with legal obligations; that the fulfilment of migrants’ rights is an essential tool for social integration in multicultural societies; and that migrants’ rights indicators promote evidence based policy-making. The KNOMAD Working

Paper Series disseminates work in progress under the Global Knowledge Partnership on Migration and Development (KNOMAD). The paper is available in [English](#) and [Spanish](#).

REPORT / Shadow Report on racist crime in Europe

The European Network Against Racism (ENAR) published a Shadow Report 2013-14 on racist crime in Europe in May 2015. The findings of the report reveal that there is no systematic recording of racist crimes across the EU and in some countries data collection is non-existent. Civil society organisations across the EU reported an increase in racially motivated crimes in 2013. The report also notes that victims of racist crimes are often reluctant to report racist crimes to the police. This is especially true for undocumented migrants who often do not report crimes for fear and risk of deportation. The report is accessible [here](#). Alongside the report, ENAR also launched an [animated film](#) which presents some of the key findings.

Source: [ENAR Press statement](#), 6 May 2015