



PLATFORM FOR INTERNATIONAL COOPERATION ON  
UNDOCUMENTED MIGRANTS

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## PICUM QUARTERLY January - March 2015

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### BORDERS

#### **MEDITERRANEAN / Over 1,000 migrants rescued within few days, hundreds die**

Italy's coastguard and navy as well as several cargo ships saved over 1,000 migrants from dinghies in several operations on 3 and 4 March 2015 in the Mediterranean. The migrants were rescued about 50 miles north of Libya. The Italian coastguard also reported that it recovered the bodies of 10 migrants who had died. The incident follows the death of at least 300 migrants who drowned on 7 February 2015 after their dinghies coming from Libya sank in the Mediterranean (see [PICUM Bulletin](#) 18 February 2015). Many civil society organisations have been calling for more rescue efforts.

Source: [The Guardian](#), 4 March 2015

#### **SPAIN / Migrants continue to try to scale border fence one year after incident in which 15 died**

A group of about 50 sub-Saharan migrants tried to scale the border fence at the Spanish North African enclave of Ceuta on 3 February 2015. During the attempt, one of the migrants managed to reach Ceuta the rest of the group was prevented from entering by Moroccan border guards. The incident took place as migrants' rights advocates recalled the deaths of 15 migrants who tried to reach the coast of Ceuta the year before, on 6 February 2014. In that instance, members of the Spanish Civil Guard had opened fire with large rubber bullets and tear gas to stop 200 sub-Saharan migrants from arriving, resulting in the death of the 15 migrants. 16 guards were accused of reckless homicide.

Source: [El País](#), 4 February 2015; [Human Rights Watch](#), 4 February 2015; [Cadena Ser](#), 11 February 2015

## UNITED NATIONS

### **OHCHR / Europe must build on regulated openness and mobility**

The United Nations Special Rapporteur on the human rights of migrants, François Crépeau, visited Brussels from 2 to 5 February 2015 as a follow-up of his study on the management of the external borders of the European Union published in 2013. In his End of Mission Statement published on 5 February 2015, the Special Rapporteur called on EU countries to establish regular channels instead of focusing on repressive policies. The Special Rapporteur also noted the need to ensure access to justice for all migrants. During his visit to Brussels François Crépeau met with a range of EU officials responsible for border management, EU member state representatives, international organisations and civil society organisations to discuss the management of the EU border. To view the full statement, click [here](#).

### **OHCHR / REPORT / The economic, social and cultural rights of irregular migrants**

The UN Office of the High Commissioner for Human Rights (OHCHR) has published a new report entitled “The Economic, Social and Cultural Rights of Migrants in an Irregular Situation”. The report affirms the entitlement of irregular migrants to the right to health care, to education, to an adequate standard of living, to social security and to fair working conditions. The report also defines legal and practical barriers which prevent irregular migrants from enjoying their rights in each of these areas and stresses the importance of not labelling undocumented migrants as ‘illegals’ due to their migration status. To download the report please click [here](#).

### **UN / Special Rapporteur: Detention inextricably linked with ill-treatment of children**

The United Nations Special Rapporteur on torture, Juan E. Méndez, urged states on the occasion of the presentation of his new report to the UN Human Rights Council to fulfil the best interest of the child by adopting alternatives to the detention of children. He recommended that states expeditiously and completely cease the detention of children, with or without their parents, on the basis of their immigration status. The 28th Regular Session of the United Nations Human Rights Council took place from 2 to 27 March 2015 in Geneva. To view the Special Rapporteur’s report (A/HRC/28/68), click [here](#).

Source: [OHCHR, Press Release](#), 10 March 2015

### **UN / Switzerland urged to do more to meet its legal obligations to undocumented children**

The UN Committee on the Rights of the Child has issued its ‘[Concluding Observations](#)’ and recommendations to Switzerland as part of the regular reporting process for all States Parties on how the Convention on the Rights of the Child is being implemented. The recommendations include developing policies and programmes to prevent social exclusion and discrimination of undocumented children. Switzerland was one of the States examined during the Committee’s 68th session from 12-30 January 2015. Read the Concluding Observations [here](#).

## EUROPEAN POLICY DEVELOPMENTS

### **COUNCIL OF EUROPE / Report on human rights of migrants, asylum seekers and refugees in France**

Nils Muižnieks, Commissioner for Human Rights of the Council of Europe, published a report on 17 January 2015, following his visit to France from 22 to 26 September 2014. The report addresses the fight against intolerance and extremism, the human rights of Roma people as well as the human rights of migrants, asylum seekers and refugees in France. He expressed concern about the situation in Calais, where about 2,500 irregular migrants currently live, and called on authorities to find more sustainable solutions. The Commissioner also voiced strong concerns on the situation of undocumented children and called for an end to the detention of children. To read the full report, click [here](#). On 20 January 2015, Human Rights Watch (HRW) also addressed the situation in Calais in a [statement](#) denouncing the lack of accommodation as well as police violence against migrants there.

### **COUNCIL OF EUROPE / REPORT / Racism and hate speech in Greece**

In its [fifth report on Greece](#), launched on 24 February 2015, the Council of Europe European Commission on Racism and Intolerance (ECRI) highlighted that, despite the adoption of the new antidiscrimination law in 2014, racism, xenophobia and violence against migrants in the country continued to increase over the past year. ECRI recommended national authorities to create a taskforce to develop a strategy to combat racism and xenophobia, in cooperation with civil society, the Ombudsman and the National Human Rights Commission. The full report, drafted on the basis of [ECRI's visit to Greece](#) in March 2014, is available [here](#).

Source: [Council of Europe, Press Release](#) 24 February 2015

### **COUNCIL OF EUROPE / REPORT / Monitoring of Frontex Joint Return Operation by air**

The Council of Europe's Committee for the Prevention of Torture (CPT) has issued a [report](#) about its first mission to monitor a Frontex Joint Return Operation by air on a flight from Rotterdam, Netherlands, to Lagos, Nigeria. The monitoring mission took place from 16 to 18 October 2013. The report, issued on 5 February 2015, stresses that operations of deporting migrants by air entail a risk of inhuman and degrading treatment. The CPT noted the excessive use of physical constraints at some stages of the removal procedure. The Committee recommended, among others, that an individual risk assessment should be carried out to justify the use of physical constraints and that health care professionals on return flights should be equipped with emergency tools.

Source: [ECRE](#), 13 February 2015

### **EUROPEAN COMMISSION / Introduction of main elements of the upcoming European Agenda on Migration**

First Vice-President of the European Commission, Frans Timmermans, together with the Commissioner for Migration, Home Affairs and Citizenship, Dimitris Avramopoulos, launched the key priorities of the European Commission's work on a comprehensive European Agenda on Migration on 4 March 2015. For the first time, migration is an explicit priority of the European Commission, as presented in the political guidelines of European Commission President Jean-Claude Juncker, entitled '[A New Start for Europe](#)'. Four priorities were announced: improving the functioning of the asylum system, protecting the EU's borders mainly by strengthening Frontex operations, fighting irregular migration by targeting trafficking networks and smugglers, and improving labour migration. The new migration agenda is expected to be published in May 2015. A video of the press conference is available [here](#).

Sources: [EU Commission Press Release](#), 4 March 2015

### **EUROPEAN COMMISSION / Frontex operation Triton to be extended and financial support for Italy**

The European Commission decided to increase its assistance to Italy to deal with the situation of large numbers of migrant arrivals in the Mediterranean. The European Commission granted an amount of €13.7 million in emergency funding from the Asylum, Migration and Integration Fund (AMIF) to Italy and announced on 19 February 2015 that the Frontex Joint Operation Triton will be extended until at least the end of 2015. Sources: [Farnesina](#), 25 February 2015; [European Commission Press Release](#), 19 February 2015.

### **EUROPEAN COMMISSION / Factsheet on migrant smuggling in the European Union**

The European Commission issued, on 13 January 2015, a [fact sheet](#) summarising key issues and figures concerning migrant smuggling in the European Union. Highlighting the differences between human trafficking and migrant smuggling, the European Commission lists a number of measures aimed at tackling smuggling under the existing EU legal framework and notes that assistance to migrants in need of protection needs to be ensured. Based on [data collected by Frontex as of January 2015](#), the fact sheet highlights that, in 2014, more than 276 000 migrants irregularly entered the EU, which represents an increase of 155% compared to official figures from 2013.

Sources: European Commission, Fact Sheet, [MEMO/15/3261](#); [EU Observer](#), 6 January 2015

### **EUROPEAN PARLIAMENT / New intergroup to mainstream children's rights through work of European Parliament**

An intergroup on children's rights was approved in December 2014 for the current parliamentary term (2014-2019). Intergroups are informal structures within the European Parliament to foster exchanges between MEPs

and civil society on particular subjects. This new intergroup aims to promote children's rights and ensure that the best interests of the child is taken into account in EU internal and external action. It can play a key role in mainstreaming the rights of the child across the work of the European Parliament. The creation of this intergroup is the result of the advocacy efforts of the Child Rights Action Group and its [Child Rights Manifesto](#). Source: [Eurochild - eNews Bulletin](#), December 2014

### **COUNCIL OF THE EUROPEAN UNION / Proposal to harmonise legislation concerning sanctions for irregular residence**

The Latvian Council Presidency of the EU is proposing to evaluate member states' statistics on cases of migrants who previously had a visa or residence permit and continue to reside irregularly after the expiry of this document. The aim is to harmonise legislation in the area including sanctions to be imposed at EU level. To get information about undocumented migrants residing in member states, the Presidency will use data collected as part of the joint police operations "Mos Maiorum", "Perkunas" and "Mitras", data of Frontex, the [results of the Project CLANDESTINO](#), as well send a short questionnaire to all member states regarding the situation at national level. The document is available on [Statewatch's website](#).

Source: [Statewatch News Online](#), February 2015.

### **EU / Over 19,000 migrants apprehended during Mos Maiorum joint police operation**

A total of 19,234 undocumented migrants were apprehended (9,890 at the external EU borders and 9,344 within the EU territory) during the joint police operation called 'Mos Maiorum', which took place across the European Union from 13 to 26 October 2014. This operation was proposed by the Italian Council Presidency of the EU in July 2014 and was jointly carried out by all EU member states, apart from Croatia, Greece and Ireland. Frontex and Europol gave technical and analytical support to the operation. The operation also led to the apprehension of 257 people who were claimed to 'facilitate' irregular migration.

Source: [Statewatch](#), 23 January 2014

### **EU / First meeting of EU Migration Forum**

The first meeting of the new European Migration Forum took place from 26 to 27 January 2015 in Brussels and focused this time on the migratory flows in the Mediterranean, in particular on the smuggling of human beings. The European Migration Forum is an initiative of the European Economic and Social Committee and the European Commission and replaces the EU Integration Forum to provide a broader platform for dialogue with civil society organisations and local and regional authorities on the EU agenda for migration, asylum and integration. Kadri Soova, Advocacy Officer of PICUM, and Yonous Muhammadi of the Greek Forum of Refugees were elected as new civil society representatives to the Bureau of the Forum. For more information on the EU Migration Forum, click [here](#).

Sources: [Migrant's Rights Network](#), 2 February 2015

### **EUROPEAN COURT OF HUMAN RIGHTS / Survivors of Farmakonisi shipwreck file complaint**

In January 2014, a migrant boat sank while towed by Greek coastguards which led to the death of 11 Afghans near the Greek island Farmakonisi. According to testimonies of survivors, the Greek coastguard towed their small boat at great speed back towards Turkey and the rope was cut which caused the boat to sink. After the prosecutor of the Naval Court of Piraeus formally shelved the investigation of the 'Farmakonisi' case in August 2014, the survivors of the shipwreck now file a complaint before the European Court of Human Rights (ECtHR). They claim that the Greek authorities acted in violation of the right to life, the right to freedom from torture and the right to an effective remedy in the context of the coastguard operation off the Greek island. Officials who took part in the operation claimed it was a rescue mission.

Sources: [Amnesty International](#), 20 January 2015; [Pro Asyl](#), 20 January 2015

## NATIONAL DEVELOPMENTS

### **FRANCE / Protest against punishment of support of irregular migrants**

A migrants' rights activist in Dijon was called before the Judicial Precinct of the city, facing accusations of facilitating the irregular residence of several migrants for whom he provided the proof of accommodation which they needed to access social and medical services and to file a claim for asylum. An activist of the Human Rights League, Paul Garrigues, was not the object of criminal proceedings but received a legal warning. About 50 persons gathered on Tuesday 27 January 2015 in front of the Judicial Precinct of Dijon in order to protest against the criminalisation of assistance to undocumented migrants. A collective of 29 associations organised the protest with signs reading "Solidarity is not a crime" or "Solidarity always".

Sources: [Bien Public](#), 28 January 2015; [Macommunice.info](#), 27 January 2015

### **FRANCE / In the aftermath of Paris attacks, formerly undocumented 'hero' is granted French citizenship**

The formerly undocumented migrant, Lassana Bathily, was naturalised in France on 20 January 2015 for helping save the lives of several people during an attack on a Jewish supermarket in Paris on 9 January 2015. The attack on the Jewish supermarket was linked to the murder of 12 people at the headquarters of the Charlie Hebdo satirical magazine which occurred two days before, on 7 January. In the midst of those events, Lassana Bathily, an employee of the supermarket, helped several clients to hide in the cold chamber before he managed to escape and to inform the police about what happened. The police first allegedly mistook him for one of the perpetrators. The 24-year-old Malian national arrived in France at the age of 16. When he turned 18, he made a request for a residence permit, which was denied and left him in an irregular situation. After receiving a lot of media attention, often underlining the fact that he as a Muslim saved the lives of several Jews, he learned that he would receive French citizenship for his 'heroic' actions. Both the Minister of the Interior, Bernard Cazeneuve, and the Prime Minister, Manuel Valls, attended the ceremony during which he was naturalised.

Source: [Le Monde](#), 20 January 2015

### **GERMANY / Migration Report 2013: Over 32,500 irregular migrants apprehended at borders and airports**

The German Federal Agency for Migration and Refugees (Bundesamt für Migration und Flüchtlinge, BAMF) released its Migration Report for the year 2013 on 21 January 2015. The number of apprehensions of irregular migrants at the German borders and airports increased to 32,533 in 2013 compared to 25,670 registered irregular migrants in 2012. However, this figure does not include migrants who irregularly stay in Germany and are not known to authorities. The number of apprehensions of smugglers increased by 70.6% in 2013 compared to 2012. The number of deportations increased to 10,198 compared to 7,651 in 2012. To download the Migration Report 2013 and view previous editions, click [here](#).

Sources: [Bundesamt für Migration und Flüchtlinge](#), 21 January 2015; [N24](#) 4 January 2015

### **GERMANY / Church asylum movement withstands criticism**

The German Minister for the Interior, Thomas de Maizière, (Christian Democratic Party, CDU) criticised churches for providing shelter to undocumented migrants and refugees at a meeting of the Christian democrats in January 2015. Mr de Maizière questioned the legitimacy of church asylum and argued that church asylum supporters defy existing laws. Representatives of the Catholic as well as the Protestant Church in Germany have been withstanding criticism by referring to international human rights frameworks and their Christian conviction to help those in need.

Sources: [Spiegel online](#), 30 January 2015; [Evangelischer Pressedienst](#), 6 February 2015

### **GREECE / Irregular migrants instrumentalised in debt negotiations between Greece and the EU**

Panos Kammenos, Greece's Defence Minister and Greek Vice Interior Minister, Giannis Panousis, stated that they would provide travel documents to enable "hundreds of thousands of irregular migrants" to move to Germany and other Western European countries if the eurozone does not meet demands for bailout payments. Several German politicians and officials reacted with outrage and warned that Greece would be temporarily kicked out of the Schengen area. Greece has been struggling with the arrival of large numbers of asylum seekers and migrants and severe cuts to public spending. Civil society organisations across Europe have been calling for

a review of the Dublin regulation, as well as additional support to countries at Europe's southern borders, such as Greece.

Sources: [Handelsblatt](#) 28 February 2015; [The Local](#), 9 March 2015; [Deutsche Presse Agentur](#), 9 March 2015

### **NETHERLANDS / Dutch Court: Social welfare system violates the rights of undocumented migrants to medical assistance and to housing**

The European Committee of Social Rights (ECSR) concluded on 10 November 2014 in the case of Conference of European Churches' (CEC) v. the Netherlands that the current Dutch social welfare system violates the rights of undocumented migrants. It also found that the Dutch social welfare system is not in conformity with Articles 13.4 and 31.2 of the European Social Charter, referring, respectively, to the right to social and medical assistance and to the right to housing. The Dutch government has since refused to comply with the Committee's decision. On 15 January 2015, the Court of The Hague upheld the Committee's decision by concluding that the lack of shelter, food and clothing for undocumented migrants interferes with human dignity to the extent of inhuman treatment and therefore this should be provided by the government. Read the Court's decision in Dutch [here](#). Original source: Stichting Los Nieuwsbrief ([English](#) and [Dutch](#)), 19 January 2015

### **USA / New data on irregular migration population and costs of law enforcement**

A study by the American Action Forum published on 6 March 2015 shows that the US government would have to spend approximately \$400 to \$600 billion to apprehend, detain, legally process and deport the estimated total of 11.2 million undocumented migrants in the US and prevent future irregular entry into the country. This process would take about 20 years and in turn, it would shrink the labour force by 11 million workers and reduce real GDP by \$1.6 trillion, according to the [study](#). Another [study](#), entitled "Paths to Lawful Immigration Status: Results and Implications from the PERSON Survey" addresses the issue that a certain percentage of irregular migrants are potentially eligible for regularisation. It found that over 14 % of those found to be eligible for the temporary deportation relief [Deferred Action for Childhood Arrivals](#) (DACA) were also found to be eligible for some other form of immigration status relief.

Sources: [The Atlantic](#) 6 March 2015; [Center for Migration Studies](#), 4 December 2014; [Center for Migration Studies](#), 10 December 2014

## **HEALTH CARE**

### **NORWAY / 11 organisations urge the government to provide health care for undocumented migrants**

A group of 11 organisations sent a letter to the government of Norway on 27 January 2015 urging it to provide health care to undocumented migrants on the basis of need, professional ethics and human rights. The organisations are Red Cross Norway, Church City Mission, Amnesty International Norway, Médecins sans frontières Norway, Antiracist Center, Norwegian Organization for Asylum Seekers, LHLs international tuberculosis foundation, Norwegian Peoples Aid, the Norwegian doctors association, the Norwegian nursing association, and the Norwegian midwife association. The letter is available [here](#) (in Norwegian).

### **POLICY BRIEF / Intimate partner violence against migrant and ethnic minority women**

The World Health Organization (WHO) has published a policy brief entitled "Preventing and addressing intimate partner violence against migrant and ethnic minority women: the role of the health sector". It presents key evidence and makes recommendations for health policy and health systems, health facilities and health service providers. The policy brief also mentions barriers undocumented women face when trying to access health care including legal restrictions and fear of deportation. In this context, the report recommends coordination with police which should guarantee confidentiality, safety, and continued access to services without affecting women's residence status. The policy brief can be accessed [here](#).

### **SWITZERLAND / REPORT / Overview and recommendations to improve access to and quality of health care for vulnerable populations in Switzerland**

The national platform for undocumented migrants' access to health care ('Plate-forme nationale pour l'accès aux soins de santé des sans-papiers') in Switzerland has published a report reviewing the current barriers and

challenges faced by undocumented migrants to access health services in Switzerland. The short version of the document is available in [German](#), [French](#), and [Italian](#). A longer version [Accès aux soins des vulnérables \(version détaillée\)](#) is only available in French and provides a more in-depth analysis.

## LABOUR AND FAIR WORKING CONDITIONS

### **HONG KONG / Woman found guilty in case of torture and abuse of Indonesian domestic worker**

A Hong Kong woman who tortured and abused her Indonesian domestic worker was found guilty of 18 charges on 10 February 2015 including assault, grievous bodily harm, criminal intimidation and failure to pay wages or give time off work. Photos showing the domestic worker Erwiana Sulistyaningsih's injuries gained widespread attention about a year ago, triggering protests against the poor treatment of migrant domestic workers (See [PICUM Bulletin, 27 January 2015](#)). Among other things, the court heard that the employer, Law Wan-tung, punched Sulistyaningsih in the mouth, fracturing her teeth, jammed a metal vacuum cleaner tube in her mouth, cutting her lip and forced the migrant domestic worker to stand naked in the bathroom during winter while she sprayed water on her and pointed a fan at her.

Source: [Al Jazeera](#), 10 February 2015

### **UK / Case Law Court upholds diplomatic immunity in domestic workers' trafficking case**

The UK Court of Appeal upheld diplomatic immunity leaving migrant domestic workers employed by diplomats without remedy in its judgment of 5 February 2015. The case of Reyes & Suryadi v Malki concerned migrant domestic workers who were found by UK authorities to be victims of trafficking and claimed compensation for racial discrimination, harassment and wage theft by their Saudi diplomat employer in London. The diplomat successfully claimed entitlement to diplomatic immunity under the Vienna Convention on Diplomatic Relations.

Sources: [Courts and Tribunals Judiciary](#), 5 February 2015; [Kalayaan](#), 5 February 2015

### **USA / The Coalition of Immokalee Workers (CIW) receives the Presidential Award for Extraordinary Efforts to Combat Trafficking in Persons**

US Secretary of State John Kerry presented the 2015 Presidential Award for Extraordinary Efforts to Combat Trafficking in Persons to the Coalition of Immokalee Workers (CIW) at the White House Forum on Combating Human Trafficking in Supply Chains on 29 January 2015. CIW has pioneered a worker-based social responsibility model, the Fair Food Program, to include workers in addressing exploitation and abuse and to eradicate modern slavery in Florida's tomato fields.

Sources: [The White House blog](#), 29 January 2015; [Freedom Network USA](#), 29 January 2015

## UNDOCUMENTED WOMEN

### **UK / Survivors of sexual violence detained and vulnerable to further abuse**

A [report](#) published by [Women for Refugee Women](#) in January 2015 has found that the UK government is detaining women who are survivors of rape, sexual violence and other forms of torture. Of the 34 women interviewed at Yarl's Wood immigration removal centre, 19 women said they had been raped in their countries of origin; 21 women had experienced other sexual violence; 28 women said that they had experienced gender-related persecution in their country of origin (including rape, sexual violence, forced marriage, forced prostitution, or female genital mutilation). The report also notes that the cost for detaining an individual in an immigration removal centre for a year is £37,230. The report is based on findings of Women for Refugee Women's 2014 report.

Source: [ECRE Weekly Bulletin](#), 23 January 2015

### **USA / Undocumented woman becomes a licensed attorney**

Vanessa Pumar, an undocumented migrant who came to the United States with her parents from Venezuela when she was 12 years-old, was sworn in as attorney in California on 30 January 2015 after taking the state Bar

Exam. Ms Pumar is the first recipient of the Deferred Action for Childhood Arrivals (DACA), a programme that deferred undocumented immigrant youths from deportation, to become an attorney in the US. Having decided to study law to figure out her family's migration status, she has now agreed to work as a legal representative for the Coalition for Humane Immigrant Rights of Los Angeles to serve the community she remains a part of.

Sources: [NBC Los Angeles](#), 29 January 2015; [Orange County register](#), 28 January 2015

## UNDOCUMENTED CHILDREN AND THEIR FAMILIES

### FRANCE / Call to sign petition to ban bone x-ray age tests for unaccompanied children

A call for signatures was launched in January 2015 to ban the use of bone x-rays to determine the age of unaccompanied migrant children. When unaccompanied children are judged to be minors, they fall under the protection of the state; if they are deemed to be adults they risk being deported or can be sent to prison for misleading the authorities about their true identity. Medical professionals and legal experts have denounced the unreliability of these tests for determining the age of children, as well as raising additional ethical and legal concerns. To sign the petition, click [here](#).

Sources: [Le Monde](#), 17 January 2015

### EU / PUBLICATION / Explainer on child poverty in the EU now available in eight languages

The Eurochild and EAPN guide 'Towards Children's Well-Being in Europe: Explainer on child poverty in the EU' launched in 2013 is now available in eight languages: English, Estonian, French, Italian, Macedonian, Polish, Slovakian and Spanish. The Explainer aims to raise public awareness on child poverty in Europe and notes the particular situation of children of undocumented migrants as one of the groups with a greater risk of experiencing absolute or extreme poverty. The Explainer is available in the eight languages [here](#).

Source: [Eurochild - eNews Bulletin](#), February 2015

### EUROPE / Up to 50% of unaccompanied migrant children arriving in Europe go missing

According to the organisation Missing Children Europe, up to half of the number of unaccompanied migrant children who arrive in Europe and are placed in reception centres disappear every year, many within the first 48 hours. While some run away out of fear of being returned, others likely become victims of trafficking and sexual exploitation. The Italian Minister for the Interior, Angelino Alfano, stated that 26% of migrant children who arrived in Italy by boat had gone missing in Italy in 2014. Reports from Sweden also stated that many unaccompanied children disappear from state care arrangements in Sweden. The trend has also been increasing there with 2014 setting a record for the past decade with 374 children having gone missing (compared to 347 in 2013). During the past ten years more than 2,000 unaccompanied children have disappeared in Sweden.

Sources: [Missing Children Europe](#), 2 December 2014; [The Local](#), 15 January, 2015; [Sveriges Radio](#), 9 February 2015; [Sveriges Television](#), 12 February 2015

### IRELAND / Grade for protecting migrant children's rights: 'Unacceptable'

The Children's Rights Alliance published [Report Card 2015](#), the seventh in its annual series of Report Cards, on 23 February 2015. The Report Cards grade the Irish Government's performance on issues affecting children against stated commitments in the Programme for Government 2011-2016, and gives it an E+ grade for migrant children. The Irish system grades from A (very good) to F (fail) and the report defines an 'E' grade as 'unacceptable, taking steps in the wrong direction, no positive impact on children'. While recognising limited progress made, the report calls on the government to enact the proposed International Protection Bill and an Immigration and Residence Bill and recommends that both bills are proofed against the UN Convention on the Rights of the Child.

Source: [Eurochild - eNews Bulletin](#) - February 2015

### REPORT / UNICEF discussion paper on the repatriation of unaccompanied and separated children

UNICEF has released a [report](#) in February 2015 entitled 'Children's rights in return policy and practice in Europe. A discussion paper on the return of unaccompanied and separated children to institutional reception or family'.

The report was authored with contributions from UNICEF Netherlands, Belgium, Denmark, Norway, United Kingdom, and Sweden and highlights key concerns around policy and practice for repatriation of unaccompanied and separated migrant children. UNICEF is concerned that government efforts to scale up repatriations of unaccompanied and separated children may lead to protection gaps for these children and give insufficient consideration to their rights and best interests. Alongside a presentation of available data and some children's viewpoints, the paper provides a number of considerations for government practice. Read the paper [here](#).

#### **UK / REPORT / Continued violations of undocumented children's rights**

The Children's Rights Alliance for England (CRAE) has published the State of Children's Rights in England (SCRE) report, examining whether enough has been done to 'fulfil the human rights of children in England.' A chapter is dedicated to immigration, asylum and child trafficking, and highlights key issues around immigration detention and separation of families. The report recommends, among others, that a durable status should be provided for all unaccompanied and separated children and that children should no longer be detained. Read the report [here](#).

## **DETENTION AND DEPORTATION**

#### **AUSTRIA / Country report on detention**

In the frame of its country report series, the Global Detention Project has published a country report on detention in Austria in January 2015. Austria opened its first specialised immigration detention facility in early 2014. Previously, the country almost exclusively employed Police Detention Centres (PAZ) to detain migrants. This form of immigration detention has been criticised by human rights institutions. The findings show that Austria has detained fewer people for immigration-related reasons in recent years. Between 2009 and 2013, the annual number of detainees decreased by nearly 30%, from 5,996 in 2009 to 4,171 in 2013. To view the report and access other country reports in the series, click [here](#).

#### **FINLAND / REPORT / The practical application of the Finnish law regulating detention of migrants**

As part of the international research project '[Law and the other in post-multicultural Europe](#)', the University of Helsinki finalised in January 2015 a [report](#) providing an overview of the practical application of the Finnish legal system regulating the conditions of detention of migrants in the country. The study includes data which was collected from the 167 detention related cases heard by the District Court of Helsinki between February and May 2013. The report notes that, between 2008 and 2012, the number of children detained each year varied between 10 and 24. The findings of the report highlight that alternatives to detention are rarely used and that the risk of absconding has become the most common ground for detention; being in a process of removal is in itself considered a reason for a risk of absconding. The report 'Administrative Detention of Migrants in the District Court of Helsinki' is available [here](#).

#### **GREECE / Government announces changes in immigration detention practices**

Yannis Panousis, Alternate Citizen Protection Minister, and Tasia Christodouloupoulou, Minister for Migration Policies, announced on 17 February 2015 their plan to release all migrants who have completed six months in one of the country's detention centres. The plan also foresees the release from detention of vulnerable migrants, including children, the elderly, pregnant women and people with serious health problems. The Ministers also expressed their commitment that undocumented migrants would no longer be detained for more than 18 months and that the Amygdaleza detention centre should be eventually closed. The statements came after the death of three migrants at Amygdaleza detention centre in February 2015.

Sources: [Amnesty International and Greek Council for Refugees Joint Statement](#), 11 February 2015; [To Vima](#), 18 February 2015 ; [Greek Reporter](#), 14 February

#### **ITALY / Call to close detention centre**

[Civil society organisations](#), with the support of the Member of the Italian Senate, [Luigi Manconi](#), have been calling on authorities to promptly close down the Centre for Identification and Expulsion (CIE) in Bari, Italy, following the death of a detained migrant. Since the maximum period of detention for migrants was lowered in Italy from a maximum of 18 months to a maximum of 90 days, the five detention centres (CIEs) currently active in the country hold a total of 749 detained migrants.

Sources: [La Repubblica](#), 16 February 2015; [Class Action Procedimentale](#), 14 February 2015; [Lettera 43](#), 7 February 2015.

### **NORWAY / Unlawful detention of children**

A new report from the Norwegian Organisation for Asylum Seekers (NOAS), entitled '[Freedom First - a report on alternatives to detention](#)', found that children are being unlawfully detained in the Trandum detention centre (the only detention centre in Norway). Published in February 2015, the report finds that the lack of adequate regulation of the detention of children and families results in arbitrary application of the law, and violations of migrant children's rights. Read the report in Norwegian [here](#).

Source: [NOAS release](#), 26 February 2015

### **PUBLICATION / "Made Real" Project: Alternatives to immigration detention in the EU**

In the framework of the [Made Real Project](#) funded by the EU, the Odysseus Network published in January 2015 a report on "[Alternatives to Immigration and Asylum Detention in the EU](#)". The report outlines schemes which are currently used as alternatives to detention including regular reporting to the authorities; the deposit of a financial guarantee; an obligation to stay at an assigned place; sponsorship by a citizen of the country or by a long-term resident; designated residence such as in publicly-run centres as well as electronic tagging. The report highlights that, while alternatives to detention are still underused in the EU, a range of practices are available in certain member states.

### **UK / REPORT / Inquiry into the use of immigration detention**

A joint inquiry into the use of immigration detention by the All Party Parliamentary Group on Refugees and the All Party Parliamentary Group on Migration in the United Kingdom was released on 3 March 2015. The group of parliamentarians recommended that the next government should introduce a maximum time limit of 28 days of time that a person can be held in immigration detention in the UK. Among others, the panel also recommended that women who are victims of rape and sexual violence should not be detained and that pregnant women should never be detained for immigration purposes. Since 2010, the number of migrant children in detention has declined with 131 children held in detention from January to September 2014. While the panel welcomed this reduction, they expressed concern about the fact that a number of children are being detained in adult facilities. The panel also heard directly from detained individuals. Evidence submitted to the inquiry is available [here](#). On the eve of the report's release, Channel 4 News released [footage](#) shot undercover inside the Yarl's Wood detention centre, revealing abusive treatment of detained migrants. To view the full report, click [here](#). Source: [Right to Remain](#), 3 March 2015

## **PUBLICATIONS AND OTHER RESOURCES**

### **WORLD REPORT / Undocumented migrants marginalised in the EU**

Human Rights Watch (HRW) published its World Report 2015 on 29 January 2015. The 25th edition of HRW's annual World Report summarises human rights conditions in more than 90 countries and territories worldwide in 2014. The report is divided into an essay section, and country-specific chapters. Human rights violations against undocumented migrants are noted in chapters on the human rights situation in several EU countries. Addressing the migration and asylum policy of the European Union, the report notes concern about limited access to health care for undocumented migrants in several EU member states as well as criminalisation of undocumented migrants. To purchase or download the complete report click [here](#).