



PLATFORM FOR INTERNATIONAL COOPERATION ON
UNDOCUMENTED MIGRANTS

PICUM QUARTERLY NEWSLETTER August – November 2011

Dear Subscriber,

With 2011 coming to an end, we are pleased to send out the PICUM Quarterly which highlights through short summaries of the last six PICUM Bulletins and the Director's message key updates concerning to the situation of undocumented migrants in Europe.

Additionally, we would like to seek this opportunity to thank you for your on-going support to the work of PICUM as a reader of the PICUM Bulletin and Quarterly. With the changes we made in sharing information with you in 2011, PICUM would be happy to receive your feedback. We would appreciate it if you could fill out the following feedback form to help us improve the way we share information with the PICUM network. **This will take only two minutes and would be very helpful for us!** Thank you.

Best wishes,

The PICUM Secretariat

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DIRECTOR'S MESSAGE

Dear Subscribers,

With 2011 coming to an end, we would like to seize the opportunity to reflect key highlights of the past year that had a positive and negative impact on the situation of undocumented migrants in Europe.

In many Arab countries 2011 started as 2010 ended with a rise of revolt against the dictatorial regimes in

place. Many who stood up for their freedoms and democracy in their home countries decided to make the perilous journey by sea to reach Europe's shores in an attempt to seek refuge from persecution. The UNHRC has estimated that over 50,000 irregular migrants crossed the Mediterranean Sea between January and September 2011 with the majority coming from Tunisia and Libya. Some were given temporary residence, others were deported, some are still in detention unsure of their fate whilst many still remain undocumented. They face harsh living conditions due to the restrictive EU migration policies which uphold administrative obstacles which prevent them: to regularise their legal status, to work in the official labour market, to find shelter, to access health care and put their children in schools. Barriers undocumented migrants already present in Europe face daily.

Additionally, numerous deaths of irregular migrants coming from North Africa were recorded in the Mediterranean Sea: deaths that the Parliamentary Assembly of the Council of Europe (PACE) is investigating as PACE rapporteur Tineke Strik said "the year 2011 sets a sad record as the deadliest year for boat people". Deaths were also reported at the Evros border where a wall is being erected between Greece and Turkey as well in detention facilities in the USA, Cyprus and Italy.

The issue of accompanied and unaccompanied undocumented children has also raised concern in 2011, with countries like the UK promising to end the detention of children but continuing to do so as well as the increasing reliance on age determination test to support deportation order despite proof of its inaccuracy and the reception crisis in France which left the fate of many children uncertain for months.

Despite the aforementioned negative highlights of 2011, PICUM wishes to note some key positive developments. Germany put an end to the duty of health care providers and teachers to denounce the irregular status of people they encountered, Poland accepted a new regularisation programme to start in January 2012 which will permit between 40,000 and 100,000 irregular migrants to apply for regularisation of their status and the Netherlands granted through a court ruling that undocumented parents be able to seek child benefits.

Finally, PICUM welcomes the efforts made by the Fundamental Rights Agency (FRA) in 2011 to address the issue of irregular migrants in Europe through its publications on access to health care and domestic workers and the focus of its Fundamental Rights Conference. However we would like to stress the need to uphold this momentum in 2012 as the situation is still worrying for the estimated 1.8 to 3.2 million undocumented migrants who because of their legal status are denied access to their most basic social rights including the right to housing, education, health care as well as the opportunity to find work and access justice.

We hope that 2012 will bring about further promising legal and policy changes in order to reclaim the humanity of undocumented migrants as this is the most urgent battle we are facing to uphold the fundamental human rights values on which Europe is founded.

Best wishes and happy holiday season from the PICUM Team!

Michele LeVoy



PICUM Director

BORDERS

DENMARK / Government ends plans for new border controls

After re-establishing ad hoc border controls in July 2011 ([PICUM Bulletin](#) 18 July 2011), the new centre-left Danish government decided to "effectively combat cross-border crime within the Schengen co-operation" but decided to terminate earlier plans to build new control facilities at the country's border. The new cabinet headed by the Social Democratic Prime Minister, Helle Thorning-Schmidt "pledged to respect the 'common rules that apply in the EU'". José Manuel Barroso, President of the European Commission, welcomed the new Danish government and the new initiatives it plans.

Source: [EU Observer](#), 4 October 2011; [The Parliament.com](#), 4 October 2011

GREECE / Drop in entries at border where new moat is being built to further deter irregular entries

Enhanced Frontex patrols at the Greek-Turkish sea borders appear to have caused a 98% decrease of irregular migration by sea, as smugglers have located new crossings in the Evros region between the areas of Kipoi and Soufli to transfer irregular migrants into Greek territory. Along the area where the Evros fence is being constructed, the number of irregular entries declined by 40% in the first semester of 2011. The water-filled trench will be 30 meters wide and 7 meters deep, with some press reporting that the moat will be 120 km long and other media sources that its length will be only 20 km. The first 14.5 km section has just been completed near the town of Orestiada in northeastern Greece.

Source: [Avgi](#), 6 August 2011; [Ta Nea](#), 10 August 2011

GREECE / DEATH AT BORDER / Incidents of irregular migrants dying at Greece's border

Two irregular migrants died and eight were injured, all of Iranian origin, in Egnatia Odos, in the north of Greece in the early morning on 11 October 2011 after a crash following the police chasing them by car. The police had received information about a car crossing the border with irregular migrants and chased them. Three other irregular migrants also died on 11 October while crossing the Evros River in the northeast border of Greece with Turkey. The victims were an 18 year old Pakistani citizen and another young immigrant of Asian origin. The police reported that the deaths occurred from drowning across the rapids in the river. The body of a third immigrant was found on the shores of the river in a nearby location. Two undocumented migrants died on the evening of 7 October 2011 when a train hit them near the town of Alexandroupolis, close to the Turkish border. Additionally, on 23 September 2011, it was reported that a small boat carrying 65 Kurdish and Afghani undocumented migrants broke down, about 90 nautic miles southwest of the island of Zakynthos. The port authorities managed to rescue 62 people but the bodies of three migrants who had drowned were found in the sea.

Source: [Clandestina](#), [11 October 2011](#) and [24 September 2011](#)

ITALY / DEATH AT BORDER / 25 deaths found in the hold of a boat

When on 1 August 2011, the Italian coast guard started disembarking the 271 passengers of an overcrowded boat from Libya which arrived early in the morning in Lampedusa, they found 25 dead bodies in the hold. It is probable that they did not survive the heat and the smoke produced by the engine and could not find their way out because the boat was too overcrowded, the news agency ANSA reports.

Source: [Fortress Europe](#), 1 August 2011; [La Repubblica](#), 3 August 2011

ITALY / Another "push-back" operation

Reports that a "push-back" operation was carried out on 21 August 2011 after Italian vessels intercepted a boat travelling from North Africa towards Lampedusa warn that Italy is willing to continue this illegal practice which resulted in the past in grave human rights violations. According to media reports, on 21 August 2011 Italian vessels of the Financial Police intercepted a boat with over 110 people on board while in international waters. A few of them, including a man in a wheelchair and two women, were taken to Lampedusa while the others were made to board a vessel going to Tunisia.

Source: [Amnesty International](#), 30 August 2011

ITALY / Fire and escalating tensions on Lampedusa Island results in Tunisians being unwelcomed on Lampedusa Island, PACE confirms

In the first seven months of 2011 a total of 48,000 migrants entered the shores of Italy, mainly from Tunisia and Libya. Many were sent to be detained in other regions but 1,200 migrants remained in Lampedusa although the reception centre has a capacity of 804 places. This critical living situation on Lampedusa Island has resulted in exasperated actions by undocumented migrants. The Contrada Imbriacola reception centre was set on fire on 20 September 2011. Because of the repatriation agreement between the governments of Italy and Tunisia, Tunisians are exceptionally held in the centres for a longer time period until they are forced to repatriate. Following the fire, more than 500 Tunisians were transferred to other identification centres across Italy. The Mayor of Lampedusa, Bernardino De Rubeis, said that the city would prefer to no longer accept more Tunisian migrants. A [PACE report](#) was published on 30 September 2011 based on a visit by a

delegation from the Committee on Migration, Refugees and Population of the PACE to Lampedusa in May 2011. PACE declared that Lampedusa Island was unable to provide the necessary and appropriate facilities to deal with the reception of irregular migrants.

Source: [La Repubblica](#), 15 August 2011, [Linkiesta](#), 21 September 2011; [The Telegraph](#), 21 September 2011; [La Repubblica](#), 23 September 2011; [Malta Today](#), 25 September 2011; [Migrants at Sea](#); 1 October 2011; [PACE](#), 3 October 2011

SPAIN / Sharp increase in number of irregular migrants arriving by sea

Frontex Deputy Executive Director Gil Arias announced on 11 August 2011 that Spain saw a 77% increase in the number of irregular migrants arriving by sea in the first six months of 2011. He attributed this change to the revolts in Northern Africa. The reception centres of the enclave cities of Ceuta and Melilla are now overcrowded but still keep receiving new migrants (See [PICUM Bulletin 28 August 2011](#))

Source: [Migration News Sheet](#), September 2011

MEDITERRANEAN SEA / DEATH AT BORDER / A flotilla to stop deaths in the Mediterranean and NATO ship refuses to rescue migrants dying at sea

Hundreds of thousands of people have fled Libya since the crisis began in February 2011. A coalition of Euro-Mediterranean migrants' rights organisations decided to charter a flotilla which will undertake maritime surveillance so that assistance is finally provided to people in danger. On 4 August 2011, according to the numerous reports, a NATO ship was only 27 miles from a ship in distress, while Italian coast guard patrols travelled 90 miles to rescue the migrants who had lost at sea for 36 hours following a 6 day crossing from Tunisia. Italy informed they want to open an investigation to clarify why NATO did not intervene.

Source: [Migreurop](#), 7 July 2011; [Fortress Europe](#), 4 August 2011; [Migreurop](#), 5 August 2011

USA / DEATH AT BORDER / Less migrant deaths and apprehensions along the Arizona border in 2011

According to the Border Patrol's Tucson Sector, which covers the majority of Arizona's border with Mexico, 132 migrants have died this year until 31 July 2011. This was 38% less than last year and irregular immigrant apprehensions also dropped by 44%. Border Patrol officials were hesitant to link the two numbers as in 2010 migrant deaths soared to the record of 249 while apprehensions were already dropping.

Source: [USAToday](#), 16 August 2011

USA / Personal stories about those that sacrificed their lives to work

A group of Mexican journalists and writers have created a [website](#) to commemorate the 72 undocumented migrants that were murdered by a drug gang at a ranch in northern Mexico, while on their way to the US border. The circumstances of the killing of the 58 men and 14 women are still unclear and some of whom are still yet to be identified.

Source: [The New York Review of Books](#), 5 September 2011

USA / REPORT / Abused faced by undocumented migrants by Border Patrol agents along the US-Mexico border

In a report released by the nonprofit organization No More Deaths, interviews with more than 12,000 undocumented migrants show that many were denied food, water and medical treatment or otherwise abused by Border Patrol agents along the US-Mexico border. The interviews were conducted between 2008 and 2011, shortly after they were deported back to Mexico. The interviews showed that 2,981 of the returned migrants said they were denied food during Border Patrol detention, while 863 reported being denied water. Of the 433 people who said they needed medical attention while in Border Patrol custody, 86% reported they were denied that care.

Source: [Reuters](#), 21 September 2011; [No More Deaths](#), September 2011

UNITED NATIONS

MIGRANT WORKERS COMMITTEE / Commitment to a General Comment on undocumented migrant workers

On 19 September 2011, a Day of General Discussion was held by the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW), the body of independent experts that monitors implementation of Migrant Workers Convention. (See [PICUM Bulletin](#) 29 August 2011) PICUM and several of its members submitted written documents in view of the meeting (all contributions visible on website below). From this meeting, the Committee engaged itself to drafting its second General Comment on the rights of undocumented migrant workers.

Source: [PICUM News](#), 16 September 2011; [Migrant Workers Committee](#); [December 18](#), 20 September 2011

OHCHR / UN Working Group on Arbitrary Detention expressed its concern to the disproportionate number of “foreign detainees or Germans of foreign origin”

Following its first official visit to Germany, the UN Working Group on Arbitrary Detention, amongst other issues, expressed concern with regards to the high and disproportionate number of “foreign detainees or Germans of foreign origin” in German prisons. A member of the Working Group, Ms Shaheen Sardar Ali appealed to the authorities that immigration detainees be detained in facilities designated for such a purpose and should not be detained in state prisons. The Working Group visited local authorities in Berlin, Hamburg, Karlsruhe and Stuttgart, met with civil society organisations and carried out confidential interviews with 69 detainees in various centres. The full report will be presented before the Human Rights Council in March 2012. Click [here](#) to read the preliminary observations and recommendations made by the UN Working Group.

Source: [OHCHR](#), 5 October 2011

UNDOC-UNHCR / UN agencies join forces to combat human trafficking and migrant smuggling

UN Agencies came together on 31 October 2011 and signed a joint agreement to work closer together to combat human trafficking and migrant smuggling. The memorandum of understanding was signed by the UN Office on Drugs and Crime (UNODC) and the UN High Commissioner for Refugees (UNHCR). In the words of António Guterres (UNHCR): “The 21st century is the century of people on the move” adding that this opens opportunities for irregular and forced migration. The agreement will focus on four defined regions based on the agencies’ work: Latin America, the Gulf of Aden, Afghanistan and its bordering countries, and North Africa.

Source: [UN News Centre](#), 31 October 2011

UNHCR / REPORT / Migrants and asylum-seekers fleeing recent events in North Africa

The United Nations High Commissioner for Human Rights published a report on 1 September 2011 on “the situation of migrants and asylum-seekers fleeing recent events in North Africa”. This report was conducted following a request from the Human Rights Council for the UNHCHR to report on this issue. The report concludes that since the flow of migrants coming from Northern Africa is “mixed” as it consists of people with various motivations and protection profiles, the protection sensitive responses taken by the authorities must reflect the diversity of the flow. The High Commissioner put forward key recommendations to States to tackle the issue.

Source: [OHCHR Human Rights Council](#), 1 September 2011

EUROPEAN POLICY DEVELOPMENTS

COMMITTEE OF REGIONS / Annual dialogue focuses on irregular migrants

At the occasion of the Third Annual Dialogue of the Committee of Regions and the EU Fundamental Rights Agency (FRA) which took place on 17 October 2011 in Brussels, the focus was placed on the fundamental rights of irregular migrants. The agenda included the presentation of key findings of the FRA reports conducted on irregular migrants in Europe [on the issue of access to health care](#) and [employment conditions in](#)

[domestic work for irregular migrants](#). The Annual Dialogue also included a panel with presentations from local actors on best practices in Europe concerning irregular migrants. The access to health care presentation was made by Anne Sjörgen, from Rosengrenska, a Swedish PICUM member, which provides and advocates for health care services for undocumented migrants.

Source: [Committee of Regions](#)

COUNCIL OF EUROPE / Thomas Hammarberg urges improvement of age assessment methods

Thomas Hammarberg, the Council of Europe Commissioner for Human Rights, has urged for methods used to assess the age of migrant children to be improved. Hammarberg emphasized the consensus among associations of paediatricians that bone x-rays are unreliable and unethical, and supported the joint position of Ombudsmen for Children at the European level – that age assessments should only be carried out in cases of serious doubt, and be multidisciplinary. Composed of independent experts, the panel should combine physical, social and psychological maturity assessments, which respect the child's culture, dignity and physical integrity.

Source: [Council of European Commissioner for Human Rights](#), 9 August 2011

COUNCIL OF EUROPE / Hearing on undocumented children

In a second hearing on 4 October 2011 on the occasion of the discussion of the report entitled '[Undocumented migrant children in an irregular situation: a real cause for concern](#)' at the PACE plenary session of the Council of Europe, PICUM and partners presented European and national level input and experiences on the issue. The Council of Europe Parliamentary Assembly (PACE) debated the report and it also voted on a draft recommendation on 7 October 2011. Michele Levoy, PICUM Director said, "It is vital to take account of the child's best interest and not to discriminate against him or her in any way" During the hearing, examples and testimonies were given by PICUM partners on health care, housing, detention and education.

Source: [PACE](#), 4 October 2011; [Migrant Rights Network](#), 7 October 2011

COUNCIL OF EUROPE / Investigation of deaths in the Mediterranean

The Council of Europe is taking up the issue of deaths in the Mediterranean. Tineke Strik, Rapporteur for the PACE Migration Committee is investigating the deaths of migrants who have died during boat journeys in the Mediterranean since January 2011. She commenced her fact-finding trip to Italy on 6 September 2011. During her visit, the rapporteur looked particularly into the way boats are intercepted – or not intercepted – by national coastguard forces, or by military vessels under either NATO or national command. In a press release published following her visit, Tineke Strik said "There is an obligation to help all people in distress" adding those that did not fulfil this obligation should be investigated.

Source: [Migrants at Sea](#), 3 September 2011; Council of Europe – PACE, [7 September 2011](#) and [8 September 2011](#)

EUROPEAN COMMISSION / "Schengen governance – strengthening the area without internal border controls" as EU States consider reintroducing border controls

In light of the numerous arrivals of migrants from North Africa since early 2011, the EU Schengen system has come under pressure, with some Member States considering the reinstating of national border controls such as Denmark who re-introduced road checks for a brief period from July to October 2011. In September 2011, the new proposal by the European Commission (EC) about strengthening the Schengen area without internal border controls (Available [here](#)) was widely criticised. The EC states that the right to free movement of people is one of the EU's greatest achievements and central to success of a single market and its principle should be safeguarded. The re-introduction of internal border controls could be envisaged in exceptional circumstances and only as a temporary measure of last resort lasting for up to five days, thereafter permission for extension will have to be sought at the EC.

Source: [Euractiv](#), 19 July 2011; [Migrants Rights Network News](#), 19 September 2011; [Le Figaro](#), 13 September 2011; [ECRE Bulletin](#), 16 September 2011; [The Parliament Magazine](#), 19 September 2011; [La Voix du Luxembourg](#), 14 septembre 2011

EUROPEAN COMMISSION / "An effective and humane return policy"

The EU Return Directive that entered into force in 2008 and which sets common standards and procedures on the removal of irregular migrants has yet to be transposed into national laws in Austria, Belgium, Cyprus, Germany, Lithuania, Poland, Sweden and the Netherlands. On 29 September 2011, the Commission urged the aforementioned states to comply with its Directive as they previously failed to notify the Commission of respective national implementation measures that would meet the minimum standards required by the Directive. In case of non-compliance, the Commission may refer the case to the European Court of Justice and demand to impose financial sanctions on states in question. Click [here](#) to read more on the Return Directive.

Source: [European Commission Press Release](#), 29 September 2011; [Financial](#), 5 October 2011; [NU.nl](#), 29 September 2011

EUROPEAN PARLIAMENT / Call for correct terminology on undocumented migrants

The EU Parliament, in its position on the regulation establishing the European Agency for the Management of Operational Cooperation at the External Border, made a statement on terminology regarding irregular migration: "The European Parliament stresses that the EU institutions should endeavour to use appropriate and neutral terminology in legislative texts when addressing the issue of third country nationals whose presence on the territory of the Member States has not been authorized by the Member States authorities or is no longer authorized. In such cases, EU institutions should not refer to "illegal immigration" or "illegal migrants" but rather to "irregular immigration" or "irregular migrants".

Source: [European Parliament](#), 13 September 2011

FRONTEX / Return of over 2,000 persons in 2010

Over 2,000 people were returned under Frontex joint operations in 2010. In particular, 154 people were returned to Iraq under several joint operations led by Sweden, in participation with Norway, the Netherlands and the UK. The recently published [Frontex General Report](#) provides an overview of these and other key activities carried out by the EU Border Agency during 2010.

Source: [ECRE Weekly Bulletin](#), 29 July 2011

FRONTEX/ New mandate to enhance Frontex's effectiveness

Frontex, the EU border management agency has been given more powers by the European Parliament by adopting the Busuttil Report in a vote on 13 September 2011. Amongst other changes in the [new mandate](#), European Border Guard Teams (pool of national guards) will be formed to enable Frontex to take action more efficiently in emergency situations and make its patrol operations more visible. Frontex will appoint a fundamental rights officer to ensure that human rights at the borders are respected and set up a 'consultative forum on fundamental rights' to include the EU Fundamental Rights and Asylum Support agencies, the UNHCR and relevant NGOs to assist the Management Board.

Source: [European Parliament Press Release](#), 13 September 2011 ; [European Parliament](#) ; [ECRE Bulletin](#), 16 September 2011

FRONTEX / PUBLICATION / Quarterly

Frontex Risk Analysis Unit (RAU) released its second Quarterly covering analysis from April to June 2011 of indicators of irregular migration to the EU

Source: [Frontex](#), 4 October 2011; [Migrants at Sea](#), 5 October 2011

RESEARCH / "Europe Fighting Irregular Migration – Consequences for West African Mobility"

The Danish Institute for International Studies (DIIS) has published a Policy Brief on the consequences of EU migration policies and the fight against the influx of African irregular migrants. The DIIS argues that the non-entry migration policies, instead of halting irregular migration, render it more difficult and more dangerous. In its recommendations, it advises EU member states to reconsider the human and political costs of its non-entry policies with respect to border controls, detention, deportation and readmission as well as collaboration with undemocratic regimes on combating irregular migration. It highlights the need to facilitate access to legal means for migration to ensure safer migration. Click [here](#) to read full Policy Brief.

Source: [Migrants at Sea](#), October 2011

NATIONAL DEVELOPMENTS

AUSTRIA / Same-sex couples right to family life

Same-sex couples have the same rights to family life as heterosexual couples, the Interior Ministry clarified in a decree. One and a half years after a law enabling same-sex couples to enter a civil union, these unions have been integrated into the alien's law as well, allowing a foreign partner in such a union all associated rights and the right to family reunification.

Source: [Der Standard](#), 22 August 2011

BELGIUM / 28,000 regularized migrants in the past two years

In the past two years 28,000 irregular migrants have been regularized through a Belgian program based on new criteria. About two out of every three migrants have been regularized. The new criteria favoured those migrants who could prove to have local ties, asylum seekers whose cases have been pending for too long and families with children that go to school in Belgium.

Source: [Het Laatste Nieuws](#), 19 July 2011

BELGIUM / Action against exclusion of undocumented migrants in Flemish adult education

The action Group 'Les voor iedereen' (Classes for all) protested on 27 October 2011 in Antwerp's historic centre against a decree of the Flemish Minister for Education. The decree holds that only regular migrants can benefit from adult language classes, something the group claims runs against the Universal Declaration of Human Rights. The Belgian League for Human Rights, a Christian labour union and a Brussels based NGO are now taking the case to the Constitutional Court.

Source: [Nieuwsblad](#), 28 October 2011

FRANCE / Six undocumented migrants die in a fire

In Seine-Saint-Denis, six undocumented migrants were killed on 28 September 2011 following a fire in a building where they had sought shelter along with around thirty irregular migrants coming Tunisia and Libya. Whilst the Minister of Interior sees it as a sign of the increasing criminality linked to migration, the Socialist President of the Council of Seine-Saint-Denis states that this is yet another dramatic accident which occurs because of the lack of emergency shelters in the area. He deplores the lack solidarity in a country based on democracy.

Source: [AFP](#), 29 September 2011

GERMANY / New campaign for a right-to-stay

The German human and refugee rights organization Pro Asyl has started a campaign which was aimed at bringing a new right to stay regulation to the agenda of the Interior Ministers' Conference of the German states on 8 and 9 December 2011. Even though there have been regulations in the past years, there are still 75.000 people without a right to stay but with a temporary halt of deportation residing in Germany for more than six years. Click [here](#) for more on the online-campaign and about the right-to-stay in Germany. Beate Selders, from the Brandenburg Refugee Council, has put together an overview of state regulations and practices of the German states concerning the restrictions of movement for people without a right to stay in Germany.

Source: [Pro Asyl Newsletter](#) 175, October 2011

GREECE / ARTICLE/ Médecins du Monde reports on its field visit to Greece

A team from Médecins du Monde (MDM) France carried out a three-day field visit to Greece and Pierre Salignon, General Director of MDM France, has written an article about those who are 'forgotten' ("les oubliés"), who have been excluded from European plans to save Greece's economy. "Les oubliés" are undocumented migrants who cannot work, cannot benefit from housing and need to pay to access health care, they are people who have made many attempts to leave Greece but through Dublin II are often sent back.

Read the full article in French [here](#).

IRELAND / Changes in legislation give new rights to immigrants in civil partnerships

The Civil Law Act 2011 introduces a stipulation allowing immigrants to apply for Irish citizenship three years after their civil partnership to an Irish citizen, the same condition within marriages. Meanwhile, the legislation includes an amendment relating to immigrants' prior obligation to present identification on demand to police or immigration officers. Previously it was a criminal offence, punishable by up to one year's imprisonment, for a non-Irish person to fail to produce identification but the newly introduced amendment, which is now in law, provides a defence for the person if they can prove they "had reasonable cause" for not complying with the requirement to produce ID. It is understood that over 500 people were prosecuted in the past four years under the old provision.

Source: [Metro Eireann](#), 1 September 2011

ITALY / Constitutional Court rules against Security Package provision preventing irregular migrants to get married

On 25 July 2011, the Constitutional Court declared unconstitutional the provision of the Security Package that prevents migrants without a residence permit to get married. The decision recalls a sentence of the Council of Europe that affirmed that such a limitation would indirectly affect the rights of the national citizen. This is only the most recent of a number of others rulings questioning the constitutionality of the Security Package.

Source: [La Repubblica](#), 25 July 2011

ITALY / 11.000 residence permits extended for six months

Many of the 11.000 temporary residence permits issued in April 2011 under a migration agreement between Italy and Tunisia to irregular Tunisian migrants who had entered Italy between 1 January and 5 April 2011, were extended for six months with a decree signed by the President of the Council. There is no official data monitoring their situation, therefore it is difficult to establish if irregular migrants with these temporary residence permits have found a job or if they left Italy to go to other European countries.

Source: [La Repubblica](#), 7 October 2011; [EveryoneOne](#), 8 October 2011; [Migrants at Sea](#), 10 October 2011; [Migrants at Sea](#), 11 October 2011

NETHERLANDS / Financial support for assistance project withdrawn

The Dutch Minister for Migration, Gerd Leers, discontinued financial support for the pilot project 'Perspectief' (Perspective) in nineteen cities aimed at preparing failed asylum seekers for repatriation. This project provided them with shelter and helped to keep track of people who would otherwise simply disappear from the radar without protection or support. The project helped over 700 people over the past year and a half.

Source: [Trouw](#), 4 September 2011

NETHERLANDS / Pilot project in Rotterdam to detect irregular migrants

The Dutch Minister for Security wants to start a pilot project in Rotterdam to actively search and detect undocumented migrants. The police will be given equipment to take finger prints of those people the police suspects to be in an irregular situation. This has led to opposition from some factions, who claim that the plan is in breach of the principle of equality, as the police might selectively single out people for an identity check.

Source: [Rijnmond.nl](#), 25 October 2011; [nieuws.nl](#), 25 October 2011

POLAND / Undocumented migrants granted regularization

Following the signing of a law on 26 August 2011 which will come into force on 1 January 2012, irregular migrants will be given a chance to stay in Poland. This law applies to migrants who have been living in Poland irregularly since at least 20 December 2007 and those who were refused asylum before 1 January 2011 but are still on Polish territory. The regularization will give them the opportunity to apply for a residency status of 2 years and also to work legally. The majority of irregular migrants in Poland are from the Ukraine but there is also a sizeable population from Chechnya, Armenia and Vietnam. For further information read the most recent [PICUM blog](#) and the [FROG website](#) and [Facebook](#) page.

Source: [Calgary Herald](#), 27 August 2011 ; [Wiadomosci.ng.pl](#), 30 August 2011

SPAIN / Police denounces overcrowding in housing facilities

In the North African Spanish cities of Melilla and Ceuta, the Spanish Federal Union of Police (UFP) has denounced the overcrowded conditions facing many accommodation facilities for undocumented migrants as a result of the high influx of Moroccan migrants awaiting deportation. Migrant at Sea report this is the largest number of irregular entries by sea in the last years. The UFP has expressed concerned this situation may lead to riots and health issues for those detained with the Centre for temporary Stay of Immigrants (CETI) Melilla holding twice their capacity and the one in Ceuta almost a third over. Francisco Javier Velázquez, the director general of the Spanish police and Civil Guard is pursuing talks to establish greater collaboration with the Moroccan authorities to control the migration flow.

Source: [Migrants at Sea](#), 21 July 2011; [El Correo](#), 3 August 2011; [SUR](#), 9 August 2011

NETHERLANDS / Stricter Dutch immigration policy

The Dutch Minister of Immigration, Gerd Leers, presented plans for a new asylum and immigration policy on 16 September 2011. The Minister aims to be tougher on asylum seekers that have been in the country for less than three years and have committed crimes by immediately repatriating them to their home countries. He also plans to install a stricter policy for family reunification by limiting the concept of 'family' and introducing a waiting period for foreign spouses. Irregular stay could lead to a maximum of 4 months of detention or a fine of up to €3800.

Source: [de Volkskrant](#), 15 Septembre 2011

UK / Immigration Advice Service fills the gap with the closing of Immigration Advisory Service

The Immigration Advisory Service (IAS) went into administration on 8 July 2011 due to the decision of its main funders, the Legal Services Commission (LSC) withdrawing financial support (see [PICUM Bulletin](#) for 18 July 2011). Former staff members of the IAS have now formed a new organization called the Immigration Advice Service to continue the good work of the former IAS of providing advice and representation to immigrants and asylum seekers and refugees. Details of the organization's offices and outreach services are available on its website, www.iasservices.org.uk. The office can be contacted by telephone, +44/08448870111 or email infor@iasservices.org.uk.

Source: [Immigration Advice Service](#); [PICUM Bulletin](#), 18 July 2011

UK / Migrant Network expresses concern over legal aid cuts and impact of migration

Migrant Rights Network (MRN) has expressed their concern regarding the decision of the Ministry of Justice to significantly reduce legal aid which ensures that all can have access to legal advice and representation. Through a briefing paper and videos, MRN outlines how these cuts will impact migrants' access to justice. It is crucial that migrants have access to legal advice as they need to be informed of their rights and to legal representation in case they face exploitation and abuses. MRN encourages those concerned by these reforms and wish to express their discontent to the government to join the [Sound Off For Justice](#) campaign.

Source: [MRN](#), 5 September 2011

UK / Home Secretary claims that British judges are overzealous in their usage of the Human Rights Act

Following her criticism of the European Convention of Human Rights (ECHR) (See [PICUM Bulletin 11 October 2011](#)) in a letter leaked to the press, Ms Theresa May, UK Home Secretary, stated that "There is now a divergence in approach between the UK courts and the European Court of Human Rights over whether the family of a person facing removal from the UK can live elsewhere, and the weight to be given to family relationships formed whilst migrants are knowingly breaking immigration laws.". The letter was addressed to Westminster's joint committee on human rights and in the letter she cites a number of recent cases where she believed that UK judges had misinterpreted the law.

Source: [The Express.co.uk](#), 31 October 2011

UK / David Cameron lays out a list of changes that will affect immigrants

In a wide-ranging speech on immigration, the UK Prime Minister, David Cameron, vowed to make it easier for registrars to stop suspected bogus marriages and to crackdown on "health tourists" who receive treatments by the National Health Service (NHS) but then leave the UK without paying the bill. He also announced changes

in "the Citizenship Test" which will now include questions on the history of the UK, while questions on the EU and migrant worker rights will be replaced. Mr Cameron also called on the public by urging them to alert the Border Agency phone hotline or the agency website of persons suspected of being in the country irregularly. As well migrants who marry a Briton will still have to wait five years for settlements rights, instead of the current two and the Home Office announced health tourists who have failed to pay debts of £1,000 or more will be banned from entering or staying in the UK.

Source: [The Telegraph](#), 11 October 2011

USA / Immigration activists call for an end to the Secure Communities Program

Members of the Homeland Security Advisory Council (HSAC) held meetings in various cities across the US regarding the Secure Communities program. The program requires that local law enforcement agencies share digital fingerprints of those arrested with the FBI and the Department of Homeland Security, which uses the fingerprints for immigration enforcement. The administration says the goal of the Secure Communities program is to use "limited resources" in undertaking the search, arrest, imprisonment and deportation of criminals. (To see previous items on Secure Communities, see PICUM Bulletin [18 July 2011](#), [20 June 2011](#) and [7 June 2011](#)). However in practice, any undocumented person who is fingerprinted while in police custody, including victims of crimes, is transferred to immigration authorities.

Source: [Huffington Post](#), 20 August 2011; [Democracy Now](#), 18 August 2011 ; [Gotham Gazette](#), 22 August 2011; PICUM Bulletin, [7 June 2011](#) and [18 July 2011](#)

USA / Religious organizations speak out against anti-immigration legislation's that are being passed in some US states and which make doing charity work impossible

The Churchwide Assembly of the Evangelical Lutheran Church in America voted in support of two resolutions that encourage support for immigration reform and call on congregations to actively protest anti-immigrant state legislation such as the bills passed in Arizona and Alabama. Passed by overwhelming majorities, both measures reaffirm the concern for the vulnerable undocumented populations seen in the communities. As well, the president of the National Council of the Society of St. Vincent de Paul spoke out against the Alabama legislation as it would make it a crime to practice virtually every facet of their charity work such as finding temporary shelter for someone, or giving a ride to the doctor would be compromised by the law.

Source: [PR Newswire](#), 19 August 2011; [E-Release](#), 17 August 2011; [The Catholic Review](#), 4 August 2011

USA / Federal Appeals Court blocks two major elements of Alabama's anti-immigrant law and church organisation makes assistant conditional thus excluding undocumented migrants

The U.S. Court of Appeals for the 11th Circuit blocked certain provisions of Alabama's anti-immigrant law while the constitutionality of the law was under determination. The provisions that have been blocked by the court are: the provision that requires school officials to verify the immigration status of children and their parents and the provision that criminalizes failure to register with the federal government and carry documentation at all times. Amidst reforms of immigration laws, although they claim it was not related to the political debate, the Committee on Church Cooperation (CCC), an NGO in Alabama that provides food, clothing and other assistance to those in need, had decided to stop providing support to undocumented migrants. The ICC requested that applicants seeking support presented government issued photo identification showing residence in the county, as well as a social security card for every member of the household. Following criticism was expressed by members of the CCC and members of the public, the CCC restated its policies to offer assistance solely on individuals' physical needs not legal status.

Source: [Washington Post](#), 28 September 2011; [NILC](#), 29 September 2011; [Washington Post](#), 29 September 2011; [National Immigration Law Center \(NILC\)](#), 14 October 2011; [Reuters](#), 14 October 2011; [Decatur Daily](#), 11 October 2011; [Left in Alabama](#), 14 October 2011

USA / Coalition of civil rights organizations file lawsuit against South Carolina's anti-immigrant law

A lawsuit against South Carolina's anti-immigrant law, which is set to take effect 1 January 2012, was filed on behalf of a coalition of civil rights organizations, claiming that the legislation was unconstitutional, invited racial profiling and interfered with federal law. South Carolina's legislation, SB 20, was closely modelled after Arizona's anti-immigrant legislation (SB 1070) and similar to an anti-immigrant law which went into effect in the beginning of October in Alabama. The Obama administration has stated that it is examining the South

Carolina law to decide whether to challenge the measure.

Source: [National Immigration Law Center \(NILC\)](#), 12 October 2011; [Courthouse News Service](#), 14 October 2011; [Politico](#), 12 October 2011; [7 News](#), 10 October 2011

HEALTH CARE

BELGIUM / Undocumented migrants give their blood and denounce the difficult access to medical care in Belgium

On 29 July 2011, about 20 Moroccan undocumented migrants from the association Sans-Papiers Belgique presented themselves to the St Pierre Hospital in Brussels to give their blood. The aim of this symbolic action was to make a citizen's gesture despite their precarious situations and to denounce the difficulty to get medical care, notably in emergency services where undocumented migrants are often refused although they are entitled to this care. The communication officer of St Pierre Hospital wondered why this action is implemented in this medical centre, which is, according to him, well known for welcoming every day patients in precarious situations.

Source: [Le Vif](#), 29 July 2011

CYPRUS / VIDEO/ Documentary looks critically at the access to health care for undocumented migrants in Cyprus

KISA-Action for Equality, Support and Antiracism, an NGO in Cyprus and a PICUM member, has created a video documentary titled "Access to Health Care in Cyprus for Undocumented Migrants and Asylum Seekers: A fundamental right for everyone?" The three-part video looks critically at the current level of access to health care in Cyprus for undocumented migrants and asylum seekers, showing access in law and practice. It includes interviews with people that have experienced hardships and worsening of medical conditions because of their inability to access care.

Source: [KISA- YouTube video](#), September 2011

DENMARK / Clinic for undocumented migrants has opened in Denmark as study shows challenges faced by health professionals in providing care to undocumented migrants

In partnership between the Danish Refugee Council, the Danish Medical Association and the Red Cross in Denmark, a health clinic has been opened to provide services to undocumented migrants. The clinic was inspired by examples that already exist in Sweden and Norway. Organizers of the clinic hope to build a network of doctors across the country to respond to the need of accessing care. Researchers at the Danish Research Centre for Migration and Queen Mary University of London published in June 2011 a study entitled "Providing medical care for undocumented migrants in Denmark: what are the challenges for health professionals?" The study focuses on how health professionals in Denmark provide care to undocumented migrants and the barriers that they face in providing treatment.

Source: [The Copenhagen Post](#), 1 September 2011; [The Copenhagen Post](#), 12 August 2011; [BMC Health Service Research](#), 28 June 2011; [BMC Health Service Research](#), June 2011

FINLAND / Minister of Interior speaks against anonymous clinics for undocumented migrants whilst obstacles to access to health care are denounced

The Finnish Minister of Interior Ms Päivi Räsänen spoke out against the anonymous clinics for undocumented migrants. She stated in an interview that she sees a danger in the establishment of an alternative health care system where patients are not obliged to state their names. The first Global Clinic providing basic healthcare for undocumented migrants was established in Helsinki in early 2011. Meanwhile, the Finnish Medical Association stated in a recent position paper that society should not refuse to grant undocumented migrants the right to receive adequate care and should not intervene in a physician's obligation to treat patients based on clinical need. Economic reasons should not be an obstacle for the appropriate treatment of people in irregular situation. Amidst these declarations, the Finnish Free Movement Network denounced how undocumented women are often denied the right to have an abortion in Finnish public hospitals as only urgent medical care is guaranteed for them and also the impact of such emergency policies on pregnant

undocumented migrants who cannot access health care services during their pregnancy.

Source: [YLE](#), 7 September 2011; [The Finnish Medical Association](#), 27 September 2011

FUNDAMENTAL RIGHTS AGENCY / REPORT / Publication of report on right to health care for irregular migrants

The EU Fundamental Rights Agency (FRA) released its report entitled "Migrants in an irregular situation: access to healthcare in 10 European Union Member States". The FRA offers key avenues about how to move forward including denunciation should be not requested from health care authorities, raising awareness about the rights of irregular migrants in the health care sector, and support should be given to NGOs working in the field as they play an important role in providing health care to irregular migrants. Click [here](#) to watch interview with FRA Programme Manager, Ludovica Banfi. To download the report, click [here](#).

Source: [FRA](#), 11 October 2011

NORWAY / Norwegian Ministry issues regulations clarifying the right to health care for undocumented migrants

The Norwegian Ministry of Health and Care has issued regulations clarifying the right to health care for undocumented migrants. The rules state that all residents in Norway have the right to emergency care, regardless of their residency status in the country and that everyone should have the same right to an assessment from the specialist and to have the information necessary to safeguard their right to health care. Undocumented migrants must still pay for the medical care received, however, the hospital is not entitled to demand advance payment for emergency assistance and medical care from the specialist for persons that are in need of emergency care. Despite these positive declarations from the government, a the Norwegian Broadcasting (NRK) reported on 10 October 2011 that an increasing number of undocumented migrants were seeking health care support. Created in 2009, a health center for undocumented migrants in Oslo run by The Red Cross and Kirkens Bymisjon is opened every Tuesday and every first Thursday of the month.

Source: [The Norwegian Ministry of Health and Care](#), 30 June 2011; [Norway International Network](#), 10 October 2011; [Krikens Bymisjon](#)

UK / New restrictions on health care: MRN's letter and MDM's petition

Migrants Rights Network urged supporters to write to the Public Health Minister in the UK and voice concerns about the public health impact of new immigration restrictions which will deny migrants with an NHS debt further permission to enter or remain in the UK. A template for a draft letter to the Public Health Minister is available on MRN's website. Doctors of the World started a petition which calls on the UK government to uphold the right of vulnerable migrants to access healthcare regardless of their ability to pay. If the petition receives at least 100,000 signatures, it will be eligible for debate in the House of Commons. All are encouraged to sign the e-petition (link below on the HM Government website) and it is open until September 2012.

Source: [Migrants' Rights Network](#), 3 October 2011; [Refugee Health Network](#), 30 September 2011; [HM Government](#), e-petition

UK / Top GPs urge colleagues to 'use their discretion' to treat migrants

Practices should use their discretion to treat migrants who are 'eligible but not necessarily entitled' to free healthcare on the NHS, say top GPs. Speaking exclusively to Pulse at a Migrant Rights Network and NHS East London and the City event, Access to Universal Health Care in the Age of Migration on 23 September 2011 in London, Dr Kambiz Boomla, chair of the City and East London Local Medical Committee, said that "If we don't treat people with long-term conditions in primary care then further down the line they end up in A&E, which causes a lot of heartache and distress." He also called on GP commissioners to get to grips with the needs of their local migrant population.

Source: [Pulse](#), 26 September 2011

USA / Undocumented woman shackled during childbirth receives compensation

Juana Villegas, an undocumented woman in Tennessee who was shackled by her hands and feet while in labour was awarded \$200,000 (€138,232) compensation in a civil case on 18 August 2011. A federal district court had ruled against the County Sheriff's Office in April 2011, finding that the restraint of pregnant women

was a violation of the Constitution and contemporary standards of decency (see [PICUM Bulletin 9 May 2011](#)). Following the judgement, Ms Villegas said her client's would apply for a U-visa, a special status that may be granted to undocumented migrants who are victims of a crime in the United States. The U-visa provides three years legal work and residence, with the possibility of renewing for another three years and eventually, upgrading to full citizen status.

Source: [CNN](#), 21 August 2011

USA / Mobile clinic in the state of Oregon reaches out to migrant agricultural seasonal and undocumented workers

For the past 20 years, a grouping of vineyards in Oregon has funded a mobile clinic to efficiently provide annual check-ups to many of the farm workers. The non-profit, Sauld, resulted from conversations between winery owners and health care professionals. A video about the collaboration and explaining why the organization was founded is available on the Salud website (link below).

Source: [OregonLive.com](#), 30 August 2011; [Salud](#)

USA / Case of an undocumented patient staying in a hospital for over two years offers a glimpse into the complex issues between hospitals and offering care to undocumented patients

A 60-year-old formerly undocumented Polish domestic worker has been living in a hospital in a Chicago suburb for over two years. While at work scrubbing the bathtub of a home, she suffered a massive stroke. With no insurance, public aid or family able to care for her, the acute-care — or short-term care — in the hospital has kept her as a patient. Hospitals, by law, have to provide emergency care to anyone who seeks it but undocumented people living in the U.S. typically are not eligible for Medicare or other public funds. In many cases, those who suffer debilitating health issues are repatriated to their home country after they have been stabilized in a U.S. hospital and a health care plan has been established abroad. The hospital has not pursued that course because no one in Poland has agreed to take her and the hospital does not want to just dump her there.

Source: [Chicago Tribune](#), 18 September 2011

USA / PROJECT / New project to examine the medical safety net for undocumented patients

The Hastings Center, a nonpartisan research institution that is dedicated to bioethics and public interest, will begin a project that explores the ethical challenges that clinicians and organizations face when providing medical care to undocumented immigrants in the United States. They are left in a vulnerable position as most have no health insurance, are ineligible for public insurance programs and are prohibited from obtaining insurance under the 2010 Patient Protection and Affordable Care Act. The project will produce a special report, a web site with resources for the public and journal articles.

Source: [Hastings Center](#), 11 October 2011

USA / STUDY / Study finds that undocumented migrants use fewer health services than perceived

A University of California Irvine study found that undocumented immigrants in Orange County, California used fewer medical services than citizens and legal residents. The largest reason appears to be lack of health insurance. Undocumented immigrants were more likely to go to a hospital outpatient clinic and public health clinic. Findings also showed that undocumented migrants more readily went to public clinics and outpatient clinics than private doctors.

Source: [The Orange County Register](#), 13 October 2011

LABOUR AND FAIR WORKING CONDITIONS

GERMANY / REPORT / Domestic Workers in Diplomats' Households

A report analysing the laws and practices existing in six European countries regarding rights violations and access to justice for domestic workers in the context of diplomatic immunity has been released by the German Institute for Human Rights. Identifying positive initiatives and offering a developed set of rights-based recommendations, the study was conducted as part of the three-year project "Forced Labor Today:

Empowering Trafficked Persons”, carried out in cooperation with the Foundation “Remembrance, Responsibility, Future”.

Source: [Deutsches Institut für Menschenrechte](#)

IRELAND / Undocumented migrant is paid back wages while working in slave like conditions

The Labour Court ordered a restaurant owner to pay Muhammad Younis, an undocumented worker from Pakistan, €91,000 over breaches of employment rights for gross exploitation which has been compared to slavery. Mr Younis said he was forced to work 77 hours a week with Christmas Day his only time off during the seven years he worked there. During that time he was paid just 51 cents per hour between 2002 and 2005, although he secured increases to €4.46 an hour in 2005 and €6.25 an hour in 2006, these were all still rates well below the minimum wage. Mr Younis said he was also forced to work without any contract, tax or social contributions being paid, and his employer failed to renew his work permit or his passport as promised, leaving him undocumented. He eventually left the job in 2009 and approached the Migrant Rights Centre Ireland (MRCI), a member of PICUM, for assistance.

Source: The Independent, [14 September 2011](#) and [17 September 2011](#)

IRELAND / Migrants Rights Center Ireland celebrates 10 year anniversary

PICUM Member Migrants Rights Center Ireland (MRCI) celebrated its 10 Year Anniversary on 12 October 2011 with an event that included migrant activists, supporters from trade unions and community organizations, as well as the President of Ireland, Ms Mary McAlesse. Central to the MRCI's work has been a community work approach that brings migrants together to take collective action on issues affecting them. For the anniversary, they created [a series of short videos](#) which highlight their work over the years in exposing injustice, building their voice, standing up for rights and shaping the future.

Source: [MRCI](#), October 2011

SWEDEN / Asylum seekers and undocumented migrants used as ‘car wash slaves’

An investigation by Sveriges Radio (SR) concluded that there is a trend to employ undocumented migrants in Sweden which often results in them working ‘like slaves.’ Raids made by the police found that undocumented migrants who are hired to work in car wash facilities worked long hours and were paid extremely low wages. Jerk Wiber, Head of the Border Police in Stockholm stated that “this is a new phenomenon”. The majority of cases took place in Stockholm but similar cases were reported in Gothenburg and Malmö.

Source: [The Local](#), 23 October 2011; [Business & Human Resource Centre](#), 23 October 2011

UK / Organisations speak out about planned changes on domestic worker visa in UK, while Cameron support them although the current law actually saved his children’s nanny

UK Prime Minister David Cameron is pushing for changes to the UK’s foreign domestic worker visa program, despite himself having hired a nanny who had benefited from the very same program. Under current rules in the UK, foreign domestic workers are allowed to change jobs and move to a different household without losing their work status. The proposed changes by the government would potentially end the visa for overseas domestic workers or keep it but remove the right to change employer or seek resettlement in the UK.

Research by Kalayaan showed a curb in abusive suffered by domestic workers comparing figures from 1996 and 2010. Marissa Begonia, spokesperson for Justice 4 Domestic Workers and a campaigner on the rights of migrant domestic workers spoke out about the planned changes to the domestic worker visa as she was presented with a Human Trafficking Foundation Media Award at a House of Lords ceremony. On 4 September 2011, [Justice 4 Domestic Workers](#) had organized a rally outside the Parliament. The Justice 4 Domestic Workers campaign says plans to end this right will leave staff open to abuse or exploitation.

Source: [Migrant’s Rights Network](#), August 2011; [Kalayaan](#), August 2011; [The Independent](#), 16 October 2011; [BBC News](#), 10 October 2011; [MRN](#), 26 October 2011; [BBC News](#), 4 September 2011

USA / Domestic worker organizations use new Hollywood film to strengthen their message and raise awareness

The National Domestic Workers Alliance (NDWA) and a California domestic workers coalition are using the release of a new Hollywood film titled “The Help” to raise awareness on the importance of passing the Domestic Workers Bill of Rights, AB 889. The legislation would provide a host of rights such as meal and rest

breaks, overtime pay, workers' compensation and paid sick days. NDWA released a video (available on the AFL-CIO link below) to highlight the stories of 21st century domestic workers.

Source: [California Domestic Workers Bill of Rights, afl-cio now blog](#), 10 August 2011

USA / Secretary of Labor signs joint declarations protecting the rights of migrant workers

Secretary of Labor Hilda Solis signed joint declarations with the Dominican Republic, Costa Rica and El Salvador to protect the labour rights of migrant workers from those countries who are employed in the United States previous signatories were Mexico, Nicaragua and Guatemala. Under the declarations, the embassies and consulates will cooperate with the regional enforcement offices of the Labor Department's Occupational Safety and Health Administration (OSHA) and its Wage and Hour Division to distribute information about U.S. health, safety and wage laws.

Source: [PRN Newswire](#), 29 September 2011

FILM / Clip on undocumented migrant workers in Europe

As part of its project, [Making Migration Work for Development](#), SOLIDAR has developed a clip entitled "Through the Eyes of Migrants: Andean Agricultural Workers in Spain". The clip follows the lives of three migrant workers coming from the Andean region and working in the agricultural sector, in the gardens of Europe. To watch the clip, click [here](#).

Source: Solidar, 14 October 2011

UNDOCUMENTED WOMEN

FRANCE / Media highlight deportation of undocumented women reporting violence

43 year-old Farida Sou had come to Corsica in October 2010 to marry her partner, but after the marriage was refused by the Mayor of the town she became undocumented. Several organisations have rallied to support Farida Sou, denouncing the double violence inflicted towards undocumented women victims of violence and have asked to meet with the State representative of North-Corsica in the hope he will change his decision. The case has also been highlighted by French women's magazine ELLE which denounces the fact that Farida Sou will have to appear before the correctional tribunal of Bastia in November to face sanctions for her refusal to transfer to a migrant detention centre in Marseille, yet her domestic violence claim has been filed without any further action.

Source: [Corse Matin](#), 17 Septembre 2011; [ELLE France](#), 20 Septembre 2011

MEXICO-USA / Drug violence cause of irregular female migration

Drug-related crime and violence could be a bigger cause of irregular female migration from Mexico to the United States than family reunification. High levels of gender-based violence in a culture of impunity can push women to migrate, and also cause many women to be targeted by sex traffickers en route. As highlighted by the organisation 'In Sight' which addresses organised crime in South America, undocumented migrants are less likely to be reported as missing, and less likely to report violence or abuse to the authorities, therefore, "irregular crossing into the U.S., already a dangerous undertaking, is even more perilous for women migrants as their gender means they are particularly vulnerable to exploitation".

Source: Clare Forsythe, [In Sight](#), 5 September 2011

USA / Coalition of activists speak out to raise the visibility of immigrant women

A civil society coalition, [We Belong Together](#), went to Atlanta, Georgia, on 28 and 29 September 2011 to examine the impact of immigration enforcement on undocumented women, children and families. The aim of the action was to highlight the situation of undocumented women in a political context where the state is encouraging new immigration policies such as the like HB 87 law and the federal "Secure communities" programme, which would give further power to the state to profile, arrest and detain immigrants arbitrarily. The delegation issued their finding in [a common statement](#). For more information on the delegation to Georgia, click [here](#).

Source: [In These Times](#), 30 September 2011

USA / Initiative to support undocumented women with HIV highlighted

WORLD (Women Organized to Respond to Life-threatening Disease), based in Oakland, California, has developed a specific programme to provide support to Latin American Women with HIV/AIDS, many of whom are undocumented, to navigate social and medical services. WORLD's Peer Advocate engages in outreach to migrant communities, as well as social workers and HIV clinics, supports clients in accessing the necessary medication, and operates a support group in Spanish for Latin American women to teach them about living with HIV/AIDS – the support group provides childcare and public transport fare.

Source: ["Q & A With Agripina Alejandres, Latina Peer Advocate, WORLD"](#)

ESSAYS/ "Women in Migration Processes"

"Edeltraud Aubele and Gabriele Pieri published a collection of essays entitled "Women in Migration Processes" analysing migration processes from the 18th to the 20th century from a gender perspective. The publication includes historical examples and analyses on scientific reception and mediatisation of female migrants, including a chapter on best practices and solutions for empowering female migrants, and two examples of female migrant's initiatives. For further information, click [here](#).

RESEARCH / Gender inequalities increase chances of refusal and destitution in asylum process

A report by the UK-based Asylum Support Appeals Project (ASAP) has highlighted the numerous practical barriers facing migrant women in the asylum appeals procedure, and how these difficulties increase their chances of becoming undocumented. Investigating the low level of women appealing rejections of their asylum-application, ASAP's research found the system was difficult and stressful for many migrant women to navigate. The main barriers included health problems, difficulties travelling to the tribunal, fear, childcare responsibilities and pregnancy, lack of childcare facilities at the tribunal, access to good quality advice and advocacy, poor understanding of the process, language barriers, and acute disengagement from the system because of trafficking. These disparities mean that women in the asylum process risk being denied protection and becoming destitute. The report includes key recommendations to the UK Border Agency and the Tribunal service. Download report [here](#).

Source: [MRN Newsletter](#), 12 October 2011

UNDOCUMENTED CHILDREN AND THEIR FAMILIES

FRANCE / Separated children again hosted in Seine-Saint-Denis, but broader reform is needed

The General Council of Seine-Saint-Denis has announced that, from 10 October 2011, it will again take charge of newly arriving separated migrant children. One out of ten new arrivals will be hosted in the French department of Seine-Saint-Denis, while the nine others will be reallocated to other French cities and departments. The decision came following an announcement in August 2011 that Seine-Saint-Denis would no longer take charge of any new arrivals because it could no longer accommodate unaccompanied minors appropriately (see PICUM Bulletins [26 September 2011](#) and [29 August 2011](#)). Several French organizations campaigning for children's rights have underlined that this decision will not change the situation of children in practice and that systemic reform is needed.

Source: [France Info](#), 7 September 2011; Actualités sociales hebdomadaires - Wolters Kluwer France, 7 September 2011, [Migreurop](#), 9 September 2011; [France Soir](#), 10 October 2011; [Hors la Rue](#), 7 October 2011

GERMANY / Parliament passes resolution to exclude educational administrations from the duty to denounce

The German Parliament passed a resolution on 7 July 2011 to exclude school administrations from the duty to denounce. Although the right to education for all children is enshrined in the German Constitution, the duty on all public administrations to report undocumented migrants to the immigration authorities effectively overrides undocumented children's entitlement. The opposition parties voted against the resolution because it is limited to education administrations, and they had proposed to exclude all public administration not involved in criminal justice, especially health care administrations and labour courts. Katholisches Forum Leben in der

Illegalität have strongly welcomed the resolution, but also highlighted that there are several remaining issues in practice such as the need to provide the documentation required for registration. Source: [Katholisches Forum Leben in der Illegalität](#), 8 July 2011; [TAZ](#), 8 July 2011; [Frankfurter Rundschau](#), 9 July 2011

IRELAND / Residency rights for parents of Irish citizen children is number one concern on migrant helpline

The Immigrant Council of Ireland runs a confidential information and referral service helpline which provides information and advice to persons about the immigration system in Ireland. Every six months, they release statistics on the topics of the calls received. Recent statistics indicate that residency rights for parents of Irish citizen children was the most common issue raised by callers to the helpline with around 800 calls, compared to 286 last year.

Source: [Immigrant Council of Ireland](#), 2 August 2011

ITALY / Unaccompanied children – Save the Children 2010 Report

The NGO Save the Children Italia published its 2010 Report outlining the situation of unaccompanied migrant children in Italy. Italy hosts about 5,000 unaccompanied migrant children of which the majority (about 4,300) is aged between 15 and 17 years old. The remaining 700 are aged between 7 and 14. They are not accompanied by any parent, relative or tutor. The report also sheds light on some stories of integration in Italy.

Source: [La Repubblica](#), 20 July 2011

NETHERLANDS / Court rules undocumented parents may be eligible for child support and Defence for Children launches campaign

The Central Appeals Tribunal [ruled on 15 July 2011](#) that parents who are residing in the Netherlands irregularly, but are known to have lived in the Netherlands for some time, including a period of regular residence (such as during the procedure of acquiring a residence permit), may be entitled to child support. The judgment found that excluding undocumented parents from child support due to their residence status could be disproportionate considering the duty to protect the right to private and family life (Article 8 ECHR) and the duty of care towards children. Defence for Children International (DCI) - Netherlands, who were among those presenting the case, stressed the importance of child support payments to ensure respect of Article 27 Child Rights Convention. Additionally in early September 2011, DCI launched the campaign “Onschuldig veroordeeld” (“Innocently convicted”) demanding for a right to stay for undocumented children in the Netherlands. The campaign can be seen as a follow up to the “Wij Blijven” (“We are staying”) campaign, which addressed the situation of undocumented children since 2006.

Source: [Defence for Children International – Netherlands](#), 19 July 2011; [Defence for Children Netherlands](#); [BBC News](#), 1 September; [Radio Netherlands Worldwide](#), 31 August

NETHERLANDS / End to pilot project of assistance to minors

A pilot project called ‘Perspective’ launched in 2009 in 20 Dutch municipalities to counsel and assist young unsuccessful asylum seekers will be terminated because of an apparent lack of tangible results. The objective of the project was to prevent former unaccompanied minors whom had come of age to be welcomed in support centres to support them with seeking residency status or returning home. The [report](#) of the project carried out by CVO and commissioned by the Research and Documentation Centre (WODC) has pointed out that after one and a half year about two thirds of all the asylum seekers in this group – under 18 years-old when the project started – still have no certainty about their situation, be it a permit or expulsion order. The municipalities are also prohibited from providing any further assistance to the participants. The remaining group will now be sent to detention centres. PvdA MP Hans Spekman has expressed concern over this decision he judges too rushed and that it would mean these young adults would end up in the street.

Source: [PZC](#), 14 September 2011; [Rijksoverheid](#), 14 September 2011

NETHERLANDS / Fund to pay financial penalties resulting from giving undocumented students internships

The Start Foundation is giving subsidies to pay the financial penalty imposed on companies for giving an internship to a student who does not have a permit to stay and is undocumented. Doing an internship is

sometimes a compulsory module to graduate and not completing this step prevents some undocumented migrants from finishing their schooling. Schools and employers who provide traineeships to undocumented students risk getting a financial penalty of 8,000 Euros. In early 2011, Minister Van Bijsterveldt had said a solution would be found but that has not yet been the case. In response, the Start Foundation has set up a subsidy called 'Stoutfonds' (which means 'naughty fund' as well as 'bold fund') to pay these fines. It is committed to tackle high drop-out rates and ensure a good future for these youths.

Source: [Start Foundation](#), 30 September 2011; [Stichting Los Newsletter](#), Year 1 no.17, 10 October 2011

NORWAY / Solution sought for over 400 undocumented children

Jasmin Tunc, a 16-year old undocumented migrant of Lebanese parents born in Germany but raised in Norway, told her story of "her life in limbo" in a [newspaper article](#) on 7 October 2011. Jasmin plans to confront the Prime Minister with a replica of a 'Nansenpass', a special passport initiated by Fridtjof Nansen, a famous Norwegian explorer and humanitarian. Dag Hareide, principal of the Nansen School, is reviving the concept of the 'Nansenpass'. The campaign that is backed by 40 organizations is pushing for the government to provide a solution to the estimated 400 undocumented children who have lived as asylum seekers in Norway for more than three years. Many have been rejected but are not able to return to their homelands, leaving them in limbo in Norway. Living in such limbo complicates accessing such things as education and health care.

Source: [Norway International Network](#), 10 October 2011

SPAIN / REPORT / Irregularities in the age test for unaccompanied children

The organization, Defensor del Pueblo de España (Ombudsman), published a report entitled "¿Menores o adultos? Procedimiento para la determinación de la edad". The report condemns the procedure and its use by Spanish authorities as the procedure is flawed as dental and bone evidence are not reliable to determine the age of someone. Furthermore, the report denounces the lack or total absence of legal support for undocumented migrants which is in contradiction with the law on the Legal Protection of Minors. In order to tackle the issue the report suggests for an official recognition that dental and bone test are not 100% reliable and that the margin of error be taken into account when the results are presented. In the report, the Defensor del Pueblo makes 41 recommendations to the authorities to address effectively this issue. Click [here](#) to read the report.

Source: [El País](#), 20 July 2011; [El País](#), 29 September 2011

SPAIN / Children sleep in communal areas "because of the saturation" at centres

Centers for unaccompanied minors in Melilla, Spain, are currently overcrowded, which meant they have had to use the common areas as bedrooms to provide enough beds for all the children. Advisor of Social Welfare and Health, Maria Antonia Garbin, reiterated her concern regarding the situation adding that at the moment the "Purísima" centre is hosting "well above" the desired number, as there are 168 unaccompanied migrant minors for a capacity of 160.

Source: [Sur](#), 27 Septiembre 2011

SWITZERLAND / New guide for teachers and school authorities to improve access to education for undocumented children

The Swiss Public Services Trade Union (VPOD-SSP) and the Association for the Rights of Children without Legal Status have published a new brochure entitled "Undocumented Children in School: Recommendations for teachers and school authorities". The brochure aims to inform teachers and education authorities about the rights of undocumented children and the problems that they face. Although the right to education for all children is enshrined in national and international law, undocumented children face numerous different barriers when accessing their education, including, in some regions, the threat of being reported to the immigration authorities. Download the brochure [French \(FR\)](#) and [German \(DE\)](#).

UK / Children's Society warns that legal aid bill will affect the most vulnerable children and carry "grave consequences"

At least 6,000 children will be prevented from accessing legal support as a result of cuts to legal aid, The Children's Society has warned. The government has stated that for some excluded cases there will be a safety net in the form of an exceptional funding scheme – but the Children's Society say thousands of children will

not be eligible for this scheme. Many children, including unaccompanied migrant children and victims of trafficking, will be left to navigate the legal system with no support. This could include going to court without a lawyer. For more information on the Legal Aid Bill see [PICUM Bulletin 29 August 2011](#).

Source: [Children & Young People Now](#), 6 September 2011

UK / Right to reside for carers of British children following Zambrano ruling

Following the judgment of the European Court of Justice in the Zambrano case (see PICUM Bulletin [14 March 2011](#), [11 April 2011](#) and [29 August 2011](#)), the UK Borders Agency (UKBA) will be amending the Immigration (European Economic Area) Regulations 2006 before the end of 2011 to issue documentation to carers of British children, giving them the right to live in the UK. The judgment creates a right to reside and work for the sole carer of a dependent British citizen when that carer has no other right of residence in the UK and removing the carer from the UK would mean the British citizen would have to leave the European Union.

Source: [UKBA](#), 21 September 2011; [NRPF Network](#), NRPF Bulletin Issue 32, October 2011

UK / Child victims of trafficking unprotected in the UK

The Observer has reported on the serious shortcomings of the systems for identifying and protecting victims of trafficking, particularly children. The Observer cites official data, obtained through Freedom of Information requests, which corroborates civil society statements that the system is biased against children of foreign origin, with them less likely to be considered victims of trafficking. Amidst this report, Kent County Council has informed that 25 children, aged 12 to 17, whom had been victims of trafficking and placed into care had 'gone missing' with no way of knowing where they had gone. Source: [The Observer](#), 16 October 2011; [The Guardian](#), 18 October 2011

UK / Court ruling elaborates UKBA duty towards children

The England and Wales High Court (Administrative Court) elaborated the duty of the UK Border Agency to consider the best interests of the child in decisions regarding deportation of an irregularly residing family. In the case, R (on the application of Tinizaray) v Secretary of State, the Court details the factors which should be considered when determining whether or not it would be proportionate, considering the impact it would have on the child, to refuse an application for a child's carer to remain in the UK, which would result in the family having to leave. Read the full judgment [here](#) (EN).

Source: [Free Movement Blog](#), 26 October 2011

USA / Obama administration announced that low priority immigration offenders would not be a target for deportation

The Obama administration announced that undocumented students and other low-priority immigration offenders would not be targeted for deportation under enforcement programs. The announcement marks further steps to stop the deportation of people it considers "low-priority" immigrants like so-called Dream Act-eligible students and those with long-standing family ties in the country. In response to the announcement, the American Immigration Lawyers Association released a consumer advisory and warned individuals this should not be considered an Amnesty Program that they may still be arrested by immigration officials and that undocumented persons should still take caution because of their status.

Source: [Los Angeles Times](#), 18 August 2011; [American Immigration Lawyers Association](#), 18 August 2011

USA / New law in Indiana forces undocumented immigrants to pay out of state tuition whilst Rhode Island grants in-state tuition for undocumented students at public colleges and students bring case against state for out-of-state tuition fees

In Indiana, a law that went into effect on 1 July 2011 takes away in-state tuition eligibility from students who are undocumented. Indiana is one of the six states in the US that bar undocumented students from receiving resident tuition rate whilst Rhode Island joins another 13 states that offer in-state tuition to undocumented students. To be eligible, students must attend school in the state for three years, graduate from one of the state's high schools and sign an affidavit confirming that they are seeking legal status. Adding to the debate of tuition fees, a class-action lawsuit has been filed by Florida residents being charged out-of-state tuition rates to attend state colleges and universities because of their parents' immigration status. The students are U.S. citizens, born in the U.S. to undocumented immigrants, and say that Florida's regulations violate their

constitutional rights. It is an issue that has come up in some other states with both California and Colorado resolving similar disputes by extending in-state tuition rates to the students in question.

Source: [AP](#), 31 August 2011; [Color Lines](#), 27 September 2011; [The Huffington Post](#), 3 October 2011; [The Providence Journal](#), 28 September 2011; [National Public Radio](#), 31 October 2011

USA / The state of California passes the California DREAM Act

The California DREAM Act signed into law on 8 October 2011 allows undocumented students to access state financial aid for college. The DREAM Act was first introduced in 2006 and repeatedly passed in the California legislature but was vetoed three times by former Governor Schwarzenegger. There are two parts of the bill package: one, which is seen as slightly more controversial, allowing grants to qualifying undocumented college students for state funded financial aid programs but only after students who are citizens or legal residents are served first. The second part of the bill, which was already signed in July 2011, makes undocumented students eligible for privately funded non-state scholarships.

Source: [ColorLines](#), 11 October 2011; [Latin American Herald Tribune](#), October 2011

USA / Undocumented children fear attending school in Alabama after tough immigration laws passed

As a result of Alabama's tough new immigration laws (see above under National Developments), which includes requiring school officials to determine the immigration status of children when they enrol, the attendance of children with a Latin American background has significantly reduced. Their absence has been lauded as a success – for alleviating overcrowding in classrooms – by some city officials, such as City Councilman Chuck Ellis of the city of Albertville. He estimates that some 150 children have left the school district, and expects as many as 500 more to leave due to their parents' fear of being arrested and deported. Amidst these harshening immigration measures in Alabama, undocumented parents are taking steps to ensure their children are cared for by finding guardians should they be deported. A [2010 study](#) carried out by the Urban Institute found that there are over four million U.S. citizen children living with at least one undocumented parent, and that many of these individuals have nobody else to care for them should their parents be deported. Additionally, Spanish-speaking parents report that their children are facing more bullying and taunts at school since Alabama's tough new immigration laws took effect (see [PICUM Bulletin 24 October 2011](#)).

Source: [Fox News Latino](#), 6 October 2011; [Huffington Post](#), 4 October 2011; [Los Angeles Times](#), 16 October 2011; [Associated Press](#), 9 October 2011; [Examiner.com](#), 11 October 2011; [CBS News](#), 22 October 2011

USA / STUDY / Education gap for children of undocumented migrants

Based on research of Los Angeles area residents, a new study by UC Irvine professor Frank Bean and three other researchers has documented the persistent educational disadvantages for children of undocumented migrants. The study found that children of undocumented migrants averaged 11 years of education, compared with about 13 years for those whose parents were regular migrants. But once undocumented migrants found ways to regularise their status, the study found, their children's educational levels rose substantially.

Additionally, a study published in the Harvard Educational Review shows that children whose parents are undocumented migrants or who lack legal status themselves face negative effects on their social development from early childhood until they become adults. The study concluded that more than five million children affected by their family's undocumented status are “at risk of lower educational performance, economic stagnation, blocked mobility and ambiguous belonging” because they are growing up in immigrant families affected by undocumented status.

Source: [Los Angeles Times](#), 22 October 2011; [New York Times](#), 20 September 2011; M. Suárez-Orozco, C. Suárez-Orozco, R. T. Teranishi and H. Yoshikawa, “Growing Up in the Shadows: The Development Implications of Unauthorised Status”, Harvard Education Review, Vol. 81, No. 3 Fall 2011

USA / ARTICLE / “Learning to be illegal: undocumented youth and shifting legal contexts in the transition to adulthood”

Roberto Gonzales, Assistant Professor at the University of Chicago has published an article: “Learning to Be Illegal: Undocumented Youth and Shifting Legal Contexts in the Transition to Adulthood”. The article examines

the transition to adulthood among 1.5-generation undocumented Latino young adults. Undocumented children move from protected to unprotected, from inclusion to exclusion, from de facto legal to illegal. In the process, they must learn to be illegal, a transformation that involves the almost complete retooling of daily routines, survival skills, aspirations, and social patterns. The article draws on 150 interviews with undocumented 1.5-generation young adult Latinos in Southern California. Download the article (EN) [here](#).

Source: American Sociological Review 76(4) 602– 619, Sage Publications

REPORT / SCEP's report on age assessment in Europe

The Age Assessment Thematic Group of the Separated Children in Europe Programme (SCEP) published a report in May 2011 which reviews current policies and practice in Europe. The report focuses on current laws, policies and practices related to age assessment in 16 European countries collected by SCEP partners between June and November 2010. The report will also be used as a basis to develop and advocacy paper. Click [here](#) to download the report which is only available in English.

DETENTION AND DEPORTATION

AUSTRIA / New legislation allows detention of any asylum seeker, also legal residence not secured

New Austrian legislation that entered into force on 1 July 2011 permits the detention of any newly arrived asylum seeker for up to 120 hours, and for up to 148 hours under certain circumstances. This so called "Mitwirkungspflicht" allows for the detention of anyone on arrival, including children or other vulnerable groups. This sixth change of the Austrian Alien's Law within a period of two years also introduced more restrictive rules concerning legal migration and stay. For example, German language skills need to be proven before entry and an 18 month entry ban can be introduced if migrants on a temporary residence permit miss the deadline for prolongation of their residence permit. Furthermore residence bans can be introduced for administrative offences, such as crossing a red traffic light.

Source: [SOS Mitmensch](#), 1 July 2011; [Asylkoordinatie](#), 1 July 2011

BELGIUM / Centre for repatriation of failed asylum seekers

The Belgian Federal government works on a pilot project to start up a Centre for the Repatriation of Failed Asylum Seekers, which is said to open in autumn of 2011, somewhere around Brussels and with a capacity of 70 people, targeted for those from the Balkans. If the project is successful additional centres can be started for more broad groups of migrants. Up to now all unsuccessful asylum seekers are housed in regular asylum centres and the government wants to separate unsuccessful asylum seekers from those currently in a procedure, in order to speed up repatriation.

Source: [Deredactie.be](#), 27 July 2011

CYPRUS / Irregular migrant dies in police cell following KISA accusation of police brutality against detainees

A man died in September 2010 in Limassol police cell and another 28-year old man from Georgia died whilst in detention at Lakatamia police detention on 18 October 2011. These incidents came following KISA publishing a press release in August 2011, regarding an outbreak of police brutality against migrant detainees in almost all towns in Cyprus based on complaints it received from family members and migrant detainees. The brutalities were done as punishments following complaints from detainees regarding detention conditions. KISA condemned all the incidents that have taken place in the detention centres around Cyprus, and urges the authorities to take all appropriate steps to ensure that the rights of all detainees are fully respected. Read the full press release [here](#).

Source: [EMHRN](#), 4 August 2011; [Cyprus Mail](#), 18 October 2011

EU / FRONTEX / HRW denounces the "EU's Dirty Hands"

In a report entitled "The EU's Dirty Hands: Frontex Involvement in III-Treatment of Migrant Detainees in Greece", Human Rights Watch (HRW) reveals the "inhumane and degrading conditions" to which Frontex exposes migrants in detention in Greece. The report is based on interviews with 65 migrants, refugees, and

asylum seekers in Greece in November 2010, December 2010 and February 2011 during the deployment of the first rapid border intervention team (RABIT) along the Greek-Turkish border in the Evros region, and with Frontex and Greek police officials as well as field visits in detention centres. HRW highlighted that its revelation over Frontex's responsibility did not release the Greek authorities of their duty to remedy the situation over detention conditions. Concerning the upcoming reforms of Frontex, HRW welcomed them as "a start" but that they would fail to hold Frontex accountable for breaches of human rights and EU law. Frontex issued [a statement](#) in response to release of report welcoming the comment but expressing their commitment to human rights and highlighting their reform process. Please download the HRW report [here](#).

Source: [Human Rights Watch](#), 21 September 2011, [Migrants at Sea](#), 22 September 2011

FRANCE / Deportation quotas and new immigration law in France

During the summer of 2011, the number of deportations of foreigners in irregular situations has increased according to the French Ministry of Interior. The new Law on immigration, voted in May 2011, and whose implementation decrees were published on 18 July 2011, has notably introduced new instruments, including an administrative retention delay of 45 days against 32 before and a delay for the Magistrate of liberties and retention, when a foreigner is held in a retention centre, of 5 days against 2 before. The text has also filled in a law gap which allowed, since the end of 2010, undocumented migrants to obtain a cancellation of the deportation because of the non-implementation of the European Directive on return.

Source: [France Soir](#), 28 July 2011

FRANCE / The Archbishop of Rennes, Dol and Saint-Malo denounces the detention of children

During August 2011, eight children were detained with only one of their parents or siblings, as other family members were absent at the time of arrest. Pierre d'Ornellas, Archbishop of Rennes, Dol and St. Malo, said it was urgent to find and implement a way of accommodating undocumented children and their families that is consistent with the Convention on the Rights of the Child, ratified by France.

Source: [Ouest France](#), 31 August 2011

ITALY / Italian Immigration Return Decree becomes law

On 2 August 2011, with the final vote of the Senate, the law decree on repatriation entered into force, despite the entire opposition voting against. It introduced the extension from 6 to 18 months of the detention of irregular migrants in the Centres for Identification and Expulsion (CIE) and the immediate expulsion from the country for irregular immigrants considered a danger to national security or to public order. The term for repatriation was also extended from 5 to 7 days.

Source: [La Repubblica](#), 2 August 2011

ITALY / REPORT/ Investigation sheds lights on conditions in which children are detained in Lampedusa

A report by Fabrizio Gatti, of the Italian newspaper L'Espresso, has denounced the conditions faced by unaccompanied children and children with their families in the detention centres of Lampedusa, Italy. The island became the main entry door into Europe for irregular migrants following the revolts in Northern Africa. Hundreds of children of all ages are detained in inadequate and overcrowded infrastructures in breach of national and international law. They lack medicines, children products and care. Some have already been victims of violence during the increasingly frequent riots between newly arrived migrants and police in the centres.

Source: [L'Espresso](#), 9 September 2011

ITALY / 151 undocumented migrants found along the coast of Puglia and international observers requests' denied to meet them

The United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM) and Save the Children have expressed their worries as they were denied access to visit the 151 Egyptian undocumented migrants, among them, 70 children and 68 adults, found by the Italian Guardia di Finanza on the night of 23 October 2011 nearby the coast of Puglia region, Italy. The 70 children were sent to different reception centres in Campania and Sicily, whereas all adults were repatriated the following day, 24 October 2011 with a charter flight from Puglia region. The President of Apulia region, Nichi Vendola, spoke

against such repatriations and expressed his concern to the authorities that denied international observers such as UNHCR, IOM and Save the children to meet the migrants and ensure that their rights were guaranteed. His appeal went unheard.

Source: La Repubblica, [24 October 2011](#) and [25 October 2011](#)

SWITZERLAND / REPORT / Immigration detention

Michal Flynn and Cecilia Cannon from the Global Detention Project published in October 2011 a report entitled "Immigration Detention in Switzerland: A Global Detention Project Special Report". This report provides a clear outline of detention practices and conditions in Switzerland. The situations vary with some centres having a 'good reputation' for their humane conditions but still many receive increasing criticism particularly on issues of arbitrariness and punitive detention regimes, excessive use of force and proportionality of sanctions imposed for violations of the foreigners law. Click [here](#) to view the report.

MALTA / Riots at Safi detention centre for extension of detention to 18 months

Protests which degenerated into riots inside Malta's closed detention centre in Safi were quelled by the police using tear gas on 16 August 2011. Migrant detainees were protesting after their claims for protection were rejected at the appeals stage, with the result of having their detention extended from 12 to 18 months. The event is symptomatic of the arbitrary policy of detention that is heavily criticised by the Council of Europe's human rights commissioner.

Source: [MaltaToday](#), 16 August 2011

NETHERLANDS / Irregularity not justification for detention

Amidst protests over the detention of migrants on boats with expired permits in the Dutch port town of Zaandam making the facilities 'illegal' detention centres, the European Commission (EC) answered questions of some Dutch MEPs, stating that irregularity is not a sufficient ground for imprisoning irregular migrants. The Dutch government had proposed to start handing out fines or short jail sentences to irregular migrants, before being expelled from the country. This came within a context where the Netherlands is trying to criminalise irregularity. The EC responded that this proposal is against EU legislation. Additionally in October 2011, Amnesty Netherlands filed [a note](#) suggesting alternatives for the current system of detention, which it considers to be too strict and unfair. Amnesty points to positive examples of good practices in other countries that could be implemented in the Netherlands.

Source: [SP.nl](#), 9 September 2011; [Ravagedigitaal.nl](#), 10 September 2011; Trouw, [21 September 2011](#) and [22 September 2011](#); [Amnesty International](#), 11 October 2011; [nieuws.nl](#), 11 October 2011

SPAIN / The Government of Catalonia hopes to implement new strategy to reduce the number of undocumented migrants in prison in Spain

Through a new order of the Justice Department, The Government of Catalonia hopes to reduce the number of undocumented migrants in prison in Spain. At the moment undocumented migrants make up 36% of prisoners in Spain. The new strategy offers two options: firstly undocumented prisoners can serve their probation period in their own countries after serving half their sentence in Spain or they can be transferred to a prison in their home countries directly. The aim is to save money on accommodating foreign prisoners who once they are freed will be arrested by the Immigration authorities and detained until they are deported. The new order came into force on 15 September 2011 and the new law permitting deportation to replace sentences of less than 6 years, reflect the government's support for such a measure.

Source: [Público](#), 2 September 2011

SWITZERLAND / Conditions for migrants in administrative detention worse than for condemned criminals

The National Commission for the Prevention of Torture visited three of the 28 administrative detention centres where many undocumented migrants are waiting to be deported and judged their detention conditions sometimes more severe than those faced by sentenced criminals. Elisabeth Baumgartner, vice-president of the Commission, said that the lack of space and the impossibility to go out are considered issues that become violations if the period of detention lasts more than two weeks as it often happens. The pressure they have to bear is too high, because they have no idea of what will happen to them. In such conditions, she said, she

would expect even more aggressions in the centres.

Source: [Le Courier](#), 9 Septembre 2011

UK/ Campsfield House criticized and death in detention

A [report](#) released in July 2011 by HM Chief Inspector of Prisons following a surprise inspection in May 2011 to Campsfield House immigration removal centre, in Oxfordshire, shows it failed to improve on recommendations made following inspection in 2009. The concerns focused on the centre's health care and educational facilities which did not meet required standards. Bob Hughes, from the Close Campsfield Campaign, reiterated that the changes would not be enough as the objectives of the facility was to show the 'toughness' of the system and that would not change. This report comes following the death of a detainee on 2 August 2011 at Campsfield detention centre, who killed himself as he was facing deportation. The IRR denounced the lack of information on these deaths and called for the Home Office and its contractors to be held accountable so "such deaths are not forgotten by the passage of time".

Source: [BBC News](#), 5 October 2011; [The Guardian](#), 2 August 2011; [IRR](#), 4 August 2011

UK / Continued detention of children worries

Already in July 2011, in a report by the chief inspector of prisons, concerns were raised by the children's unit at Tinsley House removal centre at Gatwick airport, which had been refurbished and was due to reopen shortly. The report had said that "These plans to hold children sit uneasily with the government's commitment to end child detention for immigration purposes", a pledge the government had made in May 2010. Then in August 2011, Scottish campaigners raised the alarm with a decision to detain families in Scotland facing deportation at Pease Pottage, in Sussex, for up to a week while they await deportation, as of 2 September 2011. The Home Office had justified its decision based on children charity Barnardo's involvement; an involvement which has been the subject of much criticism by advocates for children's and migrant's rights. (See PICUM Bulletins: [29 August 2011](#), [20 June 2011](#), [23 May 2011](#), [27 April 2011](#), and [28 March 2011](#)). A Freedom of Information request by the [Children's Society](#) revealed that in a four-month period between May and August 2011, almost 700 children were detained in the UK. The Children's Society and the [HM Inspector of Prisons](#) highlighted issues with regards monitoring of these detention cases of children in terms of conditions and time period. Another freedom of information request, by [CYP Now](#), revealed a lack of rigorous monitoring of cases where restraint is used against children prior to deportation. The Home Office responded that there were no recorded instances of restraint before 2009, although figures released in parliament in October 2010 showed that restraint was used 13 times between March 2008 and February 2010 to get children onto return planes.

Source: [The Guardian](#), 26 July 2011; [The Scotsman](#), 29 August 2011; [The Guardian](#), 23 August 2011; [Children's Society](#), 17 October 2011; [CYP Now](#), 18 October 2011; [The Guardian](#), 16 October 2011; [The Guardian](#), 17 October 2011

UK / 'Inhumane' act of taking deportation reserves to airport condemned

The chief inspector of prisons has condemned the immigration authorities for "a distressing and inhumane practice" of taking detainees to the airport as "reserves" for others being deported. Nick Hardwick says the "objectionable practice" by overseas escort staff at the G4S-run Tinsley House removal centre at Gatwick airport should stop immediately. Detainees were not told if they were a reserve. Consequently, some detainees, after preparing to return to their country of origin and experiencing associated distress, were returned to detention from the airport. Defending the practice, a UK Border Agency spokesman said: "Preparing more foreign nationals for removal than there is space for makes best use of taxpayers' money."

Source: [The Guardian](#), 26 July 2011

UK / Landmark ruling that immigration detention of a man suffering from mental illness was inhuman or degrading treatment

In a landmark decision on 5 August 2011, the High Court ruled that the Secretary of State for the Home Department, through the UK Border Agency (UKBA), unlawfully detained a man with severe mental illness for a period of five months between April and September 2010 and that the circumstances of his detention at Harmondsworth immigration removal centre amounted to inhuman or degrading treatment in breach of article 3 of the European Convention on Human Rights (ECHR). The Court found that the detention of the Claimant,

“S” was unlawful from the outset, because when his detention was authorised he had been served a deportation order and breached the UKBA’s detention policy, in that the officials responsible for authorising detention failed to understand and take into account the evidence of S’s mental illness. Furthermore, it ruled that by detaining S, and continuing the detention despite the deterioration in his condition, the UKBA breached its obligations under the ECHR.

Source: [Bhatt Murphy Solicitors](#), Press Release, 5 August 2011

UK / In the past year the UK Border Agency has paid a total of £14.2 million in compensation claims

The UK Border Agency (UKBA) recently released its annual report for 2010/11 and it showed that it paid a total of £14.2 million last year in compensation, legal costs and ex gratia payments, up almost £2 million from 2009. This included payments to families who were unlawfully detained and removed, as well as £175,000 in compensation to an asylum seeker who was unlawfully detained and injured while in custody. Legal costs alone topped £7.7 million in just over 1,000 cases, compared with £3.8 million for 691 cases in 2009/10.

Source: [The Independent](#), 15 August 2011

UK / BRIEFING / Deportations, Removals and Voluntary Departures from the UK

The Migration Observatory has published a briefing, by Dr Scott Blinder, entitled: “Deportations, Removals and Voluntary Departures from the UK”. It examines the number of people deported or removed from the UK and those departing voluntarily after the initiation of enforced removal. It further examines the method, cost, and to the extent possible, the grounds for their removal and their nationalities. Download the report [here](#) (EN).

Source: [The Migration Observatory at the University of Oxford](#), 6 September 2011;

UK / People removed from the UK racially abused by private security officers

According to two new reports issued by Her Majesty’s Inspectorate of Prisons for England and Wales (HMI Prisons), private security officers showed “a shamefully unprofessional and derogatory attitude” during the removal process from the UK. This included “unprofessional comments by some escort staff, including swearing and stereotyping of detainees according to nationality” and inappropriate use of force by placing people in handcuffs for long periods of time although no evidence of resistance or violence was given. Inspectors drew these conclusions after accompanying removal flights to Jamaica and Nigeria in March and April 2011. They also reviewed records of previous flights. The flights were chartered by the UK Border Agency and the private security firm G4S provided the guards. Jonathan Ellis, Director of Advocacy at the British Refugee Council, said “This is unacceptable. It is a clear case for a review of the removals process.” Download the reports [here](#).

Source: [ECRE Weekly Bulletin](#), 9 September 2011

UK / REPORT / Health in detention highlighted in new Medact report

Medact have released a new report entitled “Preventing Torture- the role of physicians and their professional organisations: principles and practice”. The report considers how professional medical bodies can more effectively work towards eliminating torture, both through the support they give their members, and in their response to medical complicity. Medact finds clear evidence that there is still much to be done both to protect medical professionals who expose cases of torture, and to prevent medical complicity in it. It also discusses their inability to deal with the range of physical and psychological illness due to a lack of capacity or expertise. The report points to the recent death of Jimmy Mubenga caused by private security firm G4S during an attempted removal to illustrate that injuries suffered by immigration detainees are inadequately documented and reported. Download the report [here](#) (EN).

Source: [Refugee Health Network](#), 19 September 2011 (Log in required)

UK / The European Convention of Human Rights faces some constraints if the Home Secretary is successful in proposed changes

At the Conservative Party Conference on 4 October 2011, UK Home Secretary, Theresa May announced plans to tighten the immigration rules making it easier to deport foreign nationals who have settled and started families in Britain. She argues that interpretation of the European Convention of Human Rights (ECHR), in particular Article 8 (right to private and family life), has been overarching and is preventing the deportation of convicted criminals and undocumented migrants. The Home Secretary claims that use of this article has been

abused by many and would like to change the immigration rules to make it clear that foreign nationals can be deported even if they have started a family. A statement disputed by MRN as only less than one hundred occasions (0.18% of all cases) of deportation cases challenged on the basis of Article 8 were successful. Source: [The Independent](#), 4 October 2011; [BBC News](#), 4 October 2011; [Migrant Rights Network Blog](#), 4 October 2011

USA / Fewer youths to be deported in new policy

The Obama administration has announced that it will suspend deportation proceedings against many undocumented migrants who pose no threat to national security or public safety. The new policy is expected to help thousands of undocumented migrants who came to the United States as young children, have graduated from high school and want to go on to college or serve in the armed forces. White House and immigration officials said they would exercise "prosecutorial discretion" to focus enforcement efforts on cases involving criminals and people who have flagrantly violated immigration laws. Under the new policy, the government will review 300,000 cases of people in deportation proceedings to identify those who might qualify for relief and those who should be expelled as soon as possible, and, the secretary of homeland security, Janet Napolitano, can provide relief, on a case-by-case basis

Source: [New York Times](#), 18 August 2011

USA / New deportation policy has not trickled down to Border Patrol

Under a new policy (see [PICUM Bulletin 29 August 2011](#)), prosecutors are to evaluate several factors when determining which undocumented migrants to place in deportation proceedings, as part of a plan to concentrate Immigration and Custom Enforcement (ICE)'s finite resources on removing the most dangerous foreign criminals. These factors included migrants' health, their children's immigration status, how long they had been in the country, and whether or not they were "low profile". However, the recent arrest and detention of Roxann Lara in Anthony, New Mexico, indicates that the policy is not being implemented by border patrol officers. Lara, a mother of two who over-stayed her visa, was released from detention, but not until she was hospitalized after becoming panic stricken and physically ill during her stay. Lara has been issued a notice to appear before a judge, and her attorney intends to ask the judge to dismiss the case based on the new policy.

Source: [The Texas Tribune](#), 7 September 2011

USA / A legal aid hotline for undocumented immigrants' debuts

The Deportation Family Support Hotline, the nation's first 24-hour hotline for undocumented immigrants seeking information about deportation, went live in Chicago on 19 September 2011. The legal aid hotline, (855) 435-7693 or (855) HELP-MY-F(amily), was started by immigrant advocates responding to the rise of deportations in Chicago in the last five years, resulting in 48,330 deportations that left an estimated 80,550 children without a parent. It was created by the Illinois Coalition for Immigrant and Refugee Rights (ICIRR) and is run by volunteers. The hotline's 67 trained bilingual volunteers offer help in English, Spanish, Korean and Portuguese, and the initiative includes partnerships with 17 private law firms, 35 social service agencies and the National Immigrant Justice Center.

Source: [The Huffington Post](#), 19 September 2011

USA / Undocumented migrant dies in custody

Victor Antonio Ramirez-Reyes, a 56-year old undocumented migrant from Ecuador, died whilst in Elizabeth Detention Center, in New Jersey, waiting to be deported. Mr Ramirez-Reyes suffered a cardiac arrest and died in hospital on Monday, 26 September 2011. He had entered the USA on a tourist visa which had expired and his asylum claim was rejected. Immigration and Customs Enforcement (ICE) stated that Mr. Ramirez-Reyes was the tenth detainee to die in custody since 1 October 2011.

Source: [Nj.com](#), 27 Septembere 2011

USA / New documentary examines the Obama administrations controversial deportation immigration policy

PBS Frontline in partnership with Investigative Reporting Workshop conducted a yearlong investigation in the world of America's immigrant detention system. They visited centres in Arizona, California, Florida and Texas and talked with former detainees in several countries in North and South America about their detention, most

of whom did not have lawyers. Many discussed the pressure to sign voluntary departure papers, whether they were authorized or not to live in the US or if they had a legitimate claim to stay. Sexual abuse inside the detention centers was uncovered, along with a number of individuals that were deported who never actually had been convicted of a serious crime, thus separating many families.

Source: [PBS Frontline Documentary](#), Lost in Detention, 18 October 2011; [New America Media](#), 18 October 2011

USA / US Immigration and Customs Enforcement reports largest number of deportations in history

Nationwide, the federal government reports that it deported 396,906 people in the last fiscal year, representing a 1% increase from deportations last year. Of those deported nationwide, nearly 55% were convicted of felonies or misdemeanors. The Obama administration drew criticism when it announced in August 2011 that it would tighten focus on deporting criminals that were undocumented and give special consideration to certain other undocumented groups, such as persons that were brought to the US as a child.

Source: [The Atlanta Journal Constitution](#), 18 October 2011; [ABS-CBN news](#), 19 October 2011

USA / New report released which provides alternatives to detention

The Lutheran Immigration and Refugee Service (LIRS) released a new report entitled, "Unlocking Liberty: A Way Forward for US Immigration Detention Policy". The report puts forth proposals for the federal government to responsibly enforce immigration laws, significantly reduce the financial costs of enforcement and compassionately fulfil humanitarian obligations. The report notes that while alternatives to detention save the US government up to \$100 a day per immigrant, they also lower the human cost of prolonged and indefinite detention experienced by those whose lives are unnecessarily put on hold while the courts deal with the tremendous backlog of immigration cases. Their interactive website includes a Tool Kit on how to use the new access procedures for US ICE detention facilities, videos which highlight their proposals and discuss how community based model would work, and as well as listing of the Authorized Immigration and Detention facilities in the US.

Source: [The Lutheran Immigration and Refugee Service \(LIRS\)](#), October 2011; [LIRS Report, Unlocking Liberty](#), October 2011

USA / Organizations win legal suit which will provide access to a critical memo regarding the Secure Communities program

A federal judge ruled that the US ICE must turn over an internal memo that could reveal the agency's legal justification for mandating the Secure Communities deportation program. In April 2010, the National Day Laborer Organizing Network and others sued five federal agencies - including the FBI, the Executive Office for Immigration Review and the Office of Legal Counsel - seeking information about Secure Communities, under the Freedom of Information Act. The organizations involved in the suit stated that they have been seeking the memorandum ordered disclosed as it is the only document to date that comprehensively describes the legal authority claimed by ICE in support of its position mandating state and local participation in the controversial program. ICE had to produce the memo by 1 November 2011.

Source: [The Court House News Service](#), 26 October 2011

PUBLICATIONS AND OTHER RESOURCES

CZECH REPUBLIC / STUDY / "Regularisation as one of the tools in the fight against irregular migration"

A new study titled "Regularisation as one of the tools in the fight against irregular migration" was released detailing a comprehensive analysis on irregular migration, labor market and regularization. The report was published by three Czech organizations, Association for Integration and Migration, Organization for Aid to Refugees and Multicultural Centre Prague with two foreign partners, SOS Racismo –Mugak from Spain and Solidariedade imigrante from Portugal. In conclusion, the study suggests some concrete legislative changes

and other recommendations on how to improve rights of labor migrants in the Czech Republic.

Source: [Association for Integration and Migration](#), 6 June 2011

GERMANY / BOOK / “No Papers, No rights”

Breyer Insa, associate at the Marc Bloch Centre – French-German Research Centre for Social Sciences in Berlin, published a book entitled “Keine Papiere - keine Rechte? Die Situation irregulärer Migranten in Deutschland und Frankreich” (“No Rights – No Papers? The situation of irregular migrants in Germany and France”). The book is based on interviews conducted by the author with undocumented migrants in Germany and the France on the issue of accommodation, medical care and the contact they have with the local population. The book concludes that although the situation is different, the result is the same; irregular migrants are marginalized and excluded in both Germany and France. To find out more and buy the book, click [here](#).

GERMANY / BOOK / Europe Shuts Down

In October 2011, the two journalists Jürgen Gottschlich and Sabine am Orde published a book entitled “Europa macht dicht. Wer zahlt den Preis für unseren Wohlstand?” (Europe shuts down. Who is paying the Price for our Wealth?). They describe the fatal relinquishing of human rights at the borders of Europe, analyze the role of the EU border agency Frontex and demand a reform of refugee and migration politics in Germany and Europe. For more information, click [here](#).

SPAIN / GUIDE / Guide for irregular migrants attempts to lessen vulnerability by providing information on rights

Centro Pueblos Unidos together with the Madrid Bar Association has produced a guide for irregular migrants with basic information on their legal situation and the rights available in the Spanish context. The guide addresses issues such as what an irregular migrant can expect if brought to the police station; if working with a lawyer, what important information should be shared with them; and what to expect and what rights are available if an undocumented migrant is put in detention. The guide is available on their website and in [Spanish](#), [French](#) and [English](#).

Source: [Centro Pueblos Unidos](#), October 2011

SPAIN / STUDY / The link between migration and the welfare state

Noting the increase in migrant population in Spain and the recent economic hardship, the aim of a new study by Francisco Javier Moreno Fuentes y María Bruquetas Callejo is to provide information on access to benefits and services of the welfare state for migrants and also to look at how they contribute financially to it. The study reveals key findings including that one of the main obstacles to accessing welfare benefits is the administrative irregularity of undocumented migrants. The study is only available in Spanish, but an English version will be published soon.

Source: Migreurop, 2 September 2011; [Obra Social “la Caixa”, Colección Estudios Sociales](#), Volume 31

UK / REPORT / The impact of the legal aid cuts on support provided to migrants by local authorities and the voluntary sector

South East Strategic Partnership for Migration (SESPM) submitted a memorandum to the Legal Aid Bill on 1 August 2011. Based on a number of responses from local authorities, public services, and the voluntary and community sector across the south east of England, SESPM raised a number of key concerns about the effects of the Bill. All immigration cases will be excluded from legal aid except for asylum cases, advice on claims for asylum support (but not representation at appeal), challenges to immigration detention, and some judicial review cases (subject to specific restrictions). For more information on the Legal Aid Bill, see the [UK Parliament](#) and [ILPA Information Sheet – Legal Aid Bill 2](#). Download the report (EN) [here](#).

Source: NRP Network – August 2011 Bulletin

USA / VIDEO / New video released which highlights the dangers of the anti-immigration legislation in Arizona and racial profiling

Breakthrough is a global human rights organization that uses the power of media, pop culture and community mobilization to inspire people to take bold action recently released a video titled "[Checkpoint Nation: Building Community Across Borders](#)". The video looks at the anti-immigration legislation in the state of Arizona and highlights the actions of some local and national organizations in raising awareness on the dangers of racial profiling.

Source: [Breakthrough](#), 8 September 2011

USA / STUDY / Critical examination at Secure Communities program

A new study released by the Berkley Law School at the University of California looks critically at the Secure Communities program with an analysis of demographics so far provided by US Immigration and Enforcement (ICE). The report is the first in a series of reports based on the data and finds that overall individuals are pushed through the system rapidly, without appropriate checks or opportunities to challenge their detention or deportation.

Source: [Berkley Law School-University of California-The Chief Justice Earl Warren Institute on Law and Social Policy](#), October 2011; [The Bell Policy Center](#), October 2011

BOOK / The Migration Apparatus

Gregory Feldman published a book entitled "The Migration Apparatus: Security, Labour and Policymaking in the European Union" in October 2011. The book analyses the activities and practices of migration policy officials carried on a daily basis with the aim to harmonise EU legal channels to work in the EU whilst tackling the issue of irregular migration. In revealing the complexity of the problem, the author warns against social indifference and "targeted brutality of collective hatred". Click [here](#) for further information.

DOCUMENTARY / AEDH supports "Ceuta, sweet prison"

The European Association for the Defence of Human Rights (AEDH) is supporting an initiative to complete the production of a documentary entitled "Ceuta, sweet prison" which looks into the situation of Ceuta. This Spanish enclave in the north part of Morocco belongs to Europe but does not belong to the Schengen area and migrants wait there for sometimes years to access the EU. You can support the Zaradoc documentary production company which needs €4,000 to complete the documentary by making a donation on [KissKissBangBang](#).

Source: [AEDH](#), 21 September 2011

REPORT / Caritas Italy estimates up to 500,000 irregular migrants in Italy

The XXI Dossier by Caritas/Migrantes for 2011 sheds light on the most relevant aspects of migration, with special focus on the situation in Italy. According to the statistics, Italy hosts 4,570,317 foreigners, among whom half a million are undocumented migrants. Concerning irregular migration, the dossier refers to the centre for identification and expulsion (CIE)s' costs and ineffectiveness, where unduly long detention periods and lack of proper legal assistance have resulted in several protests. According to the Caritas/Migrantes Report, 7,039 migrants have been in a CIE in 2010, with an average stay of 51 days and the new legal possibility to be detained for up to 18 months. The report also states that in 2010 of the 50,717 irregular migrants, 4,201 were sent back to the border and 16,086 were repatriated by force.

Source: [La Repubblica](#), 27 October 2011

OTHER NEWS

BELGIUM / Drop the I-word says a Belgian columnist

After the word 'illegal' was again used by a journalist in the Belgian press, Tom Naegels, Ombudsman of the Belgian newspaper, De Standaard, stated that the word should be dropped. The Ombudsman reiterated that the UNHCR made a recommendation in 2008, supported by the Flemish Union of Journalists, urging to avoid the term 'illegal' and instead encouraging the use of the Dutch term "mensen zonder papieren" (people with

papers) or its French equivalent "sans-papiers". The term has been used 1,500 times in the Flemish media in the past year.

Source: [De Standaard](#), 3 August 2011

EU / ENAR / Focus on financial in/exclusion of ethnic minorities

The European Network Against Racism (ENAR) focused the August 2011 edition of its ENARgy webzine on the financial in/exclusion of ethnic minorities and migrants. This edition makes the link between the social and economic exclusion of undocumented migrants and their inability to access basic financial services. Important links are often not made for example, if a person does not have legal residency status they do not have the documents to open a bank account, if they do not have a bank account they cannot obtain housing as landlords ask for financial warranty or sign up for mobile phone contract. These are issues that Coring delos Reyes from United Migrant Domestic Workers in The Netherlands (UMDW NL), a PICUM member, experienced herself as an undocumented migrants as she explains in her testimony.

Source: [ENARgy webzine](#), 5 September 2011

UK / The Migration Observatory

Launched in March 2011, the Migration Observatory is part of Oxford University's Centre on Migration Policy and Society (COMPAS) and was created with the aim of providing comprehensive, independent and clear information on migration in the UK with the objective of encouraging debate and inform a large spectrum of audience as migration has been revealed as a key issue of concern for many in the UK as is explained in [the launch video](#). For further information please visit the website of [the Migration Observatory](#) and explore the various tools offered to keep up to date on the issue of migration in the UK such as the news and commentaries, the briefings, data and resources and policy primers.

Source: DMIIG-EPIM e-Newsletter, June 2011, Vol. 1 No. 8

USA / The media and terminology

The Society of Professional Journalists (SPJ) decided on 26 September 2011 to stop using the term "illegal alien" and "illegal immigrant." The resolution "urges journalists and style guide editors to stop the use of illegal alien and encourage continuous discussion and re-evaluation of the use of illegal immigrant in news stories." Timothee Lee whom had originally written about the decision of the SPJ responded to critics by justifying the changes in terminology as a reflection of terms that become socially and politically incorrect with time and societal change. He concluded by arguing that using neutral terminology is required by traditional journalistic ethics. For further information on terminology and undocumented migrants, please visit the [PICUM website](#).

Source: [Maynard Institute](#), 28 September 2011; Forbes, [30 September 2011](#) and [3 October 2011](#)

WEBSITE / Boats 4 People

The Boats 4 People initiative has launched their website in English, French, Italia and German in order to share more widely information with regards to the coordination of the initiative. Boats 4 People was initiated by various European organisations as a response to the lack of action taken by authorities to assist the more than 2,000 irregular migrants who drowned at sea since January 2011. A 'Solidarity Flotilla' is planned to sail off in the Mediterranean in Spring 2012. The main objectives of the Boats 4 People campaign is to increase media and political attention to the tragedies taking place in the Mediterranean; to denounce those who are failing to assist migrants in difficulties; gather information on human rights violations and to support solidarity actions of citizens and sea workers to assist irregular migrants at sea. For further information, visit the website of [Boats 4 People](#).

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