



PLATFORM FOR INTERNATIONAL COOPERATION ON  
UNDOCUMENTED MIGRANTS

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Dear Subscribers,

We are happy to publish the first edition of the PICUM Quarterly Newsletter. This Quarterly Newsletter is a summary and revised edition of news items published in the PICUM Bulletins between January and March 2011 providing you the most up to date information on each issue.

The news items of the PICUM Quarterly Newsletter are categorised thematically and sorted by country and chronologically. We hope you will find this systematic categorisation useful in driving your reading and research.

We look forward to receiving your feedback and hope to find this document interesting to support your work and motivate your personal interest to protect and promote the social rights of undocumented migrants.

Best wishes,

PICUM Secretariat

## **PICUM QUARTERLY NEWSLETTER**

### **January-March 2011**

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## MESSAGE FROM THE DIRECTOR

Dear Subscribers,

There are no words to describe the human consequences of the latest wrecks in the Strait of Sicily, where hundreds of migrants, including women and children, have lost their lives in the attempt to reach Europe following the unrest in North Africa. Because of the dramatic nature of the subject, we often wonder if it is right to open our newsletters with the chapter "Death at the border". We are concerned that it could be perceived as a concession to mainstream media newsworthiness criteria, such as "bad news is good news". But in the end we always end up convincing ourselves that it is simply the least we can do to denounce this on-going and reoccurring tragedy. We hope you agree with us.

Despite this, in the last three months, we also saw some important developments at the EU level. The European Parliament passed a resolution on "Reducing health inequalities in the EU" calling on Member States to tackle inequalities in access to health care for vulnerable minority groups including undocumented migrants. This decision followed the hearing "Preventing Undocumented Women and Children from Accessing Health Care: Fostering Health Inequalities in Europe", that PICUM and other partner NGOs organised in the EP in November 2010. A video-report in English and French is available on our [website](#).

The 8<sup>th</sup> March was the 100<sup>th</sup> anniversary of International Women's Day and PICUM took this opportunity to also highlight that 2011 marks the 100<sup>th</sup> Session of the International Labour Conference of the ILO which will include on its agenda, decent work for domestic workers. Linking this focus on women's rights and labour rights, PICUM stated that it is essential that EU Member States support the drafting process of the International Labour Organisation's Convention and Recommendation on Decent Work for Domestic Workers to ensure the respect of the rights of domestic workers, including those of undocumented migrants who account for a large percentage of the labour force in this sector of work.

On the same day, the European Court of Justice issued an important opinion on the issue of citizenship, immigrant's rights and children's rights. The question submitted to the Court by a Belgian tribunal was whether the fact that a child is a citizen of the European Union confers a right of residence and a right to work to his non-citizen parents. The case involved two undocumented Columbian parents of a child born in Belgium. Under Belgian law, the child was a Belgian citizen at birth. In the EU legal system, citizenship of the Union follows automatically the citizenship of a member state. The plaintiffs claimed that by refusing them the right to reside legally and to work in Belgium, and constraining them to leave the European territory or to be separated from their child, the Belgian authorities were depriving the child of his rights as an EU citizen. The Court holds that a citizen of the EU cannot be deprived "of the substance of the rights" attached to such a status, and that when this citizen is a child, the "genuine enjoyment of these rights" implicates that his parents are allowed to live and work in the same country. This judgment has significant practical implications. Although some European countries already recognize a right of residence to the non-citizen parents of an EU citizen-child (France, for example), the Court's decision will probably mean that every state of the EU has to allow such rights. The impact of this decision still remains to be seen but an important legal benchmark has been reached.

Also concerning undocumented children, PICUM is glad to announce that in March 2011 it began a new 2-year project, co-funded by the European Commission Daphne III Programme, entitled "Building Strategies to Improve the Protection of Undocumented Children in Europe". You can find more information on, [click here](#). The project is still in its initial phase but look out for updates in the coming months!

Enjoy the read,

Best regards,



Michele LeVoy  
Director, PICUM

## BORDERS

### **GREECE / DEATH AT THE BORDER / At least three Libya evacuees drown in Crete**

At least three people drowned after jumping from a Greek ferry as it was docking at Souda, Crete, after transporting some 1,200 evacuees from conflict-ridden Libya. The incident occurred early on 6 March 2011 and 16 people are still unaccounted for. The victims were from Bangladesh. Another 22 people are receiving hospital treatment.

Source: [Fortress Europe](#), 6 March 2011

### **GREECE / Coordination with Frontex at Greek-Turkish border welcomed by Europe**

Greece's effort to seek help from Frontex to deal with irregular migration has been appraised by the EU. Frontex, the EU External Borders Agency, is responsible for coordinating operational cooperation between EU Member States. The "Rabit operation" ran from 2 November 2010 and ended on 2 March 2011 and was followed by the Poseidon joint operation to ensure "the continuity in effectively controlling the Greek-Turkish border, as well as in addressing irregular immigration in the Eastern Mediterranean region". DG Home Commissioner Cecilia Malmström expressed her content with the operation and reaffirmed the need for Greece to maintain its efforts in dealing with irregular migration and welcoming arriving migrants in dignified and humane conditions. For more information on Rabit operation, [click here](#).

Source: [The Sofia Echos](#), 2 March 2011

### **GREECE / DEATH AT THE BORDER / 23 migrants missing after their boat sunk**

23 irregular migrants went missing, after their 30 meter-long fishing boat sunk 30 miles on the west of Corfu, Greece, on its way to Italy, on 16 January 2011. After the boat sent an SOS signal, 241 migrants were rescued and brought back to Corfu by the Greek authorities. The survivors claimed that their boat was struck by a big cargo ship and left unattended. They were transferred in a hotel in Corfu, but refused to stay in Greece and threatened to commit suicide if they do not reach Italy, their final destination.

Source: [TVXS](#), 16 January 2011

### **GREECE / Minister of civil defence announces construction of an anti-migrant wall**

Greek minister of civil defence, Christos Papoutsis, announced the construction of a 3-meter-high wall to restrict irregular migrants entering Greece from the 12km-long unprotected land border with Turkey, in Evros, on 11 January 2011. The strip of land has become a major thoroughfare for migrants attempting to enter the European

Union, with 90% of irregular migrants now passing through Greece. Although the European Commission expressed concerns about the project, Greece is not likely to back off on this project.

Source: [The Guardian](#), 11 January 2011

### **ITALY/ DEATH AT THE BORDER / Crisis and tragic incidents as a result of large influx of migrants to Lampedusa**

More than 5,000 immigrants, mainly Tunisians, arrived in Lampedusa since January 2011. Many migrants were placed in the detention centre, which is already over its capacity, while others have no other choice but to camp close to the beach. Incoming boats have been arriving regularly from the coast of Northern Africa. The Hermes operation set up by Frontex in cooperation with the Italian authorities to deal with the increasing influx of migrants in Lampedusa has been extended by Frontex for five months “with the aim of strengthening Europe’s border control response capability in the Central Mediterranean”. In addition to the tensions faced on land as a result of the influx, Fortress Europe have reported several incidents which occurred off the coast of Italy involving the deaths of Libyan and Tunisian migrants attempting to make their way to Europe’s border. Most death occurred following boats capsizing or shipwrecks as a result of turbulent weather conditions they faced during the crossings. With the departure of a boat from Lampedusa taking 1,731 migrants to other Italian destinations and other planned transfers, tensions in Lampedusa have calmed down but the situation remains critical and local administrations remain unable to cope.

Source: [La Repubblica](#), 14 March 2011; [ENPI](#), 25 March 2011; [Frontex](#), 24 March 2011; [Fortress Europe](#), 1 April 2011; [Fortress Europe](#), 2 April 2011; [Fortress Europe](#), 3 April 2011; [Fortress Europe](#), 3 April 2011; [Migrants at Sea](#), 6 April 2011. [BBC](#), 6 April 2011; [Il Sole 24 ORE](#), 4 April 2011

### **MEXICO / Army rescues 47 kidnapped immigrants near the U.S. border**

On 8 February 2011 the Ministry of National Defense of Mexico (Sedena) reported that the army had released 47 migrants (44 Guatemalans and 3 Mexicans) and has seized 102 kg of cocaine in Reynosa (Tamaulipas). The National Commission on Human Rights has said that up to 20,000 immigrants in 2010 were kidnapped by organized crime gangs that require their family to pay a ransom or they are recruited as assassins.

Source: [El País](#), 9 February 2011

### **THE NETHERLANDS / Undocumented migrants can no longer be arrested at the border**

A verdict of the Dutch Council of State (De Raad van Staat) on 12 January 2011 ruled that undocumented migrants can no longer be stopped at the border and directed to detention centres. The Council ruled there is insufficient legal basis for these kinds of border checks, as they are illegal under Schengen agreements.

Source: [Elsevier](#), 13 January 2011

### **UKRAINE / REPORT / “Refoulement of Refugees on the Eastern Borders of the EU”**

On 18 November 2010, the Border Monitoring Project Ukraine (BMPU) published a report on “Refoulement of Refugees and Minors on the Eastern Borders of the EU: The Situation in Ukraine and the Responsibility of the European Union.”

Source: [BorderMonitorin Ukraine](#)

### **YEMEN / DEATH AT BORDER / 57 Somalis die when boat capsizes**

Fifty-seven Somalis drowned when their boat capsized in rough seas off southeast Yemen on 20 February 2011, the UNHCR said. Fifty-four of those who died were refugees and three were smugglers. Only one survived. The incident was the largest loss of life in the seas between Somalia and Yemen in a single incident since January 2008 when 114 people had drowned.

Source: [The New York Times](#), 24 February 2011

### **FRANCE/ REPORT / NGO Cimade releases study on survival of migrants in the Sahel desert**

The French NGO Cimade recently published a report on the survival of migrants in the Sahel desert at the Mali-Mauritania border.

Source: [Cimade](#)

## UNITED NATIONS ORDERS

### **OHCHR / Statement by Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights**

On 3 March 2011, in her statement in the introduction of OHCHR's Annual Report, the High Commissioner stressed that migrants, especially those in an irregular situation, are particularly vulnerable to discrimination and are often denied access to essential public services. Yet, as the landmark joint statement adopted by the Global Migration Group last September makes clear, being in an irregular situation does not and should not deprive migrants either of their humanity or their human rights.. To access full report, [click here](#).

Source: [OHCHR](#), 3 March 2011

### **Committee on the protection of rights of migrant workers opens fourteenth session**

In its 14<sup>th</sup> session which ran from 4-8 April 2011, the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families reviewed the second periodic report of Mexico on how that country is fulfilling its obligations under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. The Committee also heard an address by the UN Deputy High Commissioner for Human Rights, Kyung-Wha Kang, updating members on developments since their last session, and held a public meeting with non-governmental organizations and national human rights institutions on Mexico. In opening remarks, Ms. Kang said that the critical situation in this region had demonstrated once again the importance of continuing to promote the international human rights standards relating to migration, as the High Commissioner did when chairing the Global Migration Group last year. The Committee members would recall that her focus at that time was the protection of migrant workers in irregular situations and that she had identified migration as one of the priority areas for the OHCHR over the next two years.

Source: [ungo.ch](#), 4 April 2011

### **Civil society organisations highlight situation of Migrant Domestic Workers**

The United Nations 55th Commission on the Status of Women (CSW) took place in New York from 22 February to 4 March 2011. Government officials, UN and civil society representatives met to share experiences and agree on priority actions to deal with the implementation of the Beijing Declaration and Platform for Action. This year's priority themes included employment and decent work. "Dignity for Domestic Workers – the ILO Convention and Beyond" was one of many side -events hosted by NGOs to highlight the many domestic workers rights campaigns aiming to bring respect and recognition to the domestic workforce, and advocate for a strong convention on domestic work at the International Labour Organisation expected to be finalised in June 2011. For more information visit the on the [CSW website](#) and for details of civil society events the [UN Women website](#).

## EUROPEAN POLICY DEVELOPMENTS

### **COUNCIL OF EUROPE / Human Rights Commissioner asks European governments not to detain migrant children**

Council of Europe Commissioner for Human Rights, Thomas Hammarberg, called on EU governments to change their approach in detaining migrant children, as the present policy is not humane and conflicts with the UN Convention on the Rights of the Child. Thousands of migrant children are detained every year in Europe, having

to endure prison-like conditions, despite having committed no crime. This is a clear violation of the UN Convention on the Rights of the Child.

Source: [ECRE Weekly Bulletin](#), 11 February 2011; [Council of Europe Commissioner for Human Rights](#), 8 February 2011

#### **EUROPEAN COMMISSION / REPORT / 2010 Annual report on Charter of Fundamental Rights**

The EU Charter of Fundamental Rights has now been legally binding for over a year and the European Commission reported on 31 March 2011 for the first time on how the Charter has been applied. The Annual Report on the application of the Charter shows that fundamental rights are relevant across a wide range of policies – from data protection to immigration and asylum – and that public interest in the Charter runs high. The Commission will present such a report each year in order to monitor progress made in the application of and compliance with the Charter. Download the [Report in English](#).

Source: [European Social Platform](#), 31 March 2011, [European Commission](#), 31 March 2011

#### **EUROPEAN COMMISSION / Call for universal access to early childhood education and care**

On 17 February 2011, Androulla Vassiliou, EU commissioner for education, culture, multilingualism and youth, announced the publication of a series of proposals that relate to the education and care of young children. The Commission is calling on member states to ensure universal access to pre-school education. EU education ministers will discuss the Commission's proposals on 19-20 May 2011.

Source: [Euractiv](#), 18 February 2011

#### **EUROPEAN COMMISSION / Call to develop an EU Strategy on Homelessness**

On 8 February 2011, the former Belgian Prime Minister Frank Vandenbroucke formally handed over the findings of the European homelessness report to EU Employment, Social Affairs and Inclusion Commissioner, László Andor. The recommendations in the report include a development of a comprehensive EU Strategy on Homelessness as well as stronger commitment towards the respect for the human dignity and fundamental rights of all persons in the European Union, regardless of their legal status. This means that they should be able to access accommodation, social and health support to meet at least their basic needs until a sustainable solution to their situation which is in line with human dignity has been found.

Sources: [The Parliament.com](#), 8 February 2011; [Feantsa](#), 8 February 2011

#### **EUROPEAN PARLIAMENT / MEPs forms “Alliance for Children”**

The European Parliament has formed an “Alliance for Children” to defend children in internal and external policies, mainstreaming their rights in all the actions and programs of the EU. It is backed by the presidents of seven EP committees (Foreign Affairs, Human Rights, Civil Liberties, Development, Women, Culture and Petitions). EP Vice-President Roberta Angelilli is promoting the initiative, and hoping to extend it to more members. The first issue to be discussed will be the communication by Commissioner Reding on “child friendly justice”, a package that includes measures on the abduction of children, unaccompanied children, protection within the family and help for children who are victims of violence.

Source: [European Parliament](#), 30 March 2011

#### **EUROPEAN PARLIAMENT / PICUM NEWS / Voting of directive on ‘single permit’**

The European Parliament (EP) voted on 24 March 2011 on a draft directive on a single application procedure for a single permit for third-country nationals to reside and work in the territory of a Member State and on a common set of rights for third-country workers legally residing in a Member State (“the single permit directive”). In view of this voting procedure, PICUM together with other European NGOs prepared a letter which was sent to MEPs in advance of the vote. You can read the letter on the [PICUM website](#) in seven languages.

Source: [European Parliament](#), 24 March 2011

### **EUROPEAN PARLIAMENT / Adoption of the resolution on "Reducing health inequalities in the EU"**

The European Parliament (EP) adopted a Resolution on 'Reducing health inequalities in the EU' on March 8th, in which it calls on Member States to tackle health inequalities in access to health care for undocumented migrants. The resolution is a significant step forward in ensuring equitable access to healthcare for all, with no discrimination linked to administrative status or financial resources. Even if the text is not legally binding for the EU member states, it is a clear message sent by the only directly elected body of the EU to European and national decision-makers to protect the rights and health of undocumented migrants, especially pregnant women and children.

Source: [PICUM](#), 9 March 2011; [European Parliament](#), 8 February 2011

### **EUROPEAN COUNCIL / The Council of the EU adopts new directive in the area of trafficking in human beings**

The Council of the EU adopted a new directive on 21 March 2011 that replaces the Framework Decision 2002/629/JHA and establishes EU wide minimum rules concerning the definition of criminal offences and the level of sanctions in the area of trafficking in human beings. The new rules also strengthen the prevention of the crime and the protection of victims of trafficking in human beings. For more information, click [here](#).

### **EUROPEAN COURT OF HUMAN RIGHTS / PUBLICATION / Handbook on European non-discrimination law**

The European Court of Human Rights (ECHR) and the Fundamental Rights Agency (FRA) have jointly produced a "Handbook on European Non-Discrimination Law". It is a comprehensive guide to non-discrimination law and relevant key concepts. Download the [report in English](#).

Source: [The Fundamental Rights Agency](#), 21 March 2011

## **LABOUR AND WORKING CONDITIONS**

### **IRELAND / Five migrant women workers receive their old minimum wage rate after weeks of striking**

The Migrant Rights Centre Ireland (MRCI) welcomes the unequivocal decision made by the Labour Court which recommended that the operators of O'Callaghan Davenport Hotel reinstate the five women on strike at the hotel on their old minimum wage rate of €8.65, and to pay the women back wages that they would have earned had they not been removed from the roster by the hotel. The workers, five migrant women, who have been working in housekeeping at the Davenport Hotel between three and six years, began their picket on 17 February 2011 for refusing to sign new contracts, reducing their minimum wage by almost €1 per hour. MRCI recommends that the public support the Fair Hotels Campaign, which encourages hotels to sign up and commit to providing decent and fair conditions for their workers, including recognizing the right of their workers to trade union representation.

Source: [MRCI](#), 7 March 2011

### **THE NETHERLANDS / Exploitation of migrant workers by foreign embassies in The Hague**

Many foreign embassies in The Hague are paying staff below recommended levels and have poor working conditions, according to reports by the Dutch world service radio. Although the Dutch foreign affairs ministry publishes minimum wage and other recommendations, embassies are not bound to comply with them and many fail to do so. Researchers spoke to present and former staff at nine embassies, where complaints ranged from being forced to work without employment contracts to intimidation and a ban on going outside during working hours. Marieke Manschot of the Abvakabo trade union, who recently raised the alarm about underpaid staff at the Moroccan embassy, described these complaints as the 'tip of the iceberg' noting that 'Not everyone dares talk. If you work for a small mission, it is easy to track you down'. The Netherlands hosts some 150 diplomatic missions, most of which are in The Hague.

Source: [Radio Netherlands Worldwide](#), 22 March 2011, [Dutch News](#), 23 March 2011

### **SPAIN / PUBLICATION / Threefold discrimination of domestic employees**

The Intermon Oxfam report "Andean migrant women: context, migration policies and management" highlights the precariousness and invisibility of the domestic sector in Spain.

Source: [Diario de Noticias](#), 2 March 2011

### **SWEDEN / PUBLICATION / "Who Cleans the Welfare State?"**

This report written by Anna Gavanas and published by the Institute for Futures Studies in Stockholm provides a vital insight into the situation of migrant domestic workers in Stockholm who are excluded from the protections of the formal labour market. The report gives specific attention to the particularly difficult position of undocumented domestic workers who often face violence and sexual harassment at work.

Source: Anna Gavanas, [www.framtidsstudier.se](http://www.framtidsstudier.se)

### **UK / What justice for trafficked migrant domestic worker?**

On 15 March 2010, the British court issued its first sentence on trafficking for domestic servitude. Ms Mwanahanisi Mruke was brought to the UK from Tanzania in 2006 on a domestic service visa arranged by her employer, Ms Saeeda Khan. While Ms Mruke had been promised £31 monthly salary, on arrival to London, her employer, Ms Khan, confiscated her passport, forced her to sleep on the kitchen floor and gave her two slices of bread a day for food. Ms Mruke worked 18 hours a day, every day for four years and was denied all contact with her family. She received a salary of £10 a month only during her first year of employment. Ms Khan received a 9 month suspended sentence and was ordered to pay £25,000 in compensation. Following the ruling, Kalayaan, the London-based NGO who brought the case to the attention of the authorities, expressed disappointment with the low sentence and questioned the level of compensation which amounts to only 90p for each hour Ms Mruke worked.

Source: [BBC](#), 17 March 2011; [Harrow Times](#), 17 March 2011

### **UK / Women accuse immigration removal centre of exploitation**

Women detained at Yarl's Wood immigration removal centre are being paid 0.60€ an hour for menial tasks, leading to accusations of exploitation. They are employed alongside paid border agency staff to serve food in the canteen and to clean up after meals, the Guardian has learned. A UK Border Agency spokesperson said: "Immigration detainees have always been able to volunteer for paid work and, in fact, the UK chief inspector of prisons has recommended that the amount of paid work available to detainees should increase. Detainees in immigration centres are exempt from the minimum wage.

Source: [The Guardian](#), 2 January 2011

### **UK / REPORT / Undocumented workers' exploitation**

A new publication entitled "The Wages of Fear," by Positive Action for Refugees and Asylum Seekers (PAFRAS) and the University of Liverpool, discusses the experiences of undocumented workers in the UK.

Source: [Positive Action for Refugees and Asylum Seekers \(PAFRAS\)](#), December 2010

### **UK / REPORT / "Between decent work and forced labour"**

"Between decent work and forced labour: examining the continuum of exploitation" is a new Joseph Rowntree Foundation (JRF) Programme paper by Klara Skrivankova that examines how forced labour is currently framed within UK legislations; introduces a continuum of exploitation and interventions, ranging from decent work to extreme exploitation and covering both labour law and criminal law; uses case studies to demonstrate how the concept of a continuum can be applied in practice in the UK. Full paper [Joseph Rowntree Foundation](#).

### **USA / Video on Garment Industry in New York City and the Experiences of Day Labourers**

One hundred years after 146 garment workers died in a fire at the Triangle shirtwaist factory, new immigrants still



try to sew their way to the American dream. But these days, especially in New York, garment work is hard to come by. Safe working conditions and living wages in unionized factories are a legacy of the Triangle fire, but in other factories, day labourers, many of whom are undocumented and from Latin America say they are treated poorly, paid less than minimum wage, or not paid at all.

Source: [The New York Times](#), 21 March 2011. Watch the [video](#)

### **USA / In 2010, no change in the number of irregular migrants from 2009**

About 11.2 million irregular immigrants were living in the United States in 2010, a number essentially unchanged from the previous year, according to a new report published by the Pew Hispanic Center. Despite continuing high unemployment among American workers, record deportations by the Obama administration and expanding efforts by states to crack down, the number of irregular immigrants in the work force — about eight million — was also unchanged, the Pew report found. Those workers were about 5 percent of the American work force. Read the full report [here](#).

Source: [The New York Times](#), 1 February 2011

### **USA / New office established to verify legal status of employees**

The Obama administration has established an audit office that is designed to review the verification of company hiring records in an effort to intensify penalties on employers of undocumented migrants. The Employment Compliance Inspection Center will be staffed with specialists who would ensure that the tax files collected from companies targeted for audits contained documented workers. In the fiscal year that ended 30 September 2010, officials conducted audits of more than 2,740 companies, nearly twice as many as the previous year and received a record of \$7 million in civil fines on businesses that employed undocumented workers.

Source: [The Wall Street Journal](#), 20 January 2011

### **CAMPAIGN / Join the Global Campaign for Decent Work and Rights for Domestic Workers**

As the 100<sup>th</sup> International Labour Organisation Conference scheduled for June 2011 approaches, the 'Global Campaign for Decent Work and Rights for Domestic Workers' has issued a call to action, encouraging individuals and organisations to pressure governments to vote for a meaningful and strong rights-based ILO Convention on Decent Work for Domestic Workers. In order to coordinate and amplify voices, the campaign has highlighted several dates for focused actions, urging supporters to contact them for more information and also, to inform them about activities raising awareness regarding rights and respect for domestic workers.

Source: [Respect Network EU](#)

### **REPORT / SOLIDAR briefing paper on decent work**

The NGO Solidar has produced a briefing paper entitled "Through the eyes of migrants: the search for decent work," which invites learning through the eyes of migrants themselves about their reasons for searching for jobs abroad and the reality of decent work in Europe and in their homes in developing countries. Full briefing at available [here](#).

### **REPORT / IOM on the role of migrant care workers in ageing societies**

The International Organisation for Migration (IOM) has released a report on the comparative results of a research project on the role of migrants in the workforce as caregivers for the elderly in the United Kingdom, Ireland, Canada and the United States. For full report click [here](#).

### **PUBLICATION / The ITUC releases new report on labour trafficking and slavery**

The International Trade Union Confederation (ITUC) and Anti-Slavery International have published "Never Work Alone" which focuses on the issue of forced labour in Europe. To access the report, [click](#)

[here](#).

Source: [ITUC](#), 16 March 2011

## HEALTH CARE

### **FINLAND / “Global Clinic” opens to treat undocumented migrants**

In Helsinki, a clinic will soon open which provides medical care to undocumented migrants. "The Global Clinic" will be open for a few hours a week and will provide basic medical care. Specialized treatment or care (e.g. laboratory tests) will not be possible. The Deaconess Institute supports the clinic and a number of volunteers are needed, such as doctors to volunteer in the clinic, specialists who may be available for telephone consultations as well as multilingual persons for translating.

Source: [The Finnish Medical Journal](#), 31 January 2011

### **FRANCE / Provision authorizing the referral of seriously ill foreigners to their country of origin**

On 10 March 2011, the French National Assembly passed a provision of the Immigration Act which authorizes the return of seriously ill foreigners to their country of origin. The NGO La Cimade highlighted how the implementation of a dehumanized system leads to death in referring to the case of Mr Kanoute, an undocumented migrant who was returned to Mali despite his chronic hepatitis B and later died. The death of Mr Kanoute, who was deported despite serious health problems, comes at a decisive moment when the government tries to suppress the right of residence for care of seriously ill foreigners residing in France, without effective access to care in their countries of origin. It is reported that 28,000 foreign patients, also risk deportation and the interruption of their care.

Source: [La Cimade](#), 14 March 2011

### **FRANCE / Mayotte social security tribunal recognises that France does not comply with the International Convention on the Rights of the Child**

In Mayotte, there is no state medical assistance for undocumented minors. Following a rejection by the Social Security Fund to cover the medical expenses of undocumented children, the NGO Médecins du Monde called on the Tribunal of Social Security Affairs. On 6 February 2011, the tribunal ruled that current lack of access to health care for undocumented children was against the International Convention on the Rights of the Child. At the moment, Mayotte is considered a territory of the French overseas collectivities (a.k.a COM) however the forthcoming inclusion of Mayotte as a French Overseas Department means that French law will have to be applied and France will have to ensure that Mayotte complies with France's international obligations in terms of providing the right to access health care to all children regardless of their legal status.

Source: [Médecins du Monde](#), 9 February 2011

### **FRANCE / REPORT / Requiring undocumented migrants to pay for health care would be more expensive**

This report of the General Inspection of Finances and Social Affairs reveals that the hardening of the conditions of access to health care for undocumented migrants, voted in the French Parliament in December, would be counterproductive and lead to increased costs for the Ministry of Health.

Source: [Le Monde](#), 5 January 2011

### **FRANCE / Petition against the restriction of access to health care to ill migrants**

In France, the draft law on immigration plans to restrict access to health care for severely ill migrants. Until now, a residence permit was delivered to severely ill foreigners if they had no “effective access” to treatment in their origin country. The draft law would retain instead the notion of “unavailability” of treatment in the origin country, thus refusing the residence permit for medical reasons. The National Assembly has re-introduced this notion, although the Senate had rejected it and many professionals and institutions expressed publicly against this measure. A petition for [“Stopping restrictions to residence right for medical reasons”](#), is available on Aides website.

### **ITALY / First Outpatient clinic for migrants in Manduria**

Thousands of migrants, especially Tunisians, have reached Lampedusa, Italy, in recent months following the unrest in North Africa. Many of them have been transferred from the island to different reception centres in southern Italy. The tent camp of Manduria (Puglia) is overcrowded to the point that Doctors Without Borders (MSF), the only organisation allowed to enter the camp, fear health threats for themselves and the local population especially with the summer season approaching. Regio Puglia is about to present the first regional outpatient clinic providing special care exclusively to migrants, also to undocumented. The camp in Manduria hosts migrants with different statuses, including asylum seekers and irregular migrants. The structure is still under construction, with no electric energy. Source: [Repubblica](#), 5 April 2011

### **ITALY / Call for a Health Passport to register migrants' health conditions**

Walter Pasini, Director of Rimini's Travel Medicine Centre and Global Health, called for the creation of a medical document and for the activation of procedures aimed at registering migrants' health conditions as soon as they enter Italy, with special attention to be given to tuberculosis. Mr Pasini stressed the necessity of a 'health census' in which all Italian regional constituencies should be involved. He stated that up to now, the consequences of migration have been analysed only from an economic and social perspective, but its impact on public health has never been assessed. The recent migration flow to Lampedusa has highlighted the existing difficulties in guaranteeing proper hygienic conditions for undocumented migrants who can easily fall ill because of the overcrowded and promiscuous conditions they face.

Source: [Lunico](#), 23 March 2011

### **MALTA / One in four immigrants are refused health care treatment in Malta and many suffer from mental health problems**

The Health for Undocumented Migrants and Asylum Seekers (HUMA) Network have published a report entitled "Access to Healthcare and Living Conditions of Asylum Seekers and Undocumented Migrants". The research includes interviews with 100 migrants, with an average age of 30. It emerged from the research that about 70 per cent of immigrants in Malta believe they are suffering from mental health problems and almost half say they have practically no emotional support, according to a study on migrants' healthcare access. The findings on perceived psychological health of migrants could be the result of traumatising experiences the migrants faced in their country of origin or during their trip out of their country. The situation highlights the need for access to mental healthcare for those who have or are enduring hardships.

Source: [Times of Malta](#), 19 March 2011

### **THE NETHERLANDS / Study shows that 46% of undocumented migrants sought medical help in the Netherlands, 25% of which were denied care**

A new study in the Netherlands underlines the need for a better education of undocumented patients and providers concerning the opportunities for health care. The study specifically targeted those who were in a detention centre and awaiting expulsion. The results of the study showed that among the 122 interviewed, only half of the undocumented migrants in the study knew how to get access to medical care in the Netherlands. Forty-six per cent of respondents reported to have sought medical help during their stay in the Netherlands while having no health insurance. Care was sought most frequently for injuries and dental problems and about 25% of these care seekers reported to have been denied care by a health care provider.

Source: [7th Space Interactive](#), 28 March 2011

### **SWEDEN / Swedish government reaches agreement allowing undocumented migrants more rights**

A coalition government has made a comprehensive framework agreement on migration policies giving more social rights to undocumented migrants. The government says that the new policy allows a long-term basis for a humane and orderly migration policy in accordance with the rule of law. The press conference did not reveal the exact outline of the framework agreement but it was mentioned that the deal would target three key issues on the

rights of undocumented migrants; the right to health care, schooling, and to run businesses.

Source: [Stockholm News](#), 3 March 2011

### **UK / New process in sharing information of foreign nationals who have unpaid NHS debts**

The government has said it will introduce new processes to share data about foreign nationals who have outstanding debts for National Health Service (NHS) treatment with the UK Border Agency. The move is part of a package of measures aimed at reducing "health tourism" that will see those who owe the NHS more than £1,000 barred from entering the UK, from an extension of their stay, or gaining citizenship. Emergency treatment will continue to be provided irrespective of status or ability to pay. The government will also allow failed asylum seekers on UK Border Agency support schemes, those who have a barrier to their return, and unaccompanied children under local authority care, to continue to receive free hospital care. However, failed asylum seekers who refuse to return to countries of origin will be barred from free care.

Sources: [The Guardian](#), 21 March 2011; [UK Border Agency](#), 18 March 2011; [Migrants Rights Network](#), 21 March 2011

### **UK / Detained migrants refused HIV treatment**

On 22 March 2011, the UK-based charity Medical Justice published a report entitled "'Detained & Denied: The clinical care of immigration detainees living with HIV'". The report highlights how hundreds of detained HIV-positive immigrants are denied access to essential medication in British detention centres thus risking their lives. Evidence which emerges from the report will be presented in the Court of Appeal in April as 'three HIV-positive migrants seek to have their detention ruled unlawful because of the centres' failure to treat them properly'. Campaigners have expressed concerns as to the care given to HIV-positive patients particularly with regards to disruption in treatments during detention and deportation of detainees without supplies of medication. The report can be accessed on [Medical Justice website](#).

Source: [The Independent](#), 20 March 2011

### **USA / Arkansas legislature to take up bill which would deny health care and other social services to undocumented migrants**

An Arkansas law introduced in the end of February pushes to prohibit the state from providing non-emergency benefits to undocumented migrants. The proposal is expected to go before the House State Agencies and Governmental Affairs Committee and would forbid the state agencies from providing benefits to anyone in the country irregularly. The proposal would not apply to cases involving emergency or life-saving measures. Those opposed to the bill say that it goes too far by denying essential services to some of the most vulnerable people in the state. For example, a major concern is that the proposal would cut off funding for prenatal care for women who are undocumented, child welfare and protection and some services for developmentally disabled children.

Source: [NECN](#), 21 February 2011

### **USA / Undocumented woman with tumor discharged from the hospital**

An undocumented woman in Texas who has a tumor along her spine and in between her vertebrae was unexpectedly discharged from the hospital on 11 February 2011 because she was undocumented, without insurance and therefore unable to pay. The growth has left her unable to use her right hand and if left untreated, could grow so large that doctors think she would not be able to breathe without having a tube inserted into her chest. She says that a Spanish-speaking doctor told her to leave the hospital immediately because she was undocumented. It is reported by the hospital that she was discharged because of her inability to pay, not her legal status. The hospital's charity policy is so vague that there is no way to know how decisions to deny charity care are being made.

Source: [Colorlines](#), 9 February 2011

### **USA / Health care bill repealed by the US House of Representatives and undocumented migrants continue to face barriers in accessing care**

The House of Representatives voted to repeal the landmark health care overhaul that was passed in 2010. The vote marked what the new Republican majority in the chamber hailed as the fulfilment of a campaign promise and the start of an all-out effort to dismantle President Obama's signature domestic policy achievement. Republicans would like to repeal the measure and replace it with another. In the current health care legislation, undocumented migrants will remain ineligible for federally funded health coverage. When health coverage becomes mandatory in 2014, undocumented migrants are expected to be the largest percentage of those who remain uninsured. A study by the Kaiser Family Foundation noted that non-citizens (both legal and undocumented immigrants) have less access to employer coverage because they are more likely to have low-wage jobs and work for firms that do not offer coverage. Low-income advocates say this could have serious public health consequences for cities where migrants are almost as numerous as those who are native born.

Source: [The New York Times](#), 19 January 2011; [The Kaiser Family Foundation](#), 18 January 2011; [National Public Radio](#), 20 January 2011

#### **PICUM NEWS / Video of Public Hearing at the European Parliament on health care for undocumented migrants**

Following the adoption by the European Parliament of a resolution on 'Reducing health inequalities in the EU' on 8 February, PICUM has released the video of a Public Hearing which took place on 8 December 2010, organised by Médecins du Monde, the HUMA network, PICUM, the European Women's Lobby (EWL) and the European Anti-Poverty Network (EAPN), that highlighted how undocumented migrants – especially undocumented pregnant women and children – are threatened by both legislative and practical barriers when trying to access healthcare. The photos can be viewed on [Flickr](#) and you access the videos (EN-FR) of the Public Hearing on our [website](#).

Source: [PICUM](#), 9 March 2011; [European Parliament](#), 8 February 2011

#### **PUBLICATION / New issue of the Equal Rights Review published by ERT**

On the 10 March 2011, the Equal Rights Trust (ERT) has published the sixth edition of the Equal Rights Review. This issue comprises a special section looking into the right to health equality including an interview with two of the most prominent experts in health policy, Norman Daniels and health rights, Paul Hunt. To read Volume 6 of the Equal Rights Review, [click here](#).

#### **REPORT / Release of results of EU "Health Care in NowHereLand" Project**

The EU project "Health Care in NowHereLand," which was co-funded by the European Union Directorate General for Health and Consumers ( DG SANCO), has been officially released. The project reports provide an overlook of the EU 27 and Switzerland in regards to policy and practice in accessing health care. As well, there is a searchable database which compiles examples from various countries of organizations and health care providers that are working with undocumented migrants. As one of the project partners, PICUM was responsible for 17 country reports which involved interviews with NGOs and health care providers. Visit the [Project website](#).

Source: [NowHereLand Press Release](#), January 2011

## **UNDOCUMENTED WOMEN**

#### **IRELAND / Call for new approach on violence needed this International Women's Day**

In light of the barriers facing irregular migrant women to access emergency shelters and financial support if they experience violence, the Immigrant Council of Ireland (ICI) called on the new government to introduce some

minor policy and administrative changes that may bring major improvements. The costly and lengthy administrative procedures for gaining an independent immigration status or permitting family reunification currently victimise migrant women and their children who experience partner -violence. In a statement released on International Women's Day, Director Denise Charlton noted "This inaction, coupled with the lack of information available on Government websites spelling out what options exist for migrant women experiencing domestic violence who are dependent on a violent partner for their right to be in Ireland, puts them and their children at significant risk of harm". The ICI has called for comprehensive guidelines and legislative reforms to allow migrant women to obtain an independent status if there is evidence of domestic violence.

Source: [Immigrant Council of Ireland](#), 7 March 2011

### **THE NETHERLANDS / PUBLICATION / "Hiding and Seeking: Health Problems and Problems in accessing healthcare of undocumented female immigrants in the Netherlands"**

Published in February 2011, this PhD thesis by Marianne Schoevers provides an insight into the health status of undocumented women in the Netherlands, the problems they experience, and the obstacles that prevent their access to healthcare. Identifying both institutional and social obstacles, Schoevers proposes reforms for patient-held record system and provides targeted recommendations for GPs, healthcare workers and policy makers.

Source: M.A. Schoevers, "[Hiding and Seeking: Health Problems and Problems in accessing healthcare of undocumented female immigrants in the Netherlands](#)", (Nijmegen: Radboud Universiteit, 2011)

### **SPAIN / Undocumented women who report abuse will not be expelled**

According to a proposed new amendment to the 2009 Law on Immigration, an undocumented migrant woman who reports abuse will receive special protection: an expulsion file will not be opened, and if one already exists, it will be suspended. In addition, this special protection is also extended to children of the victim. The current Immigration regulation does not provide any special protection for these women although Article 32 (4) of the Integrated Protection Measures against Gender Violence mentions that the definition of women extends to include "immigrants". This new draft amendment would provide a clear provision for a concrete implementation of Article 31(a) of the 2009 Immigration Law which specifically focuses on "Temporary residence and work of foreign women victims of gender violence".

Source: [El País](#), 7 February 2011; [El Público](#), 7 February 2011

### **UK / Proposed rules would increase vulnerability of migrant domestic violence victims**

On 31 March 2011, the UK Home Office released a statement announcing proposed changes to the Immigration Rules before Parliament, including an amendment to *para.289a* which allows for settlement to be granted to spouses or partners who have been victims of domestic violence. The proposal is that for settlement to be granted the applicant will need to be free of unspent criminal convictions. This change would have the effect of deterring victims of domestic violence from escaping from abusive and violent partners if they believe that any unspent conviction which might exist against them would lead to them failing to benefit from the existing provision. They would be aware that if they did flee they would risk being considered in breach of their conditions of stay because they are no longer living with their partner. The Immigration Law Practitioners Association has urged all parliamentarians to call against the proposals.

Source: [Migrants Rights Network](#), 1 April 2011

### **UK / Training on how to support undocumented women experiencing violence**

The organisation Rights of Women are offering a training course on how to assist migrant women with 'no recourse to public funds' experiencing domestic violence. Participants will receive up-to-date information about existing legislation, the duties of local authorities, and the rights of the woman to pursue justice in the criminal, family or immigration systems.

To register, or access a legal guide "Domestic Violence, Immigration law and 'no recourse to public funds'" visit [Rights of Women](#).

### **USA / REPORT / Experience of undocumented female workers in the US food industry**

A new report by the Southern Poverty Law Centre (SPLC), entitled "Injustice on Our Plates: Immigrant Women in the U.S. Food Industry" is based on extensive interviews conducted with 150 immigrant women from Mexico, Guatemala and other Latin-American countries, all of whom are, or have been, undocumented.

Available for download at [here](#).

### **USA / Undocumented migrant woman faces custody battle**

An undocumented Guatemalan woman, whose child was adopted without her consent while she was in detention, has now taken her case to the Missouri Supreme Court. Encarnación Bail Romero was arrested during an immigration raid of a poultry plant in 2007. She was detained without the possibility to make care arrangements for her son Carlos, a U.S. citizen who was just six months old. Carlos was placed in a care of a couple when he was one year old and officially adopted by them when he was two. While in detention, Encarnación was not allowed to participate in the custody case and her parental rights were terminated. While the Missouri Supreme Court recently recognised that the mother's right to due process had not been upheld by the lower court, they have so far failed to issue a decision to reunite the mother and child. The Women's Refugee Commission have set up a campaign to keep undocumented women and their children together. For more information, click here.

Source: [Huffington Post](#), 8 February 2011

### **REPORT / The influence of globalisation on women's work, mobility and empowerment**

"Women's Labour Migration in the Context of Globalisation" is a new report from Women In Development Europe (WIDE), a European feminist network of women's organisations, development NGOs, gender specialists and women's rights activists. Available for download [here](#).

### **100th International Women's Day and 100th Session of the International Labour Conference of the ILO**

Following a decision of the International Conference of Working Women held in Copenhagen in 1910, the first official International Women's Day was celebrated on the 8 March 1911. On the occasion of the 100th anniversary of International Women's Day, PICUM takes this opportunity to also highlight that 2011 marks the 100th Session of the International Labour Conference of the ILO which will include on its agenda, decent work for domestic workers. Linking this focus on women's rights and labour rights, PICUM recently stated that it is essential that EU Member States support the drafting process of the International Labour Organisation's Convention and Recommendation on Decent Work for Domestic Workers to ensure the respect of the rights of domestic workers.

Source: [ILO](#), 4 March 2011; [PICUM](#), 8 March 2011

### **PICUM NEWS / Release of report on undocumented women migrants in Europe**

Following key findings which emerged from a workshop held in June 2010 to discuss challenges, opportunities and trends regarding the protection of undocumented women's rights in Europe, PICUM has released a report entitled "Violence and Exploitation of Undocumented Migrant Women: Building Strategies to End Impunity". The report highlights that despite contributing actively to maintaining Europe's homes and caring for its most vulnerable members of society, such as children and the elderly, undocumented migrant domestic workers risk very poor working conditions and face various forms of violence including physical and psychological harm. PICUM's report illustrates the extremely worrying situation across the EU, where national laws and policies openly discriminate against undocumented migrant women and offers key recommendations to tackle such policy challenges. [Read the report](#) (EN, FR, ES)

### **PUBLICATION / Testimonies of violence against West African women migrants in the Maghreb**

A book entitled "From Violence to Persecution: Women on the Road to Exile" written by Smâin Laacher examines the extreme violence experienced by West African women migrating irregularly through the Maghreb.

Source: [Liens Socio](#), 3 January 2011; [Le Monde](#), 1 March 2011

### **Solidar radio programme on labour rights of migrant women**

In March 2011 as part of activities for International Women's Day, Solidar radio programme within the project "Decent Work for All! - Making Migration Work for Development" in cooperation with Progetto Sviluppo and radio Articolo1 was dedicated to migrant women. Laura Fallavollita from the European Trade Union Confederation (ETUC) spoke specifically about the poor working and living conditions of undocumented workers in Europe making particular reference to project with PICUM and the importance of terminology (12"55). To listen to the radio programme of March 2011, [click here](#).

Source: [Solidar](#), 31 March 2011

## **UNDOCUMENTED CHILDREN AND THEIR FAMILIES**

### **AUSTRIA / Children's rights only for those with a valid residence permit?**

Twenty years after its signature, the UN Convention on the Rights of the Child has partly been implemented into Austria's constitution by a law passed by the National Assembly on 20 January 2011. However, NGOs and legal experts have criticized the law as incomplete and particularly for containing a limitation clause which will allow for the detention and deportation of children without a valid title for residence in Austria without taking their "best interest" into consideration.

Source: [Der Standard](#), 13 January 2011

### **BELGIUM / Movement for undocumented children phases out its activities**

The movement for undocumented children (Beweging voor kinderen zonder papieren – BvKZP) which has fought for the rights of families without legal residence in Belgium since 2005, started to phase out its activities from 1 January 2011 due to a lack of human resources and financial support. One of the main accomplishments of the movement was to trigger the decision of the Belgian government in October 2008 to create an alternative for the detention of undocumented children. BvKZP has been very active in lobbying on the right to education and the extreme living conditions of undocumented children. While it is clear that a lot of work in this field still needs to be done, the steering committee will continue to look for means and enthusiastic volunteers. All suggestions are welcome at: [info@kinderenzonderpapieren.be](mailto:info@kinderenzonderpapieren.be) and [jozef.hertens@vlos.be](mailto:jozef.hertens@vlos.be)

Source: [www.kinderenzonderpapieren.be](http://www.kinderenzonderpapieren.be)

### **BELGIUM / Practical Guide for non-accompanied minors**

A Practical Guide for non-accompanied minor foreigners (Mena) was published by the Brussels Children's Rights Services. Information available at : 02/210.94.91 – e-mail [cvz@sdj.be](mailto:cvz@sdj.be); Service droit des Jeunes - Plate-forme Mineurs en exil- [www.sdj.be](http://www.sdj.be) - [www.mena.be](http://www.mena.be)

### **BELGIUM / Minister of Sports wants to reform law to allow undocumented children to join football clubs**

The Minister of Sports of the French Community, André Antoine, wishes to introduce a reform of the law on sports to permit undocumented children to sign up to a football club. FIFA regulations currently require children to provide key documents in order to join a football club. The suggested reform of the 2006 sports law will permit all children from joining a football club regardless of the legal status of their parents. The reform will only enter into force if the evaluation of the reform, being carried out in February, is successful. Once adopted, the new law will take precedent over the FIFA regulations.

Source : [Le Vif L'Express - Belgium](#), 24 January 2011

### **DENMARK / Danes urged to reapply for family reunification following Zambrano ruling**

A number of experts and the interest group Marriage Without Borders are encouraging Danes with foreign spouses to resubmit their applications for residence permits. According to experts in EU law, applicants should ignore any previous rejections and instead challenge the legal system with the EU ruling handed down on 8 March 2011, in which Gerardo Ruiz Zambrano won a 12-year fight for residency when the European Court of Justice (ECJ) established his right to work and live in the EU because he is supporting a child who has EU citizenship. The immigration minister, Søren Pind, has said Denmark should adhere to the Zambrano Ruling and



avoid a legal clash with the ECJ. The Danish People's Party (DF), however, rejected the suggestion that the rulings should be accepted and expect that the points system for family reunification will be adjusted so that the recent rulings will not become shortcuts to residency in Denmark.

Source: [The Copenhagen Post](#), 24 March 2011

#### **EUROPEAN COURT OF JUSTICE / Landmark case concerning undocumented parents**

On 8 March 2011, the Court of Justice of the European Union issued an important opinion on the issue of citizenship, immigrant's rights and children rights. The question submitted to the Court by a Belgian tribunal was whether the fact that a child is a citizen of the European Union confers a right of residence and a right to work to his non-citizen parents. The case involved two undocumented Columbian parents of a child born in Belgium. Under Belgian law, the child was a Belgian citizen at birth. In the European Union legal system, citizenship of the Union follows automatically the citizenship of a member state. The plaintiffs claimed that by refusing them the right to reside legally and to work in Belgium, and constraining them to leave the European territory or to be separated from their child, the Belgian authorities were depriving their child of the rights he is entitled to as a citizen of the European Union. The Court holds that a citizen of the European Union cannot be deprived of the "of the substance of the rights" attached to such a status, and that when this citizen is a child, the "genuine enjoyment of these rights" implicates that his parents are allowed to live and work in the same country. This judgment has significant practical implications. Although some European countries already recognize a right of residence to the non-citizen parents of a citizen-child (France, for example), the Court decision will probably mean that every state of the EU has to allow such rights.

Source: [RTBF](#), 8 March 2011

#### **FRANCE - THE NETHERLANDS / A Mongolian undocumented father permitted to be united with his children**

Alta Ganna and her two children were arrested in the Netherlands in November 2010. Upon discovering that she was pregnant, the authorities released Alta and her sons, giving them 48 hours to leave the Dutch territory; they fled to Rennes in France. Shortly afterwards, her husband, Amarjargal Ganna, was detained in Amsterdam. Tragically, Alta gave birth prematurely in early January to a third son and died just after giving birth. The Dutch government wished to deport him and not allow him to recognize his third son but the French government intervened and allowed him to be re-united with his newly-born child and with his two sons currently staying with Mongolian family friends in Rennes.

Source: [TF1 News](#), 7 February 2011

#### **GERMANY / Individual criminal acts can lead to loss of right to stay for whole families**

The German Federal Administrative Court (Bundesverwaltungsgericht - BVerwG) in Leipzig ruled on 11 January 2011 that an entire family with irregular residence status can lose their right to stay, if one of the parents is found to have committed a crime. A family, who would have been eligible for the right to stay -regulations of 2008 was denied regularisation on these grounds. The Court found that neither the Constitution nor international law would bind German authorities in this case.

Source: [Newsletter Migration und Bevölkerung](#)

#### **IRELAND / ECJ guidance prompts examination of 120 immigration cases**

Justice Minister Alan Shatter has ordered an examination of around 120 immigration cases involving Irish citizens whose parents are non-EU nationals after a decision on the Zambrano case by the European Court of Justice (ECJ) on 8 March 2011. The ECJ found that a Member state could not deport the parents of a child with EU citizenship, or refuse them a work permit, as that would deprive the child of certain rights. Minister Shatter said the decision would only apply to children with Irish citizenship. Department of Justice officials will also examine cases in which the possibility of deportation is being considered in order to ascertain the number of cases in which there is an Irish citizen child and to which the ECJ judgment is relevant, such as the case of a Cork couple who had been living in fear after they had lost their appeal against a deportation order given in December. Consideration will also be given to those cases of Irish citizen children who have left the State because their parents were refused permission to remain.

Source: [Irish Examiner](#), 21 March 2011; [The Irish Times](#), 9 March 2011

### **ISRAEL / Deportation of hundreds of irregularly present children and their mothers begins**

Despite international Jewish outcry when the government agreed plans to deport hundreds of children of irregular migrant workers, and their mothers, the deportation of an estimated 400 to 600 children has begun. Before the operation began, Interior Minister Eli Yishai announced that he was postponing the deportation of school-age kids and their parents for a few months so as not to disrupt their education. However, the deportation of children under three – of pre-school age – and their parents is underway. Many of the children have been born in Israel, but Israel does not have birth right citizenship. Children and their parents are detained in new holding cells set up at Ben-Gurion Airport for up to 72 hours before deportation.

Source: [The Jerusalem Post](#), 30 March 2011

### **ITALY / Squalid conditions for unaccompanied children on Lampedusa**

Lampedusa has been struggling to cope with the influx of around 15,000 people from Tunisia since the January revolution. Hundreds of people are being taken by Italian naval ship to Sicily. More than 4,000 are still on the tiny island and the Save the Children charity has complained that 230 unaccompanied children aged 12 to 17 are living in squalid conditions. "The situation is bad as they don't have showers and only two toilets for 230 people," Save the Children child protection manager Carlotta Bellini told the BBC News website. She said four of the children were being treated in hospital after cutting themselves with knives to draw attention to the situation. According to Save the Children, approximately one hundred more children have escaped the controls and are wandering the island, alone and exposed to bad weather conditions.

Source: [BBC News](#), 23 March 2011, [Inter Press Service](#), 2 April 2011

### **THE NETHERLANDS / Minister announces end of detention of unaccompanied minors**

The Dutch Minister for Immigration and Asylum, G.B.M. Leers, announced on 10 March 2011 that unaccompanied migrant children will no longer be placed in detention. Unaccompanied minors will instead receive temporary housing through the central asylum authority, Central Organ for the Shelter Reception of Asylum Seekers (COAS - Centraal Orgaan Opvang Asielzoekers), who will also act as the official guardian for unaccompanied minors. The Dutch Minister for Immigration stated that detention of undocumented minors will only take place in 'extreme circumstances', for example for minors with a criminal history; when removal is planned within two weeks; when minors fail to report or leave the asylum premises without permission; when their age cannot be determined. The change comes following criticism from the Council of Europe on the detention of undocumented minors in the Netherlands. Until recently unaccompanied minors in the Netherlands were placed in detention if they entered the Dutch territory without documentation. Three hundred minors were detained in 2009.

Source: [NOS](#), 10 March 2011; [Jesuit Refugee Service Europe](#), 15 March 2011

### **THE NETHERLANDS / Court rules family cannot be evicted from asylum seekers centre**

In an appeal case started by the Dutch State, a court in The Hague ruled on 11 January 2011 that the State cannot evict an Angolan mother and her three children from the asylum seekers centre in Ter Apel after their application failed. The family had appealed successfully on the grounds of ECHR's article 8 on respect for one's private and family life. The court had ruled previously that children cannot be evicted and thus left on the streets, to which the State proposed a solution in which mother and three children were to be separated. The court has now ruled that a child staying with their mother outweighs the State's interest in executing its immigration policy.

Source: [Rechten Nieuws](#), 8 February 2011

### **THE NETHERLANDS / Expulsion of child with terminal sickness to Sri Lanka**

Abiram, an eight-year old child suffering a brain tumor, risks to be deported from the Netherlands with his mother after their asylum request was rejected by the Dutch authorities. Mother and child escaped from Sri Lanka country seven years ago. The case is still pending, since Abiram's mother gave notice of appeal. The final judgment is expected in February. The Dutch service for immigration and naturalization claims it cannot consider individual cases. Gerd Leers, Dutch minister of Immigration and Asylum, wants to examine the case and also has to decide whether or not to accord a visa to Abiram's grandmother so that she can visit her dying grandchild.

Source: [Gazet van Antwerpen](#), 15 January 2011

### **SPAIN / Unaccompanied children may appoint an independent defence**

The draft of Immigration Regulations, presented on 8 February by the government, establishes the right of unaccompanied immigrant minors to appoint an independent defence in cases of repatriation. For the group Draria, the draft leaves important outstanding issues, such as recognizing their right to work.  
Source: [Periódico Diagonal](#), 9 February 2011

#### **SPAIN / Temporary residence for undocumented immigrants with Spanish children**

Undocumented migrants who have children with Spanish citizenship will be able to get a temporary one-year residence permit, as long as the child lives with them and is economically dependent on them. After being in a regular situation for one year, the parents may receive another permit through a standardized process according to their situation and requirements as is established in Article 122 of the Regulation Draft which implements the text of the Immigration Law adopted in December 2009.

Source: [El País](#), 9 February 2011

#### **UK / UKBA officers enter school to detain refused asylum- seeker**

Border Agency officers went into Cathays High School, in Cardiff, at 9.25am on Monday, 28 March 2011, to detain 18-year-old Amanullah Armani, a refused asylum seeker. Teachers were asked to hand over Mr Armani, whilst in class, despite knowing nothing about the operation in advance. The school's headmaster Rod Phillips will meet the Border Agency to discuss how the operation was handled. Mr Armani is scheduled to return to Afghanistan but is appealing the decision. Cathays High School has a very large number of asylum-seeking children, particularly unaccompanied asylum-seeking pupils, so there is also concern over the effects this action will have on those children.

Source: [South Wales Echo-Wales Online](#), 26 March 2011

#### **UK / Supreme Court rules that an undocumented immigrant mother can stay with her children**

ZH, an undocumented migrant from Tanzania, was granted permission by the UK Supreme Court to remain in the UK with her two children who were born in the UK. ZH had arrived in the UK in 1995 and applied three times for asylum but was unsuccessful and was told by immigration officials that "the children could be reasonably expected to leave the UK with their mother". The Supreme Court ruled that "her removal from the UK would constitute a disproportionate interference with her right to respect for her private and family life, guaranteed by article 8 of the European Convention on Human Rights". The court highlighted that priority was given to considering the best interest of the children.

Source: [BBC News](#), 1 February 2011

#### **USA / National Legislation Regarding Immigrant Access to Education**

The NGO National Immigration Law Centre (NILC) has started to track US state bills addressing access to education for immigrant students. For example, a number of bills have been introduced in the last months which either improve access or create barriers for undocumented students. For example, in 10 US states, bills providing access to in-state tuition for students who meet certain criteria, regardless of status, have been proposed such as in Colorado and Arkansas, while in 6 US states, bills have been introduced which would impose barriers to basic - high school education such as in Arizona. The table which provides legislation and the summary state-by-state table of the bills improving access and creating barriers and will be updated by NILC periodically.

Source: , [Fox 31](#), 2 February 2011; [Arkansas Business.com](#), 22 February 2011; [National Immigration Law Centre \(NILC\)](#), 7 March 2011; [Altnet.org](#), 15 March 2011

#### **USA / FILM/ "Tony & Janina's American Wedding": a new documentary on family separation**

A feature length documentary directed by Ruth Leitman focuses on the life of Tony and Janina Wasilewski whose family is torn apart after 18 years in the US when Janina is deported back to Poland, taking their 6-year old son Brian with her. This film follows the Wasilewski's three-year struggle to be reunited. See the trailer, click [here](#).

Source: [Tony & Janina's American Wedding](#)

#### **USA / The Dream Act fails to pass the Senate**

In December 2010, the Development, Relief and Education for Alien Minors (DREAM) Act failed to pass for a vote in the Senate and fell victim to a filibuster that was supported by Republicans and a few Democrats, stopping the bill from reaching the Senate floor for an official vote. The DREAM Act had previously passed the House of

Representatives and the Democrats viewed a vote in the Senate as their best chance to pass legislation before the Republicans took control of the House in January and gained additional seats in the Senate. The legislation would have given undocumented youth a path to legal residency if they served in the military or received a college education. Even after the legislation was amended to meet concerns raised by both Republicans and moderate Democrats, such as requiring ten years of conditional status before people would have been eligible for citizenship, it was not enough to pass. It is expected that immigration will play a large policy focus in 2011 in a number of legislative proposals coming from the state and federal level. Some lawmakers in the states of Pennsylvania, Arizona, Oklahoma, Georgia and South Carolina are discussing the introduction of tougher immigration legislation similar to Arizona's while others are pushing for court cases to revoke the 14<sup>th</sup> Amendment of the Constitution which gives birth-right citizenship.

Source: [The Los Angeles Times](#), 19 December 2010; [The White House Blog](#), 1 December 2010; [The Washington Post](#), 6 January 2011

#### **REPORT / Two new Fundamental Rights Agency (FRA) reports on children**

The EU Fundamental Rights Agency (FRA) published two new reports in the area of children's rights, one of which focuses on separated and asylum seeking children in the EU.

Source: [FRA](#), 7 December 2010

#### **PICUM NEWS / CRAG Response to European Commission communication**

On 21 March 2011, the Child Rights Action Group (CRAG) released a response to the [European Commission's communication](#) on an "EU Agenda for the Rights of the Child". In this response, the CRAG members point out the main shortcomings of the communication and give recommendations for improvement. The importance of such an EU strategy to apply to all children, including undocumented migrant children, is also highlighted in the response. Please click here to view the [CRAG's response](#). [Click here](#) for further information on the EU Agenda for the Rights of the Child.

Source: [PICUM](#), 25 March 2011

## **DETENTION AND DEPORTATION**

#### **BELGIUM / Incidents in Steenokkerzeel retention centre**

In Belgium, incidents occurred on 20 February 2011 in the Steenokkerzeel 127bis detention centre. During the day, several associations demonstrated in front of the centre in solidarity with detainees on hunger strike since the week before. Asylum seekers who wanted to denounce their detention conditions started a fire, some threatening to hang themselves, others climbing on the roof. On Sunday evening, about thirty detainees were evacuated to other centres of Merksplas, Vottem and Bruges. The local police declared there were no injuries.

Source: [RTBF](#), 21 February 2011

#### **BULGARIA / Two new detention centres**

Two centres for irregular migrants in the villages of Liubimetz and Pastrogor will be ready to function in the middle of February, said the Bulgarian Interior Minister Tzvetan Tzvetanov during a press -conference on 24 January 2011. The centres are part of the new national strategy to face irregular migration pressure from Turkey.

Source: [BNT](#), 24 January 2011; [Actualno](#), 24 January 2011

#### **CYPRUS / General-attorney deports victim of trafficking and forced prostitution**

A 20-year old Indian woman who was trafficked, force into prostitution and fell pregnant following a gang rape has received an order to leave the Cypriot territory. The decision from the General-Attorney comes following an investigation of the alleged accusations reported by the victim following her complaint to the Anti-Trafficking Unit of the police. The victim was taken into care and advised by the NGO KISA. In March 2011, the police went to the government shelter where she had been placed and informed the victim that she would be deported despite the law protecting her as a victim of trafficking.

Source: [Cyprus Mail](#), 16 March 2011

### **FRANCE / Daily violence in Mesnil-Amelot retention centre**

In France, the Mesnil-Amelot detention centre experienced an escalation of daily violence during the week of 4 February 2011. An Algerian was deported despite injuries due to resisting to two previous deportation attempts in the previous days; a Moroccan was deported despite having swallowed razor blades; a detainee was taken for deportation although hospitalized for self-inflicted injuries but then brought back to the detention centre following the reaction of passengers in the plane. In the same centre the same week, the NGO CIMADE met three young men saying they are minor, one of them terrified and refusing to eat, and two other detained persons, one denounced by the Post Office and another one arrested while filing a regularisation request.

Source: [Cimade](#), 4 February 2011

### **FRANCE / 13 month old baby in detention centre in Lyon**

Following ten days in a detention centre in Lyon and despite external mobilisation for their cause, a Kosovar couple and their 13-month old baby were deported back to Pristina. The couple was afraid to return as the husband has been threatened by the wife's family who has not consented to the marriage. The father had been granted a permanent work contract but failed to send the documents on time for his claim to be accepted and their asylum application was rejected on the bases it was "unspontaneous, confusing and not very credible".

Source: [Le Parisien](#), 13 January 2011; [Le Parisien](#), 20 January 2011

### **GERMANY / PUBLICATION/ Assessing deportation and custody prior to deportation from a human rights perspective**

In a policy paper published in March 2011 the German Institute for Human Rights (Deutsches Institut für Menschenrechte) assesses the planned implementation of the directive 2008/115/EC of the European Parliament "on common standards and procedures in Member States for returning illegally staying third-country nationals" and the practice of custody prior to deportation in Germany from a human rights perspective with special focus on undocumented and unaccompanied minors.

Source: [German Institute for Human Rights](#), March 2011

### **THE NETHERLANDS / Temporary stop of repatriations to Libya**

The Dutch Minister for Immigration has decided that for the time being and for at least the next six months, Libyans that failed the asylum procedure are not to be repatriated to their home country. During this period they keep the right to shelter, but can still be sent into detention centres. The number of Libyans in this particular situation is estimated at around 70.

Source: [NU.nl](#), 6 April 2011

### **THE NETHERLANDS / Government aims to crack down on undocumented Moroccans**

The Dutch government wants to use all diplomatic channels for a quicker future repatriation of undocumented Moroccan migrants in the Netherlands. The Dutch Immigration Minister proposes the exchange of fingerprints to speed up their return. The Dienst Terugkeer & Vertrek (The Service Return & Departure) states there are still 150 Moroccans waiting to be returned.

Source: [De Telegraaf](#), 11 February 2011

### **SPAIN / A judge reminds the government that the expulsion of immigrants "is not a law of the State", but an provision which can be implemented in varied ways**

A judge in Madrid has issued a ruling in which reminds the Government that the expulsion of immigrants "is not a fundamental right of the State but a measure adopted legislatively and that may well vary in its regulation". The ruling responds to a request from the Foreign Police Brigade filed on 18 March 2011 for the detention and expulsion of a young migrant, Jabrán S., who could not prove he had a legal right to reside in Spain. The judge said too often the authorities directly see detention as the only measure ignoring the specificity of each case as well as other legal measures available such as confiscation of passport and regular contact with police authorities. Jabrán has been released and granted residency under the programme 'Messengers of the Peace' having been able to prove his 6-year residency having arrived in Spain as an unaccompanied minor.

Source: [Europa Press](#), 23 March 2011

### **SPAIN / ECHR asks the Spanish government not to expel 13 Saharawi to Morocco**

The European Court of Human Rights (ECHR) has decided to implement Article 39 of the Regulation to ask Spain to temporarily suspend the expulsion order of 13 Saharawi, enacted by the Spanish National Court. 13 Saharawi citizens arrived by boat to Fuerteventura on 5 January 2011 and requested political asylum claim which was denied. The ECHR has justified its request based on the reason that if they were deported back to Morocco they would face problems with the Moroccan authorities because of their ethnic origin.

Source: [El Público](#), 1 February 2011; [El País](#), 2 February 2011

### **SPAIN / Court orders the Ministry of the Interior to open immigration detention centres to NGOs.**

For the first time, a judge ordered the Ministry of the Interior to open the door to NGOs of the Foreigners Interment Centre in Madrid, the biggest of Spain, and to entitle NGOs to visit detainees. The judge's decision outlines that the Director of the detention center must take the necessary steps to allow the NGOs to "visit, communicate and assist" those that make the request in compliance with Article 62bis of the Spanish law on aliens.

Source: [El Mundo](#), 20 January 2011

### **SPAIN / REPORT / Conditions of Madrid's detention centre**

The NGO Pueblos Unidos, a PICUM member, published the report "100 ventanas a 5.000 vidas truncadas" ("100 Windows on 5,000 Lives Cut Short:") on the conditions of the Alunche detention centre for migrants in Madrid. Full report only in Spanish [here](#).

### **UK / New process for return of families includes "pre-departure accommodation"**

Further to the Coalition government's promise to end child detention in May 2010, a new process has been unveiled for the return of families. Families who refuse to depart from the UK may be held in 'pre-departure accommodation' for up to 72 hours, or in 'exceptional circumstances', up to a week. The Government has assured that the centre, a converted special needs school near Gatwick, will be family-friendly and only used as a last resort as advised by an Independent Family Returns Panel, which will take into account the welfare of children. However, families will not be free to come and go, and the centre will have 24-hour security and a 2.3 metre high perimeter fence. Some civil society organizations have expressed concern that this 'pre-departure accommodation' is therefore still essentially detention, and will still have significant negative effects on children. As its use is based on the same justifications as detention (refusal to cooperate with return), there is also a risk that it will be used routinely, rather than as a measure of last resort. Its inclusion in the new process demonstrates that the government has failed to properly examine the alternatives to secure facilities for the removal of families.

Source: [UKBA](#), 28 February 2011; [Migrant Rights Network](#), 10 March 2011; [The Guardian](#), 10 March 2011

### **UK / Immigration agency breaks Clegg's pledge by detaining child**

The UK Border Agency (UKBA) has apologised for holding an 11-year-old girl in an immigration removal centre on Christmas Day in defiance of a pledge by the Coalition Government to end such cases. The child was detained overnight with her mother and adult sister at Tinsley House near Gatwick Airport after being refused admission to Britain. They were deported on Boxing Day. The incident, disclosed to The Independent, has infuriated ministers because they had promised to end child detention for immigration purposes by Christmas.

Source: [The Independent](#), 3 February 2011

### **UK / Government pledges and court ruling on the detention of children**

A high court judge has ruled that two mothers and their children were unlawfully detained at Yarl's Wood immigration centre, with one of the mothers detained there for up to 17 days. The decision brings a new urgency to the government's pledge to end the detention of children in immigration centres by May 2011. In the ruling, it was acknowledged for the first time that detention could seriously damage children. Upon arrival all the children became sick with diarrhoea and vomiting. One of the children, aged eleven at the time, has been diagnosed with post-traumatic stress disorder. Under the government's new proposal, rejected asylum-seeking parents would remain in custody but their children would be assigned to "minders" so that the children would be able to move about freely. Source: [Migration News Sheet](#), January 2011; [The Guardian](#), 11 January 2011

### **UK / Report Released on Immigration Bail Hearings**

Entitled 'Immigration Bail Hearings: A Travesty of Justice? Observations from the Public Gallery' this report

brings together observations made over a period of eight months by 18 observers who travelled to attend 115 immigration bail hearings at four courts throughout the UK.

Source: [Campaign to Close Campsfield](#), 2011

### **USA / Detention is a rule when it should be the exception**

The Inter-American Commission on Human Rights (IACHR) has published its Report on "Immigration in the United States: Detention and Due Process". The report contains the conclusions of an investigation the IACHR carried out to ascertain whether policies and practices on immigrant-related detention in the United States were compatible with the country's international obligations in the area of human rights. The report noted that the detention of undocumented immigrants in the United States had become a general rule when it should be the exception, adding that many of the detainees were being held under unacceptable conditions. The Inter-American Commission is particularly troubled by the lack of legal representation provided or facilitated ex officio by the State for cases of unaccompanied children, immigrants with mental disabilities, and other persons unable to represent themselves.

Source: [IACHR Press Release, No. 21/112](#), 17 March 2011; [Reuters](#), 17 March 2011; [Fox News](#), 18 March 2011

### **USA / Coalition of NGOs urge President Obama to halt deportations**

Leaders from 24 immigrants -advocacy organizations in the United States took part in a meeting which was organized by the Mexico branch of Oxfam International and aimed at forging alliances and adopting common stances on immigration. The organizations urged President Barack Obama to issue an executive order halting deportations until a long-promised immigration overhaul is approved. They criticized the Secure Communities Program, a U.S. Immigration and Customs Enforcement initiative launched in 2008 and designed to identify immigrants in U.S. jails who are deportable under immigration law, saying it caused immigrants to be viewed as criminals and a threat. It was reported that 400,000 people were deported last year through that program and that figure will likely increase with the increase in state legislations which sought to criminalize undocumented migrants.

Source: [Latino Fox News](#), 16 March 2011

### **USA / Organizations urge for the Prison Rape Elimination Act to be included in US immigration facilities**

Human Rights Watch joined a host of organizations in writing a letter and urging for President Obama to apply the Prison Rape Elimination Act standards to detainees in US immigration facilities. On 3 February 2011, The US Justice Department released proposed standards under the law for detecting, preventing, reducing, and punishing sexual abuse of people in government custody. The standards would exclude detainees in US immigration facilities even though the law calls for establishing standards for all federal, state, and local confinement facilities. The Prison Rape Elimination Act, passed unanimously by Congress and signed into law in 2003 affirmed a national imperative to protect everyone in government custody, adults and children, from sexual abuse. The National Prison Rape Elimination Commission (NPREC) was created under the law to study the causes and consequences of prison rape and to recommend national standards to eliminate it.

Source: [Human Rights Watch](#), 15 February 2011

### **REPORT / Detention on the Borders of Europe**

In October, the Global Detention Project (GDP) held a workshop with representatives of non-governmental organisations from 12 countries in Europe and neighbouring areas to highlight pressing issues in the region and develop techniques for improving documentation of immigration detention practices and policies. The workshop report, entitled "Detention on the Borders of Europe," is available [here](#).

## **CRIMINALISATION OF UNDOCUMENTED MIGRANTS AND THEIR ADVOCATES**

### **MEXICO / Passing of new immigration bill which would decriminalize migrants**

The Mexican Senate voted unanimously on 24 February 2011 to decriminalize undocumented migrants. The bill

still has to be sent to Mexico's Chamber of Deputies for approval before executive signature. It grants migrants the right to file legal complaints when they are victims of crimes, regardless of status, as well as guarantee access to education and emergency medical care. If the new measure were to become law, no person in Mexico could be found guilty of a crime based solely on an irregular immigration status.

Source: [Americas Society](#), 3 March 2011; [People's World](#), 7 March 2011

### **THE NETHERLANDS / Criminalising undocumented residence undermines EU procedures**

Systematically criminalising undocumented stay in the Netherlands undermines those EU procedures that are supposed to foster the repatriation of migrants. Dutch MEPs have called on the European Commission to put pressure on the Dutch government not to criminalise irregular residence. The MEPs suggested the government tackle the problem at its roots by considering issue of trafficking and unscrupulous employers.

Source: [Trouw](#), 31 March 2011

### **THE NETHERLANDS / Criminalization of irregular migrants**

A coalition called "Maak Mensenrechten niet strafbaar" (Don't criminalize human rights) of civil society organisations and churches have protested against the Dutch government's plans to criminalise undocumented stay by drafting a common declaration. A grand coalition of the two largest labour unions, UNICEF, several church organisations, the association of Frisian municipalities, jurists and several law professors supported the declaration. On 17 March refugee organisations organized the "Nacht van de Vervanging" (Replacement Night) to protest against criminalisation of undocumented migrants. As part of the demonstration, some well-known locals in Utrecht symbolically went to spend half an hour in jail in solidarity with undocumented migrants who might soon be considered 'criminal'. A petition instigated by the Dutch church organization Kerk in Aktie and Dutch protestant Churches, highlights human rights as fundamental in the migration debate and stresses that criminalization of irregular migrants has a negative impact and does contribute to building a safe society. You can read the full petition [here](#).

Source: [La Strada International](#); [Friesch Dagblad](#), 9 March 2011; [RTV Utrecht](#), 18 March 2011

### **RUSSIA / Immigration authorities "on a hunt" for irregular migrants**

The immigration authorities have changed tack in their battle against irregular migration and have started to actively patrol the streets of Moscow. The news agency Interfax reported that during the recent holiday season over 200 irregular foreigners were detained in Moscow. Amnesty International expressed its concern with the stricter measures applied by the Russian immigration authorities that since December 2009 have been "on a hunt" for irregular migrants. The stricter measures applied by the authorities in Moscow are also aimed at Russian landlords renting flats to migrants. Anyone providing shelter to an undocumented migrant now faces between 2 to 5 years of imprisonment.

Source: [Rzeczpospolita](#), 10 January 2011

### **USA / Arizona sheriff to launch new operations targeting undocumented migrants**

In the state of Arizona, the controversial county sheriff Joe Arpaio launched a new operation where small planes will be used to detect the smuggling of drugs and undocumented immigrants across the border from Mexico. "Operation Desert Sky," which will last several weeks, will be focused in the south-western and south-eastern corridors of Arizona's Maricopa County and will include the participation of approximately 30 people, among them pilots, volunteers and deputies. The Sheriff is currently under investigation by the Justice Department after accusations were filed against him for racial profiling practices his department allegedly used against Hispanic residents. It is reported the operation will not use resources from his department since it will be carried out by volunteers and members of the anti-drug and anti-human trafficking units in the county.

Source: [Fox News Latino](#), 31 March 2011, [Colorlines](#), 30 March 2011

### **USA / Newly proposed legislation in Arizona will create second-class citizens**

In the last week of January in the US state of Arizona, politicians introduced bills in both the Senate and the



House of Representatives that would deny citizenship to infants born on U.S. soil to undocumented parents. Under the proposed legislation, a baby born in Arizona of two undocumented parents would have a birth certificate that indicates s/he is not a U.S. citizen. It is suspected that if passed, the bill will certainly be challenged in federal courts and the proponents of the legislation hope that it will push for a reinterpretation of the 14th Amendment by the U.S. Supreme Court. It is believed that at least 14 other states will be introducing similar legislation.

Source: [Alternet](#), 1 February 2011

## NATIONAL POLICY DEVELOPMENTS

### **AUSTRIA / Reform on aliens' law challenges respect of human rights of irregular migrants**

The planned amendment of Austria's aliens' law – the fifth in the past two years - has been adopted by the Council of Ministers, and is to be passed by the parliament on 29 April 2011. The law is criticized by a number of migrants' rights groups and activists for clauses feared to run counter to human rights, such as detention for minors (including children with their parents), longer detention without hearings (up to 4 months), and allowing the police to enter homes where they suspect irregular migrants without needed a judge's consent. A broad platform of activists and migrants' groups will hold a demonstration against this law on 27 April 2011. For further information, please see [SOS Mitmensch](#) and [Machen wir uns Stark](#) (in German)

### **GERMANY / PUBLICATION / "Illegality according to residence law"**

The German Red Cross (DRK) and Caritas have jointly published a counsellor's handbook entitled "Illegality according to Residence Law". In the publication details the legal situation and recommends actions. The book deals amongst others with the sectors of education and schooling, health care, housing, social benefits and labour rights. The publication is available for download [here](#).

Source: [German Red Cross](#)

### **GREECE / Migrant hunger strikers end their strike accepting last proposal by Greek government**

After 44 days of hunger strike in Athens and Thessaloniki, the migrants stopped their fight on 9 March, accepting the last proposal of the Greek government. Celebrations among the migrants took place, as they considered that they fought and won a very strong battle against the Greek state. The proposal accepted gives them a "status of tolerance" for an unlimited time and until a permanent solution is reached. The migrants can also go back to their country and return to Greece if there is a humanitarian need, so they can get travel documents. Finally, all migrants present in the country for more than 8 years will be regularized, a measure that includes the 300 strikers but also all irregular migrants. The required number of days worked to be able to acquire papers has been reduced from 200 to 120. The Greek government was also pleased by the fact that no lives were lost, whereas the Greek Party of the left said: "This is a small battle won in the fight against repressing measures against migrants all over Europe. Europe and Greece cannot be a fortress anymore. The migrants have reasons to leave their countries and have every right to live in dignity". PICUM signed on to a [public statement](#) calling on the government to examine the claims of protection by the migrant workers.

Source: [TVXS](#), 9 March 2011

### **IRELAND / NGO MRCI calls for earned regularisation programme for undocumented migrants**

In 2011, Migrant Rights Centre Ireland (MRCI) is continuing to campaign for the Government to introduce an Earned Regularisation Programme for the estimated 30,000 undocumented migrants living in Ireland. An 'earned' regularisation is where undocumented people enter a process to allow them to legalize their immigration status over a number of years, according to clearly defined criteria. More info at [MRCI](#). Read the recent Irish Times articles about undocumented migrants in Ireland: Irish Times, [7 January 2011](#); [Case-study 1](#); [Case Study 2: 'The](#)

[undocumented work like dogs sometimes'](#)

### **ITALY / Signing of an Italy-Tunisia agreement**

Italy's Prime Minister, Silvio Berlusconi, and Minister of the Interior, Roberto Maroni, convened in Tunis on 4 April 2011 in order to reach an agreement to countervail irregular migration flows and an agreement was signed on Tuesday, 5 April 2011. Initially, Italy had hoped to repatriate over 20,000 migrants back but Tunisia refused to consider mass repatriation. Finally, it was agreed that around 20,000 Tunisians whom have already arrived in Italy would be granted permission to remain for a minimum of six months with temporary residency permits and Tunisia in turn has apparently agreed to accelerated and simplified return procedures which are meant to act as a deterrent for Tunisian planning to reach the coast of Europe by Italy. The final terms of the agreement are yet to be made public.

Source: [Migrants at Sea](#), 6 April 2011

### **ITALY / Undocumented migrants condemned for not respecting an expulsion order can also apply for regularisation**

The Council of State has ruled that undocumented migrants who have not respected an expulsion order can apply for the 2009 regularisation for domestic workers. This ruling goes against the government decision to interpret more restrictively the access criteria of the regularisation. The decision follows the ruling by the Constitutional Court given in December 2010, saying that undocumented migrants with expulsion orders that are in destitute situations cannot be criminalized and the decision by the same Court in June 2010, rejecting the provision according to which, if an undocumented migrant commits a crime, his/her punishment should be one third higher than a normal one for the same crime (aggravating circumstance).

Source: [La Repubblica](#), 26 February 2011

### **SWITZERLAND / Preventing marriages with foreigners**

A new ruling (Toni Brunner law - Art.98 al. 4 CC) came into effect on 1 January 2011, that anyone who wants to marry in Switzerland has to prove his or her legal residence in the country, which effectively excludes undocumented migrants from marriage. The efficiency and conformity of this rule with fundamental rights (marriage freedom, art. 12 CEDH) was raised by the O'Donoghue ruling of 14 December 2010 of the European Court of Human Rights. Indeed, if the law seems to conform in terms of proportionality of means deployed to prevent fake marriages, it does affect however the freedom of marriage by preventing in a general, automatic and undifferentiated way any foreigner without a legal entry or residence permit in Switzerland to get married, without investigation on a possible marriage in name only.

Source: [Information Platform Humanrights.ch](#); [Justletter](#)

### **USA / Washington State discusses budget cuts to programmes used by undocumented migrants**

In the state of Washington, legislatures are looking for ways to decrease a \$5 billion budget shortfall, resulting in the reduction (and in some cases elimination) of services used by undocumented migrants. Lawmakers already have passed a law that effectively limits the state Basic Health Plan for the working poor to legal residents. The state estimates around 10,000 people, roughly 18 per cent of those on the plan, will lose state-subsidized insurance because they cannot prove they are in the country legally. It is expected to save \$59 million over two years. As part of a much broader budget-cutting plan, some have recommended eliminating a health-care program for undocumented children.

Source: [The Seattle Times](#), 3 April 2011

### **USA / New campaign launched to hold President Obama accountable and fix the US immigration system**

The Chairman of the Congressional Hispanic Caucus' immigration task force announced a national campaign to hold President Obama accountable for promises he made on the campaign trail to reform the country's broken immigration system. Featuring the stories of families devastated by deportations, "Change Takes Courage" will hold events across at least 20 states. The campaign will include meetings and press events with local leaders and

immigration advocates designed to put pressure on the administration. Spearheaded by the Fair Immigration Reform Movement, a coalition of more than 200 immigration advocacy groups, the campaign will contrast video clips of the promises Obama made on the campaign trail with two years of Congressional inaction, and spotlight the experiences of families torn apart by deportation. Despite the campaign the Obama administration has announced it will not block deportations of young people who grew up in the United States. Current immigration law offers few options to those who want to stay in the United States to be with their families or because they have lived there since childhood. In order to receive legal status, those who entered the country without authorization must return to their native country for 10 years to wait for a visa, sometimes even longer, separating them from family.

Source: [The Huffington Post](#), 31 March 2011; [Fair Immigration Movement](#).

### **USA / Some states introduce legislation that would make it a crime to transport an undocumented migrant anywhere, even to the hospital**

Some of the toughest bills in the US that are aimed at undocumented migrants are making their way through legislatures in the US states of Alabama, Georgia and South Carolina. A bill in the South Carolina legislature would make it illegal to transport immigrants anywhere, including a hospital or a church. In Alabama, legislators are working on similar bills in the House and the Senate, which would also make it a crime to knowingly rent to an undocumented migrant. In a "Letter to the Editor", the organization Physicians for Human Rights denounced such legislation and said it could effectively deny critically needed medical care to thousands of people, threatening not only the health of individuals, but also the public health of the entire state.

Source: [The New York Times](#), 25 March 2011

### **USA / Protests in Indiana over proposed anti-immigrant legislation**

Around 200 persons rallied at the state capital in Indiana against Senate bill 590. If it becomes law, police officers would have the power to contact federal authorities and check the immigration status of any person stopped on any violation, such as a broken taillight, if the officer had reasonable suspicion that the person was an undocumented migrant. Indiana United, a grass-roots group, organized the rally which included students and young families. The measure would also prohibit undocumented students at state colleges and universities from receiving in-state tuition rates. A second bill, House Bill 1402, would do the same, but the Senate bill also would bar them from receiving any state financial aid, grants or scholarships. One demonstrator was worried the bill could break up her family as her grandchildren were U.S. citizens but neither she nor the parents were.

Source: [INDYSTAR](#), 16 March 2011

### **USA / The state of California is now linked up to an immigration enforcement network**

The US Immigration and Customs Enforcement (ICE) have linked all California police agencies to reveal immigrants – of all statuses – which were arrested for violating laws and subject to deportation. ICE now has the ability to tag arrests and travel to all of the state's county jails to pick up immigrants accused of committing crimes. The fingerprints of everyone arrested by local police are now sent automatically to an electronic database reviewed by ICE, whose agents go to county jails to pick up immigrants thought to be deportable, including documented and undocumented immigrants who may have committed a crime. The program has the support of most of the Bay Area's nine county sheriffs, who oversee the local jails. Some local enforcement leaders contend the program casts too wide a net, and erodes the relationship between police officers and the communities they are supposed to protect. Immigrant advocates say ICE's own data contradicts the idea that it is deporting dangerous criminals as serious criminals are a minority among the thousands caught through the system and deported. They point out that 27% of the Californians picked up by Secure Communities have no criminal records and that some were sent to deportation proceedings for violations as minor as running a stop sign.

Source: [Mercury News](#), 25 February 2011

## **EVENTS**

### **THE NETHERLANDS / Migration and Housing Rights Conference**

The Housing Rights Watch conference on Migration and Housing Rights in Europe will be held on 19 May 2011 in The Hague. The conference is organised with two aims in mind, firstly ‘to explore legal entitlements and protection granted to migrants with respect to housing rights and the challenges migrants face in accessing them’ and secondly ‘to share relevant case law and explore possibilities for strategic litigation in housing rights at all levels (national, EU, Council of Europe, UN)’. Registration is open and the deadline is 29 April 2011. For more information and the programme, please visit [the conference webpage](#).

### **THE NETHERLANDS / PICUM NEWS / Conference on criminalization of undocumented migrants in the Netherlands and Europe**

The Dutch government recently launched a proposal to criminalize undocumented migrants. In response, PICUM and some of its Dutch Members, *Stichting LOS*, *Stichting ROS* and the *Paulus Church*, have decided to organize an international workshop. The workshop titled, “*Countering New Legislative Proposals Criminalizing Undocumented Migrants in the Netherlands: Building on Experiences of Resistance throughout Europe*”, is intended to provide a better understanding of laws, policies and practices concerning criminalization of undocumented migrants in different European countries. By providing examples and sharing experiences from countries that have experienced such criminalization legislations, the hope is to better prepare other countries, such as the Netherlands, which may soon have to face a similar battle. The workshop will be held in Rotterdam, the Netherlands on Friday, 27 May 2011. For more information on the conference, please download, [the Draft Programme](#). For further information on [penalisation of assistance](#), please visit the PICUM Website.

Source: [PICUM News](#), 8 April 2011

### **CZECH REPUBLIC / Conference on regularization of irregular migration**

*Sdružení pro integraci a migraci* (Association for Integration and Migration), *Organizace pro pomoc uprchlíkům* (Organization for Help to Refugees) and *Multikulturní centrum Praha* (Multicultural Centre Prague) are organizing a joint conference and public presentation of the project ‘Regularization of Irregular Migration’. The event took place on 12 April 2011 from 9am to 4pm at the Polský Institute. The event consists of three panel discussions on issues of irregular migration (work and working conditions, access to health and social services, family rights); a presentation of Czech, Portugal and Spanish partners of the project and its implications for Czech migration policies as well as a press conference. The working language is Czech, Portuguese and Spanish; simultaneous translation will be available.

Source: [Multicultural Center Prague](#); [Migration Online](#)

## **PUBLICATIONS**

### **BELGIUM / Investigation on the precarious living conditions of homeless and undocumented people in Belgium**

In a newly published report, Ides Nicaise and Ingrid Schockaert of the research group HIVA (Catholic University of Leuven, Belgium) investigated the precarious living conditions of homeless and undocumented people in Belgium. To read the study, [click here](#).

### **FRANCE / Release of video clips on undocumented migrants in Mayotte**

On 8 February, Médecins du Monde released a series of seven short documentaries entitled “Mayotte, paroles de sans-papiers” (“Mayotte, words of undocumented migrants”). The documentaries are only available in French.

Source : [Médecins du Monde](#), 8 February 2011

### **GREECE / New report from the Fundamental Rights Agency of the EU**

On 8 March, the Fundamental Rights Agency published a report about the fundamental rights situation of persons entering Greece irregularly at its land border with Turkey. This report is based on field research in the Evros region in January 2011.

Source: [FRA](#), 8 March 2011

### **SPAIN / A guide for irregular migrants in Andalusia published**

The Human Rights Association of Andalusia (*Asociación Pro Derechos de Andalucía*, APDHA) and the Andalusian Ombudsman, José Chamizo de la Rubia, presented at a press conference on 22 March a guide with basic legal advice for irregular immigrants living in Andalusia and the rest of the Spain. The guide is available in Spanish and French.

Source: [Asociación Pro Derechos de Andalucía](#), 22 March 2011

### **UK / Report on the lives of undocumented migrants in the UK**

The NGO Migrants Resource Centre (MRC) has published a report entitled "Hope Costs Nothing - a report on the lives of undocumented migrants in the UK". Full report at [Migrant Resource Centre](#).

### **BOOK / Deutsche AIDS-Hilfe on Migration and HIV Prevention**

Deutsche AIDS- Hilfe has published the book "Migration und HIV- Prävention", by Peter Wiessner. The publication includes an updated version of the PICUM Discussion paper on undocumented migrants with HIV / AIDS in Europe. [PDF version](#) (in German) .

### **GUIDE / Launch of the Right guide: a tool to assess the human rights impact of anti-trafficking policies**

On 9 December 2010, the Human Rights Impact Resource Centre launched a new Human Rights Impact Assessment (HRIA) tool called "the Right Guide". This tool was developed to assist NGOs to analyse, monitor and measure the impact of anti-trafficking laws and policies.

Source: [Human Rights Impact](#)

### **PICUM ARTICLE / CEPS publication on Stockholm Program**

A new publication by the Center for European Policy Studies (CEPs), "Assessing EU Policy on Irregular Immigration under the Stockholm Programme," examines the relationship between EU policy and the rights of undocumented migrants. The paper includes the article "Access to health care for undocumented migrants" by PICUM Director Michele LeVoy and PICUM Advocacy Officer Kadri Soova.

### **REPORT / Human Rights Watch report on abuses against migrants in 2010**

Human Rights Watch issued a report in December on violations of migrants' rights in 2010 includes coverage of Africa, Asia, Europe, the Middle East, and the United States. Highlighting case studies throughout the world, the report gives violations of migrants' rights, including exploitation, abuse and detention, inadequate health care in detention, discriminatory treatment and trafficking. Full report [here](#).

### **VIDEO/ "Getting out of poverty": 30 videos in 23 languages**

Within the framework of the European Year 2010, a series of 30 videos and brochure in 23 languages under the motto "Getting out of poverty" were produced with the support of the European Commission. The videos highlight examples of initiatives developed throughout Europe to combat poverty and social exclusion in a variety of fields. Videos and brochure can be downloaded [here](#).

## **OTHER NEWS**

### **BELGIUM / SURVEY / Half of undocumented migrants have to survive with barely 145 euro a month**

A recent study conducted by the Belgian Science Policy Office, showed that six out of ten homeless people and nine of ten undocumented migrants survive with less than 450 euro a month in Belgium. Also, 24 percent of the homeless population and 37 percent of undocumented migrants consider their health condition to be bad up to very bad. A lack of rest, loneliness, fear and addiction are the main causes. It has been the first time in Belgium that the life circumstance of this population has been measured in the same way as the rest of the Belgian population. The survey has been launched in 2010 and included 275 homeless people and 170 undocumented migrants. Aspects such as income, employment, living conditions, household constitutions, health and social inclusion have been measured.

Source: [De Morgen](#), 3 March 2011

### **GERMANY / Federal Campaign against discriminatory laws**

The national campaign "Abolish!" denouncing discriminatory laws that apply only to persons who do not have German citizenship started on 22 March 2011 with rallies and other public activities in more than 20 cities. These special regulations affect most severely refugees, asylum seekers and people with a temporary leave to remain in Germany by producing isolation and social disintegration. The aim of the campaign is "to fight the racist legislation that brings about policies of isolation, stigmatization and persecution of refugees". For more information about the campaign, [click here](#).

### **GFMD / Draft concept paper: "Taking Action on Migration and Development - Coherence, Capacity and Cooperation"**

On 3 December 2010, Mexico had handed over the Chairmanship of the Global Forum on Migration and Development (GFMD) to Ambassador Eduard Gnesa, Special Ambassador of Switzerland for International Migration. On 21 January 2011, the new Chair proposed, among the three thematic clusters under which meetings or events would be organised, the theme; "Addressing irregular migration through coherent migration and development strategies".. The concept paper is available [here](#).

Source: [GFMD](#)

### **UN / Call for project grant applications**

The United Nations Voluntary Trust Fund on Contemporary Forms of Slavery has opened application process for 2012 project grants "for programmes of humanitarian, legal and financial assistance to individuals whose human rights have been severely violated as a result of contemporary forms of slavery". The Fund supports projects which highlight the importance of the victims' need for security, education, independence, and reintegration. The deadline for application is 31 May 2011 and the application form can be downloaded [here](#). For further information on the Fund visit the [OHCHR website](#).

### **USA / Evangelical website addresses immigration debate in the US and undocumented migrants**

Undocumented.tv is a website that is targeted towards Evangelical Christians and addresses immigration and undocumented migrants. It challenges many of the topics which typically surround the immigration debate in the US such as paying taxes, learning English, and irregular migration and looks to reach out to church youth in educating them further on the issues surrounding undocumented migrants. The website includes blogs and video's and is very conscious in the usage of the word "undocumented".

Source: [Undocumented.tv](#), 22 March 2011

### **USA / Shooter of 9 year old girl and father convicted by Arizona jury**

On 22 February 2011, in the State of Arizona, a jury sentenced Shawne Forde, the leader of a small vigilante group opposed to irregular immigration, to death. She was on trial for the killing of a father and his 9-year old daughter following a home invasion. Ms Forde was the founder and leader of the Minutemen American Defence group, which often leads protests against irregular immigration and patrolled the Arizona-Mexico border armed with weapons. In May 2009, she, along with two other members of the group, entered the home by posing as

border patrol and immigration enforcement agents. After killing Brisenia Flores and her father, Raul Flores, both American-born U.S. citizens and wounding the mother, Gina Gonzales, they continued to steal money and jewelry from the house. It is expected that the case will be appealed to the Arizona Supreme Court. Her accomplices are to stand trial later this year.

Source: [CNN](#), 23 February 2011; [Reuters](#), 22 February 2011

### **USA / Video game which depicts undocumented migrants trying to cross the border waits approval**

Currently pending release, the mobile application created by Owchemy Labs involves navigating a rickety truck full of immigrants across what is purportedly the Mexican-American border. It is titled "Smuggle Truck: Operation Immigration". The more immigrants you transport alive, the higher your score, and crossing the border gives each saved immigrant a green card. The makers of the programme insist that the game was created with only sympathy toward immigrants in mind and was inspired by the frustration that friends experienced in trying to immigrate to the US.

Source: [Time-CNN](#), 8 February 2011; [Fox 35](#), 12 February 2011

### **USA / SURVEY / Respondents in polls favour citizenship for children born in the US of undocumented migrants and say enforce immigration laws**

In a recent poll from the Pew Research Center for the People & the Press, nearly 57% of respondents in the U.S. oppose changing the constitution to not allow the children of undocumented migrants to become citizens. Of the 1,385 persons polled, 42% say the priority should be to tighten border security and more strictly enforce immigration laws but at the same time create a way for people undocumented to become citizens if they meet certain conditions. Somewhat fewer (35%) prioritize better border security and stronger enforcement, while 21% say the priority should be to find a way for undocumented persons to become citizens. At the same time, the public remains supportive of Arizona's controversial immigration law with roughly six-in-ten (61%) approving of the law. Another poll from Rasmussen Reports, which surveyed 1,000 likely voters in the US, found that about two thirds of respondents said the US should enforce existing immigration laws instead of passing new ones. 67% of those surveyed by Rasmussen Reports said new laws are not needed, while 24 % said they are. As well, 67% said states should be able to pass their own laws if they feel the federal government is not doing enough to control immigration.

Source: [United Press International](#), 23 February 2011; [Rasmussen Reports](#), 22 February 2011; [Pew Research Centre](#), 24 February 2011

## **EXTERNAL REPRESENTATION**

Between 1 January and 31 March 2011, PICUM co-organized a number of events and its staff, board members and members participated as speakers and/or active contributors in several key events and strategic meetings:

- **Meeting of the Child Rights Action Group (CRAG), 17 January 2011**, Brussels. PICUM Advocacy Officer Kadri Soova participated in this strategy meeting to discuss joint advocacy activities regarding the EU Child Rights Agenda.
- **EAPN (European Anti-Poverty Network) European Organisations Strategy Meeting**, 25 January 2011. PICUM Advocacy Officer Kadri Soova participated in the meeting to discuss collaboration between European networks.
- **"The Next Phase of EU Labour Immigration Policy: Enhancing Policy Coherence and Advancing a Rights-Based Approach"**, Working Session within the Brussels Think Tank Dialogue 2011 "Europe 3.0:

Building a Viable Union,” 25 January 2011, Brussels. PICUM Advocacy Officer Kadri Soova and Director Michele LeVoy attended this working session which was organized by the Center for European Policy Studies (CEPS) and the Bertelsmann Stiftung.

- **Meeting of the advisory group for the European Trade Union Confederation (ETUC) project entitled “What Price Are the Tomatoes?!”,** 27 January 2011, Brussels. PICUM Director Michele LeVoy attended the meeting to plan for round table discussions on trade union actions in Europe on undocumented migrant workers.
- **International Catholic Migration Commission (ICMC) DRIVE Project – Reference Group Meeting,** 11 February, 2011, Brussels, Belgium. PICUM Director Michele LeVoy attended the meeting of the project “Transnational NGO Cooperation in Differentiation, Refugee Identification and Vulnerability Evaluation for Referral” (DRIVE). The objective of the project is to analyse current practices and make recommendations for better identification, protection and referral of boat people arriving in Italy, Malta, Greece and Spain.
- **Meeting with UN High Commissioner for Human Rights, Navi Pillay,** 23 February 2011, Brussels, Belgium. PICUM Director Michele LeVoy attended this meeting which the OHCHR Regional Office for Europe organized between the High Commissioner and heads of Brussels-based human rights NGOs.
- **Workshop in advance of the 2012 UNESCO-MOST Conference Labour Rights as Human Rights? Migration, Labour Market Restructuring, and the Role of Civil Society in Global Governance,** 23 February 2011, Norrköping, Sweden. PICUM Board member George Joseph gave input into the discussions at this workshop, which was organized by REMESO, Linköping University in collaboration with the International Network on Migration and Development (INMD).
- **Second meeting of exchange between European civil society networks on migration and development,** 28 February 2011, Brussels. PICUM Director Michele LeVoy and Advocacy Officer Kadri Soova attended this meeting which was organized by EUNOMAD.
- On 1 March 2011, PICUM Advocacy Officer Kadri Soova attended the **NGO Platform Meeting**, an informal grouping of Brussels based civil society and intra-governmental organisations working on migration and asylum in the EU.
- PICUM Advocacy Officer Kadri Soova gave a **lecture on irregular migration, with particular focus on health care, for students attending a European migration seminar at the College of Europe, Bruges,** Belgium, on 1 March 2011.
- **Kick-off meeting of projects co-funded under the Daphne III Program, Transnational Projects 2009-2010,** 1 March 2011, Brussels. PICUM Director Michele LeVoy and Financial Officer Paul Geeraerts attended this meeting which was organized by DG Justice. PICUM has a new project under this program line, on advocacy strategies for undocumented children and their families.
- **Engaging the Media to foster Integration: Good practices from NGOs & Regional Authorities,** 2 March 2011, Communications Coordinator Nicola Flamigni and Communications Assistant Alexandrine Pirlot de Corbion attended this seminar organized by the ERLAI Network in collaboration with EPIM.
- **European Trade Union Confederation (ETUC) Round Table “What price the tomatoes?!”,** 2-3 March 2011, Brussels. PICUM Director Michele LeVoy and Programme Officer Devin Cahill attended the two day meeting which brought together trade unions and addressed the issues faced by undocumented migrants. Michele LeVoy served as a chair for a panel discussing the economic and social background of undocumented migrants and gave input on a panel on how to improve their fundamental human and social rights. In addition, Michele LeVoy served on the advisory committee for the planning for the event.



- **Meeting with María José Alcalá, UN Women Senior Advisor on Ending Violence Against Women**, 8 March 2011, Brussels. PICUM Director Michele LeVoy attended this meeting with other European NGOs on women's rights, organized by the Brussels office of UN Women. The meeting aimed at looking into existing and future strategies, sharing experiences and devising possible areas for collaboration in the area of ending violence against women globally and in Europe.
- **COMP.ACT Steering Committee Meeting**, 11 March, Amsterdam, the Netherlands. PICUM Programme Officer Eve Geddie represented PICUM at the fourth meeting of the COMP.ACT project. Coordinated by La Strada International, the project aims to increase access to compensation for survivors of trafficking in Europe.
- **Hearing on "Undocumented migrant children in an irregular situation: a real cause for concern," organized by the PACE Committee on Migration, Refugees and Population, Council of Europe**, 15 March 2011, Brussels, Belgium. PICUM Director Michele LeVoy gave the keynote opening address at this seminar, highlighting current concerns on undocumented children in Europe. PICUM also worked with the committee to propose speakers from NGOs and health professionals to give input in the panel discussions on guaranteeing education, health care and housing for undocumented children. The PACE Committee report on this issue is forthcoming.
- PICUM Director Michele LeVoy and Advocacy Officer Kadri Soova **co-organised and PICUM Director chaired an advocacy meeting on 22 March 2011 between MEPs Claude Moraes and Sergio Cofferati and representatives of civil society organisations** to discuss the joint civil society position and future actions concerning the "seasonal workers' directive".
- **"Beyond Irregularity: Towards a sustainable approach to dealing with irregular migration from Sub-Saharan Africa to Europe," Planning and Methodology meeting**, 24 March 2011, London, UK. PICUM Director Michele LeVoy attended this meeting, which was organized by IPPR, the Institute for Public Policy Research, which is coordinating this EU project. The project will run from 2011-2013 and as one of the project partners, PICUM will be responsible for developing workshops on advocacy strategies with civil society organizations in Morocco and Nigeria.
- **Steering Group meeting of the EUNOMAD Network Contact Group on Migration and Development**, 28 March 2011, Brussels. PICUM Director Michele LeVoy attended the first meeting of the Steering Group, which aimed to agree on the mission, objectives and mandate of the contact group and on a method of work and action plan.
- The Jesuit Refugee Service Europe (JRS Europe) held a **conference entitled "The Invisible Borders: Migrant Destitution in Europe"** on 29 March 2011 in Brussels. Director Michele LeVoy, Programme Officer Devin Cahill and Project Officer Lilana Keith participated in the meeting which included participants from around Europe that worked with vulnerable migrants living in destitution. The event addressed migrants' lack of access to basic social rights, suggested practices that promoted their rights and workshops which further addressed health care, fair working conditions, housing and education.

## MEDIA REPRESENTATION

- PICUM Board Member Edel McGinley was quoted in the Irish Times for the article "Legalising labour could yield 11 million", [7 January 2011](#), and for the article "Claim Migrants not getting PPS number", [10 January 2011](#)

- PICUM Board Member Frank Duvell was quoted in Bloomberg Business Week for the article “Greek Burdens Mount as Illegal Immigrants Use Back Door to EU”, [5 January 2011](#)
- PICUM Director, Michele LeVoy was quoted on the issue of undocumented children in Europe at a hearing of the Committee on Migration, Refugees and Population which took place at the Council of Europe in Brussels on Wednesday, [15 March 2011](#) which amongst other issues discussed the situation of undocumented children.

## ARTICLE

### **PICUM article in CEPS publication on Stockholm Program**

A new publication by the Center for European Policy Studies (CEPs), “Assessing EU Policy on Irregular Immigration under the Stockholm Programme,” examines the relationship between EU policy and the rights of undocumented migrants. The status and treatment granted to undocumented migrants continues to be ‘invisible’ in EU policy strategies and responses. This is so despite the wide recognition and evidence of the vulnerability and insecurities these persons face in their access to fundamental rights. This collection of papers aims at moving the debate forward by substantiating findings with the experiences and knowledge of a selected group of EU umbrella (civil society) organisations and practitioners representing key institutions in Europe on fundamental human rights. The paper includes the article “Access to health care for undocumented migrants” by PICUM Director Michele LeVoy and PICUM Advocacy Officer Kadri Soova.

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