



PLATFORM FOR INTERNATIONAL COOPERATION ON UNDOCUMENTED MIGRANTS

PICUM Newsletter June 2007

Finalized on 6 June 2007

This newsletter focuses on news items and policy developments concerning the basic social rights of undocumented migrants in Europe. It is currently available in Word format and on the PICUM website (www.picum.org) in the following languages: English, German, Dutch, Spanish, French, Italian and Portuguese. You are invited to distribute this newsletter widely.

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**Please note that there will be no edition of the PICUM newsletter in July 2007.
The next edition of this newsletter will be in August 2007.**

1. Death at the Border

- *Guerre aux Migrants* (War Against Migrants) is a revised version of *Livre noir de Ceuta & Melilla* (Black Book on Ceuta & Melilla), edited by Emmanuel Blanchard and Anne-Sophie Wender, and published by Migreurop. The book uncovers the stories of the migrants who tried to gain access to

Spanish territory in Ceuta and Melilla in autumn 2005 and who were prevented from doing so by Spanish and Moroccan authorities and police. The book explains how these events are a consequence of EU politics and points out how international human rights standards have been violated in this war against migrants. http://www.syllepse.net/Ing_FR_srub_25_iprod_352-Guerre-aux-migrants.html

- The Senegalese government decided to allow a group of 87 undocumented migrants to disembark on its territory on 25 April 2007 in the face of the persistent refusal of Mauritania to offer any assistance whatsoever. A Spanish fisher boat had spotted the migrants in distress three days earlier. The Mauritanian authorities were asked for help because the vessel in danger of sinking was only 50 nautical miles from their coast. On board the vessel were 89 migrants, two of whom were already dead. According to survivors, ten others had already died during the journey and their bodies had been thrown overboard. Source: *Migration News Sheet*, May 2007, p.8
- A 15-year-old girl drowned and two others, a one-year-old infant and a man, were reported missing after human traffickers threw a group of Kurdish migrants into the sea close to the southern Aegean island of Leros, on 27 April 2007. Nine people, including seven men and two women, were rescued by local boats and taken to a health center on Leros for observation. (*Egnatia Thessalonikis, Kathimerini*, 28 April)
- Among the passengers aboard a boat that landed on the Canary Islands on 28 April 2007, three were dead. Source: El Pais, www.fortresseurope.blogspot.com
- A migrant died on 30 April 2007 in Las Palmas Insular hospital, where he had been hospitalised in critical conditions of hypothermia and dehydration after being rescued the day before 60 miles off Gran Canaria. Source: El Pais, www.fortresseurope.blogspot.com
- More than 75 undocumented Haitians whose boat capsized in the Caribbean Sea were found dead on 4 May 2007 by the police off the Turks and Caicos Islands north of Miami, USA. 78 more survived. Source: Canarias 7 and <http://communisme.wordpress.com/2007/05/13/refugies-haitiens-tues-dans-des-eaux-infestees-de-requins/>
- Seven Algerian men who were found drifting in a boat without food or water off the Balearic Islands (Spain) were taken on board by a P&O ferry, as reported on 7 May 2007. One man died after being taken to hospital in Spain, while the other men were brought to the UK. <http://www.theherald.co.uk/news/other/display.var.1380350.0.0.php>
- A Moroccan migrant was found died on 7 May 2007 close to the Sicilian coast, after a crossing with three of his fellow-countrymen on a rubber dinghy. The Italian Interior vice Minister Marcella Lucidi offered her condolences for this "umpteenth victim of the crossings of hope ". According to the press agency Ansa three of the four Moroccans were discovered by the rescuers hanging onto the ship while the fourth was found dead on board. <http://www.yabiladi.com/article-societe-1856.html>
- 13 people drowned on 11 May 2007 after their dinghy sank off Nador, sailing toward Spain. Source: Le Journal, www.fortresseurope.blogspot.com
- A boat was rescued off Lampedusa (Italy) on 20 May 2007, and survivors said that two people had died during the journey and their bodies had been thrown in the sea. Source: Ansa, www.fortresseurope.blogspot.com

- A man was reported to be missing after a boat capsized 70 miles south of Malta on 21 May 2007. Source: Ansa, www.fortresseurope.blogspot.com
- The Senegalese police in the northern coast of Lompoul (about 190 km from Dakar) rescued a boat on 23 May 2007 in which there were three deceased and two survivors trying to reach the Canary Islands. <http://medios.mugak.eu/noticias/noticia/99845>
- On 01 June 2007, the French Navy ship "La Motte Picquet" found 21 bodies of drowned migrants south of Malta. Source: Repubblica, www.fortresseurope.blogspot.com
- Many NGOs involved in issues surrounding migrants, refugees and asylum seekers will organise activities throughout Europe on 20 June 2007 to raise public awareness and to lobby on the local and national levels for the rights and the protection of refugees across the continent. This is part of a campaign to denounce the "fatal realities of "Fortress Europe." <http://www.unitedagainstracism.org>
- On the occasion of World Refugee Day on 20 June 2007, Jesuit Refugee Services (JRS) calls on governments to reflect on the loss of life and act to place human life above tight border security. While governments have a right to manage their borders, this right is not absolute. They also have obligations to protect those fleeing persecution and serious human rights abuses, and do all in their power to prevent unnecessary loss of life. To remember those who died and never reached Europe alive, JRS, in cooperation with the Belgian organization Kerkwerk Multicultureel Samenleven, will hold an inter-religious prayer vigil in Brussels on 15 June. Contact: press.europe@mail07.jrs.net
- *Mamadou s'en va mourir* (Mamadou Is Going to Die) is a book by the Italian journalist Gabriele Del Grande on the thousands of undocumented migrants who die in the Mediterranean sea and the Atlantic ocean. After three months of research on the routes of irregular migration at Sahel and North Africa he reports on the ordeal of these migrants who are heckled by human smugglers and police. http://www.rfi.fr/actufr/articles/089/article_51935.asp

2. News from EU Member States + Switzerland + U.S.A.

General

- On International Women's Day on 8 March 2008, La Strada International will launch a (media) campaign on women's rights in the countries where La Strada is represented. The campaign aims to raise awareness about the lack/violation of women's rights and the unequal social and economic position of women in Central and Eastern Europe as the main root causes of trafficking in women. Although in nearly every debate and (international) treaty, measure or programme, addressing trafficking in human beings social, economic and cultural root causes are mentioned, very little attention is paid to the gender aspect and very little is been undertaken to address these root causes. Contact: mvd@lastradainternational.org

UN

- The U.N. Special Rapporteur on the Human Rights of Migrants, Jorge Bustamante said on 9 May 2007 that he was shocked by violations against immigrants in many parts of the country. "The violations of human rights in the U.S. are quite rampant on the part of government officials and by parts of American society that are going very anti-immigrant," said the Special Rapporteur. Bustamante's three-week fact-finding mission represents the first time the U.N. has sent an official to specifically study the U.S. government's treatment of the millions of immigrants, legal and

undocumented, who live within its borders. www.miamiherald.com/460/story/101812.html and <http://www.december18.net/web/papers/view.php?paperID=5236&menuID=41&lang=EN>

France

- The European Court of Human Rights condemned France on 26 April 2007 for violating Art. 13 of the European Convention on Human Rights (right to an effective remedy) in conjunction with Art. 3 because the appeals procedure on an asylum decision applied for at the border does not have an automatic suspensive effect. http://www.mouvement-egalite.org/breve.php?id_breve=86; <http://www.anafe.org/doc/communiqués/com-75.html>;
- On 22 May 2007, in conjunction with France's condemnation by the European Court of Human Rights (see above), several French NGOs (ACAT France, ADDE, Amnesty International, ANAFÉ, CIMADE, GISTI, LDH, MRAP, SAF, Syndicat de la Magistrature) issued an open letter to the Immigration Minister, demanding that the state immediately stops to deport people before there has not been a well founded court decision on their case and that that legislation is changed in order to assure proper appeal regulations with suspensive effect on deportations. http://www.gisti.org/IMG/pdf/lettre-ouverte-mi_2007-05-22.pdf

UK

- More than 8,000 people (both documented and undocumented) took part in a rally on 7 May 2007 in London for the Strangers into Citizens Campaign (see *PICUM newsletter March 2007*) calling for the regularisation of undocumented migrants. See: www.ncadc.org.uk. 79 British Members of Parliament are supporting the campaign and also call for a regularisation of undocumented migrants. <http://politics.guardian.co.uk/person/browse/mps/az/0,9379,-272,00.html>
- The British Court of Appeals ruled against the Home Secretary on 23 May 2007 by upholding the right of non-European nationals, who are in genuine relationships, to marry in the UK irrespective of their immigration status. Under rules introduced in 2005, non-European nationals with limited leave to remain had to show they had a fiancé visa, or Home Office permission to marry, before being married in a legally recognised ceremony in the UK. <http://www.irr.org.uk/2007/may/ks000020.html>, <http://politics.guardian.co.uk/homeaffairs/story/0,,2086374,00>
- Talks between the Home Office and the industry began on 15 May 2007 on the implementation of tough new legislation designed to crackdown on undocumented work. The new rules will see employers face a prison sentence and/or an unlimited fine if found knowingly employing undocumented workers. Civil penalties will also be levied on companies which have been negligent in carrying out checks on workers. The new measures, which will take effect early 2008, are part of the Home Office's Illegal Working Action Plan, co-ordinated through the new Border and Immigration Agency (BIA). Source: Home Office Border and Immigration Authority, <http://www.ind.homeoffice.gov.uk/aboutus/newsarchive/rougeemployers>
- In April 2007, Kalayaan, an organisation providing support for migrant domestic workers in the UK, published a briefing on "Migrant Domestic Workers and Trafficking" and a response to the government's proposal for migrant domestic workers. <http://www.kalayaan.org.uk/>
- Medical Justice (a network of asylum detainees, doctors, other experts and supporters) has negotiated several agreements and policy changes with the Home Office advocating for the welfare and rights of immigration detainees. These negotiated agreements, which - if honoured – will,

according to Medical Justice, improve the health and humanitarian care of detainees.

<http://www.medicaljustice.org.uk/briefings/EnforcingAgreements.htm>

Belgium

- CRER, the Coordination Against Raids, Expulsions and for Regularisation, reported on 21 May 2007 that a “hunt on undocumented migrants” that has been taking place in Brussels in recent weeks, and that the increased repression, controls (in public transport, public places and at the homes of undocumented migrants) and raids serve the purpose to deport as many undocumented migrants as possible before a possible regularisation campaign that may take place after the Belgian general elections on 10 June 2007 and thus diminish the number of people who might profit from such a regularisation. http://www.cncd.be/pages/actu_age_det.cfm?agenda_id=1580
- A demonstration calling for the regularisation undocumented migrants in Belgium is planned for 17 June in Brussels. Organised by Asylum and Migration Forum, UDEP, the trade unions ACV-CSC and ABVV-FGTB, the demonstration will highlight the need for a just and transparent regularisation procedure for many people who are part of Belgian society despite having no legal or administrative presence. Source: ECRE Weekly Update 31th May, http://www.ecre.org/resources/weekly_updates_list
- The NGO Abraço will hold open debate (in French and Portuguese, specifically targeted at Brazilian undocumented migrants) on the rights of undocumented workers on 24 June 2007 in Brussels. Various topics such as working rights for workers in an irregular situation and problems with the employer will be discussed. Contact: info@abraco-asbl.be
- On 1 July 2007, the new laws on access to Belgian territory and on the Council of Litigation of Foreigners, according to European regulations, will be entering into force. They entail modification to regulations concerning entry, stay, settling and deportation of foreign nationals, and will also reform the Council of State and create a new administrative jurisdiction: the Council of Litigation of Foreigners (Conseil du Contentieux des étrangers). The NGO ADDE (Association for Foreigners' Rights) will hold a training session on the fundamental changes to the law, on 8 June 2007 in Brussels. <http://www.hrj.be/doc/2007-023-218-F.pdf>

Netherlands

- Asylum seekers who gave incorrect information about their identity or background in their asylum application will be admitted to the general amnesty (*see PICUM Newsletter May 2007*). In their coalition accord, the Christian Democrats (CDA), Labour (PvdA) and small Christian party ChristenUnie agreed earlier that there would be a one-time amnesty for asylum seekers whose applications have been rejected and who applied for asylum before 1 April 2001 and have since remained in the Netherlands. Source: ECRE Weekly Update 28 May; see also: http://www.nisnews.nl/public/280407_1.htm

Finland

- The daily “Helsingin Sanomat” reported on 12 April 2007 that the Immigration Directorate had granted for the first time since the amendment of the Aliens Act in August 2006, which now provides for such measures, a residence permit of unlimited duration to a victim of human trafficking. Tutta Tuomainen, head of the Immigration Unit at the Directorate, pointed out that a residence permit could be granted even if the victim's testimony did not result in a conviction. Source: Migration News Sheet, May 2007, p.7

Switzerland

- Caritas Switzerland released a position paper on 15 May 2007 entitled "Où en est la politique migratoire de la Suisse?" (What is the status of Swiss migration policy?) In this paper, Caritas Switzerland demands basic rights for undocumented migrants, as well as a regularisation of those who have been living in Switzerland for several years.
http://web.caritas.ch/page2.php?pid=1100&fv_100_feature_id=780&fv_100_freecontentcategory_id=802&fv_100_freecontententry_id=9107

USA

- A bipartisan group of U.S. senators reached agreement on 17 May 2007 on an immigration reform bill that would legalize million of illegal immigrants and establish a merit-based system for future migrants. <http://www.alertnet.org/thenews/newsdesk/WAT007517.htm>
- A New Bedford, Connecticut, textile factory owner who has been charged with hiring undocumented migrants was accused on 15 May 2007 of cheating those workers out of hundreds of thousands of dollars in wages over the last three years. Five former employees and one current employee of Michael Bianco Inc., filed a lawsuit in federal district court in Boston, charging the company with setting up a fake corporation, Front Line Defense Inc., to avoid paying time-and-a-half wages for overtime shifts.
http://www.boston.com/news/local/articles/2007/05/16/workers_sue_over_pay_at_new_bedford_pla nt/
- Voters in a suburb of Dallas, Texas overwhelmingly approved a measure on 13 May 2007 banning landlords from renting to most undocumented migrants. More than 90 local governments nationwide have proposed similar measures, but the suburb of Farmers Branch was the first to put the issue to a vote. The Texas regulation, approved by the city council in November 2006, requires apartment managers to verify that renters are U.S. citizens or legal immigrants before leasing to them. Minors and people 62 and older are exempt. Families of both citizens and undocumented immigrants could lease under certain conditions. Opponents have announced plans to seek a restraining order to block the ban's enforcement while they challenge it in court.
<http://www.suntimes.com/news/nation/383750,CST-NWS-imm13.article>

3. European Policy Developments

General

- At a meeting on 11-12 May in Venice, the interior ministers of Germany, France, Spain the United Kingdom, Italy and Poland agreed on a common campaign against irregular immigration, drugs and terrorism. The meeting was presented as an informal dialogue to prepare EU legislation in areas of common interest to secure freedom, security and justice in the European Union. The G6 agreed that better management of legal migration is essential if irregular immigration and the criminal networks which benefit from it are to be effectively addressed. The ministers reiterated the importance of information sharing, improving coordination and mutual support in controlling migration at the European and national levels. A comprehensive common approach of dialogue and cooperation with countries of origin and transit is to be encouraged and developed. The tension between the need to protect national security and the need to protect the human rights of those seen to pose a threat was highlighted as a difficulty facing states in implementing an effective expulsion policy. <http://www.statewatch.org/news/2007/may/05venice-g7-may-2007.htm>

- The 8th Ministerial Meeting of the EU Troika and the African Union took place in Brussels on 15 May 2007. The outcomes of the Africa-EU Conference on Migration and Development, held in Tripoli on 22-23 November 2006 were welcomed and the EU and AU reaffirmed their commitment to the outline agenda. Ministers called on the AU and European Commissions to develop an implementation roadmap for the joint declaration, to be adopted at their next Troika meeting. http://www.eu2007.de/en/News/Press_Releases/May/0516AAEUTroika.html

European Commission

- The EU's border control agency Frontex and EU member states launched the EU's first joint sea border monitoring system, the European Border Patrols Network (EBPN), on 24 May 2007. The EBPN consists of a network of sea patrols which will intercept migrants attempting to enter the EU irregularly via the Mediterranean and the south western Atlantic coast of the EU. The objective of this network is to curb irregular immigration through "cost effective" operational coordination between national authorities responsible for preventing irregular entry along the EU's southern maritime borders. The operational activities launched on 24 May constitute the first phase of the creation of permanent operational cooperation; after evaluation of this first phase in early July, the second phase of the European Border Patrol Network will see the elaboration of a flexible burden-sharing structure which can easily adapt to the changing needs of member states. <http://www.ecre.org/files/ECRAN%20Weekly%20Update%2031st%20May.pdf>
- Vice-President Frattini presented the Second Edition of the *Handbook on Integration* at the informal meeting of EU ministers responsible for integration in Potsdam, Germany, on 10 May 2007. By collecting and presenting concrete examples from different areas of immigrant integration, the handbook feeds into a larger policy process in the field of integration in the EU, notably the development of the European framework on integration. <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/650&format=HTML&aged=0&language=EN&guiLanguage=en>
- Two communications adopted by the Commission on 16 May 2007 focused on the external dimension of migration. "Applying the Global Approach to Migration to the Eastern and South-Eastern Regions Neighbouring the European Union" extends the geographical reach of the European Council's Global Approach to Migration. The Global Approach brings together migration policy, external relations and development policy to address the migration agenda in partnership with third countries. The Communication proposes that Turkey, the Western Balkans and European Neighbourhood Policy partners in the East and Middle East be included in the Global Approach, in addition to the countries in Africa and the Mediterranean region already involved. The focus of the communication is on facilitating labour migration to maximize economic growth and stability in the regions, and on maximizing the benefit to the economies of EU member countries. A second communication suggests opening up opportunities for legal migration, particularly for skilled workers. Proposals include measures to facilitate circular migration, which would enable workers to come to Europe for limited periods of time. The Commission hopes that such "circular migration" would encourage countries from Africa and Eastern Europe to cooperate in arrangements to take back irregular migrants. <http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/678&format=HTML&aged=0&language=EN&guiLanguage=en> and http://www.ecre.org/topics/intro_to_topics
- On 16 May the European Commission presented a draft directive under which employers of undocumented workers will be sanctioned. The directive introduces penalties for employers who fail to undertake specified checks or notify a competent national authority when recruiting third country nationals. These penalties include fines and administrative procedures, which would see companies

excluded from public funds and contracts, or subject to closure. Member states will also have to ensure that undocumented workers can lodge complaints against employers and that they will not be deported until unpaid wages, taxes and social security contributions have been received. States would also have to implement criminal penalties in cases of repeated infringements, employment of a significant number of undocumented migrants, particularly exploitative working conditions or if an employer knowingly employs a victim of human trafficking. The directive specifies that governments must carry out checks for undocumented workers on at least 10% of companies, and that they must report back to the Commission every three years detailing how the law is being implemented.

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/678&format=HTML&aged=0&language=EN&guiLanguage=en>

- The Commission plans to present in September 2007 two legislative proposals (draft directives) on legal migration and a report on integration. The legislative proposals deliver the first phase of implementation of the Policy Plan on Legal Migration: a directive on conditions of admission to the EU for high-skilled workers and a directive on the rights of legal immigrants in employment. These proposals will respectively aim at rendering the EU attractive for an increasingly needed category of workers and at ensuring that all third-country workers enjoy a comparable level of rights throughout the EU, before they meet the conditions for EC long-term residence status. The Third Annual Report on Migration and Integration which provides an overview of integration policies and measures in the EU will be part of the package that will be presented in September.
<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/07/188&format=HTML&aged=0&language=EN&guiLanguage=en>
- In light of the catastrophic incidents in the Mediterranean in early June, the Spokesman for the EU Commissioner for Justice and Home Affairs conceded that EU policies to counter illegal migration were not having the desired effect. Frisco Roscam Abbing called on member states to pull together to prevent inhumane treatment and loss of life of individuals attempting to enter the EU irregularly. "Cooperation isn't working," he said on Tuesday 29 May, "We call on EU member states to do a better job of sharing the burden to avoid humanitarian tragedies." Mr Roscam Abbing also pointed to the moral and legal responsibility of ship captains to save lives. The EU is to investigate the case in which 27 people were left clinging to a tuna net for days after being shipwrecked and other boats refused to take them on board. Reports that migrants have been left abandoned at sea, despite having been seen by EU vessels, and that vessels bearing migrants are refused entry to EU ports, will also be investigated.
<http://www.ecre.org/files/ECRAN%20Weekly%20Update%2031st%20May.pdf>

European Parliament

- The European Parliament adopted on 25 May a report on promoting decent work for all and called for swift action to ensure the European Commission implements its recommendations. The report calls for, amongst other things: the inclusion of the decent work agenda in the EU's multilateral and bilateral negotiating mandates arising from the "Global Europe" strategy; the inclusion of decent work in development strategies through its inclusion in Poverty Reduction Strategy Papers and negotiations of Economic Partnership Agreements and the penalisation of governments which do not fully implement the ILO's core labour standards under the EU's Generalised System of Preferences. Harlem Desir, Socialist MEP who acted as the shadow rapporteur welcomed the report's adoption. Source: ITUC on Line 094/240507 and
<http://www.euractiv.com/en/socialeurope/eu-promote-decent-work-meps/article-163962>

European Council

- Portugal's Foreign Minister Luís Amado outlined the priorities of the next Council Presidency in a speech held in Brussels on 15 May. Portugal will preside over the EU Council for six months from 1 July 2007. Main issues on the agenda will be "adapting to new security threats after 9/11" and to strengthen the EU's role internationally. Portuguese Prime Minister José Sócrates stated that Europe's southern flank now needed shoring up, and more co-operation was needed on issues such as migration, energy, development and human rights in the Mediterranean region. The first EU-Africa summit in years will be presided over by Portugal. Sources: <http://www.euractiv.com/en/constitution/portuguese-foreign-minister-outlines-presidency-priorities/article-163822> and <http://www.iht.com/articles/ap/2007/05/15/europe/EU-GEN-EU-Portugals-Problems.php> and http://www.ecre.org/topics/intro_to_topics
- The interior ministers of the current and upcoming European presidencies answered the call of German interior minister Wolfgang Schäuble to form a high-level consultative group on the future of European home affairs policy. The newly established 'Future Group' met on 20-21 May 2007 in Eltville, Germany for the first time. It consists of Commissioner Franco Frattini, the six interior ministers of the current and upcoming "trio presidencies", (Germany, Portugal and Slovenia, and France, the Czech Republic and Sweden) a representative of the subsequent "trio presidency" (Spain, Belgium or Hungary), and experts from individual member states. Its purpose is to produce a report with recommendations on European home affairs policy starting in 2010, after The Hague Programme ends. This report will be presented to the Commission and will provide the basis for a proposed programme to come into force after 2010. The aims of the new programme will be to improve existing legal instruments and to increase the Council's efficiency. The discussions of the Group's first meeting in Germany focused on the future of FRONTEX and border police cooperation with third countries. The set up of a joint European police force at the borders was explicitly discussed as a long-term prospect. With regard to the common management of borders, thoughts on setting up a Schengen area entry-exit system and an Electronic Travel Authority (ETA) were elaborated. Source: <http://www.ecre.org/files/ECRAN%20Weekly%20Update%2031st%20May.pdf>

Committee Of The Regions

- Ian Micallef, the head of the Maltese European People's Party (EPP) delegation at the Committee of the Regions (CoR), is to lead the committee's debate on the EU's fight against illegal immigration. A formal opinion of the CoR on the commission's current initiatives is expected by October. Dr Micallef advocates the participation of local and regional authorities in the cooperation platforms proposed by the European Commission. These platforms will facilitate cooperation between African countries, EU member states and international organisations in an effort to manage migration more effectively. http://www.ecre.org/topics/intro_to_topics
- According to a report adopted in October 2006 by the plenary session of the Committee of the regions of the European Union, entitled "The situation of the unaccompanied children - The role and proposals of local and regional authorities," the European Union must develop a bigger conscience on the question of the unaccompanied children. "The protection of unaccompanied children, considering their biggest vulnerability and the risk of social exclusion, must constitute a preference for the European Union."
<http://www.cor.europa.eu/cms/pages/documents/const/en/Avis/CdR%20136-2006.pdf>

Council of Europe

- The Council of Europe Convention on Action against Trafficking in Human Beings celebrates its second anniversary on 3 May 2007. Three ratifications are still missing for the Convention to enter into force, and NGOs throughout Europe are urging their governments to ratify the convention. In addition to this initiative, six international umbrella organisations (including PICUM) have addressed the President of the European Commission, José Manuel Durão Barroso, asking for his support to catalyse the rapid enactment of the convention by its member states and to take the necessary steps towards its ratification in order for the European Commission to become party to this convention.
http://www.lastradainternational.org/?main=newsletter§ion=newsfacts&news_id=221

4. Undocumented Children

- To mark the 15th anniversary of the ratification of the UN Children's Rights Convention, the German organisation PRO ASYL issued a press release on 4 April 2007 pointing at the permanent violations of the rights of refugee children in Germany and demanding Chancellor Merkel to commit herself to the reversal of German reservations against this convention. However, the current draft for the conversion of EU regulations into German national law is providing for a worsening of the legal situation, e.g. having under-age refugees carry the burden of proof for the verification of their age themselves.
http://www.proasyl.de/fileadmin/proasyl/fm_redakteure/Newsletter_Anhaenge/123/April_4.dot
- Belgian Regional Member of Parliament Ludo Sannen announced on 1 April 2007 that the Belgian Minister of the Interior, Patrick Dewael, had reached an agreement with the regional government of Flanders to suspend the expulsion of children attending school between the Easter holidays and the end of the current academic year. Under the terms of the agreement, children whose parents are under an expulsion order, who regularly attend school, must be given the opportunity to complete the school year, take their exams and receive a transcript of their achievements or a diploma. Moreover, children will not be apprehended at the school gates or inside classrooms. Migration News Sheet, May 2007, p.10
- Annette Brooke, British Member of Parliament, urged on the UK government on 25 April 2007 to withdraw its reservation on the UN Convention on the Rights of the Child for children subject to immigration control, arguing that it is contrary to the UK's signing of the Council of Europe Convention on Action against Trafficking in Human Beings.
<http://edmi.parliament.uk/EDMi/EDMDetails.aspx?EDMID=33130&SESSION=885>
- The Greek National Committee for Human Rights appeals for extended protection for all separated children irrespective of their status. The Committee says that the existing legal framework is insufficient and problematic and that co-ordination and co-operation among all agencies is necessary in order to secure protection for all alien children without discrimination. The Committee also stresses that separated children should be recognized as a "special vulnerable group", who should enjoy special protection status in the host country. (*Kerdos, 29 April*)
- On 16 May 2007, the Tribunal of Justice of Madrid condemned the local authority and the national government of Spain for the expulsion of a "defenseless" minor and with a residence permit. For the first time in Spain, a top court has ruled against the expulsion of a child and condemned the national government and the local authority to pay the costs of a process that started in June 2005, when the child was expelled to his country. <http://medios.mugak.eu/noticias/noticia/98817>

- The U.S. government blocked the visit of UN Special Rapporteur on the Human Rights of Migrants, Jorge Bustamante, from visiting the Hutto immigration facility in Texas, USA, where up to 400 immigrants are being held, including children and asylum seekers (see "UN" in this newsletter). Earlier this year, the American Civil Liberties Union filed a federal lawsuit on behalf of 12 children detained at the Hutto facility, charging that the children were subject to inhumane treatment. <http://www.democracynow.org/article.pl?sid=07/05/07/1411201>
- The Brussels Youth Rights Service held a training session on 30 May on the issue of families with a precarious residence status in Belgium. The issues of regularization, detention and social security benefits were discussed during the training session. http://www.sdj.be/fr/300_droits_des_jeunes.php#link_32
- The report from the "Focus on Children in Migration" conference that took place in Warsaw, Poland, 20-21 March 2007, is now available on Separated Children in Europe Program website at: http://www.separated-children-europe-programme.org/separated_children/publications/reports/index.html
- The French Education Without Borders Network (RESF) decided in its national assembly on 12 May that it will hold a series of events throughout France from 13-30 June to support and promote an initiative entitled "Let them grow up here" - a nationwide petition for the regularization of undocumented children and their families. (See *PICUM Newsletter April 2007*) <http://www.educationsansfrontieres.org/spip.php?article6091>
- The British Association of Social Workers has said that social workers who feel that the removal of unaccompanied asylum seeking children from care by immigration officials is unethical should refuse to co-operate. <http://www.communitycare.co.uk/Articles/2007/05/08/104406/social-workers-should-refuse-to-co-operate-with-unethical-removals-of-asylum-seeking-children- in.html>
- The Institute of Race Relations has published a new report entitled *They Are Children Too: A Study of Europe's Deportation Policies*. The report focuses on Europe's treatment of unaccompanied minors, children of asylum seeking families and the children of parents without requisite documents. 150 case studies involving deportation, destitution and detention are used to draw attention to the systematic violation of basic human rights of children by European governments, all of which are signatories to children's rights conventions. The report's author, Liz Fekete, identifies target driven deportation systems, and a system which affords foreigners and asylums seekers lesser rights, as the root causes of inhumane treatment of these children by governments. Source: ECRE Weekly Update 31th May, for more information see: <http://www.irr.org.uk/2007/march/ak000019.html>
- The Refugee Studies Centre is conducting a new project on *Young Undocumented Migrants in the UK*. The research is being undertaken by a partnership between Prof Roger Zetter at the RSC and Dr Alice Bloch at the Department of Sociology of City University, London. It commenced in April 2007 and will continue until late 2008. It will contribute to their understanding of young vulnerable people on the margins of society. See: http://www.rsc.ox.ac.uk/PDFs/rsc_update_no6.pdf

5. Upcoming Events

- Migrants Rights International (MRI) is organizing a Global Community Dialogue on Migration, Development and Human Rights (GCD on MDHR) parallel to the Intergovernmental Global Forum on Migration and Development (GFMD) in Brussels, Belgium. This event is being planned together with December 18 and the International Catholic Migration Commission (ICMC). The GCD on MDHR will be held on 10-11 July 2007 in Brussels and aims to further develop the human rights of

migrants in the context of the increasing promotion of various schemes around migration and development. The working languages will be English, Spanish and French. Participants to the Global Community Dialogue will be representatives from civil society, grassroots migrants' organizations, trade unions and migrants' rights advocates. Workshops and plenary sessions on various issues concerning migrants' human rights will be held with migrants / immigrants in Europe and from around the globe. For more information, contact Baerbel Reissmann, Migrants Rights International: migrantsrightsinternational@gmail.com, or Michele LeVoy, PICUM: michele.levoy@picum.org.

- The European Summer School on "European Union Law and Policy on Immigration and Asylum" will be held from 2-13 July 2007 at the Universite Libre De Bruxelles. The aim is to provide participants with a comprehensive understanding of the immigration and asylum policy of the European Union from a legal point of view. <http://www.ulb.ac.be/assoc/odysseus/Summer07UK.html>
- The Correlation network will hold a conference on "Social Inclusion and Health - Crossing the Borders" in Sofia, Bulgaria, from 27-29 September 2007. The conference will cover a broad range of topics, targeting mainly the issue of limited access to health and social services for marginalized groups. <http://www.correlation-net.org/>

6. Publications

Poverty Among Migrants in Europe, policy brief by the European Centre for Social Welfare Policy and Research, analyses the level of poverty among migrants in 14 European countries. Migrants from outside the European Union are occasionally exposed to a multiple times higher risk of poverty than the "indigenous" population. EU and non-EU migrants constitute two rather distinct groups in most countries in terms of their exposure to poverty. http://www.euro.centre.org/detail.php?xml_id=892

We Are Dying Silent – Prisoners of Destitution, by the Jesuit Refugee Services Europe. This report on undocumented migrants shows how they have extremely limited access to health care, housing, education, work or social benefits and how this dramatic poverty is directly linked to governmental policies and leads to a serious deterioration of physical and mental health, depression, disorientation and social exclusion. <http://www.jrs.net/reports/index.php?lang=en>.

Left Out: Roma and Access to Health Care in Eastern and South Eastern Europe is a fact sheet produced by the Open Society Institute's Roma Health Project. It outlines the main barriers for Roma in accessing appropriate and quality health care services. It formulates recommendations to governments, civil society members, donors, researchers, and journalists on necessary steps to overcome these barriers.

http://www.soros.org/initiatives/health/focus/roma/articles_publications/publications/leftout_20070420

European Strategies for Reducing 'Unwanted' Immigration by Jørgen Carling, Danish Institute for International Studies, April 2007. The brief deals with irregular migration and "unwanted" regular migration (e.g. family reunion and asylum seekers) and discusses strategies used by states to reduce 'unwanted' immigration.

http://www.diis.dk/graphics/Publications/Briefs2007/Carling_europeanstrategies.pdf

Der Begriff der öffentlichen Sicherheit und Ordnung im Einwanderungsrecht ausgewählter EU-Mitgliedsstaaten (The notion of public order and national security in the immigration laws of selected EU Member States – status quo and need for reform on the European level) is a Ph.D. thesis by Marion Schmid-Drüner, published by NOMOS. The author comes to the conclusion that the state interests in

the immigration laws of all EU member states examined are nearly identical, but the implementation of their public order interests in the actual law results in contradictory, discriminatory and not pertinent results which also violate human rights. www.nomos.de/

Migrations en Russie. Populations fragilisées, premières victimes des crises politiques externes et internes (Migration in Russia. Vulnerable Populations, The First Victims of External and Internal Political Crises) is a report of the joint mission of the International Federation of the Human Rights' League and the Russian association Civic Assistance that has taken place at Moscow in March 2007. Download the report here: <http://www.fidh.org/IMG/pdf/ru0705rapportf.pdf>

7. PICUM News

- PICUM and the European Network Against Racism (ENAR) organized a lunch of the Anti-Racism and Diversity Intergroup (ARDI) at the European Parliament on 6 June 2007. This Intergroup lunch considered the proposal for an EU directive providing for sanctions against employers of third-country nationals who are irregularly staying or working in breach of their residence status, adopted by the European Commission on 16 May 2007. The aim of the Intergroup lunch was to address the question of policy coherence in the area of irregular migration and employment. For more info: www.picum.org.

8. Miscellaneous

- The Festival *itinErrance* on exile and migration took place from 31 May – 3 June 2007 in Paris. The festival featured documentaries, exhibitions of photographs and paintings, plays, concerts, debates, etc. <http://www.lesyeuxdanslemonde.org/itinerrance.html>
- DocHouse in London presented a film entitled *Welcome Europa* (France, 2006, 90 minutes) by Bruno Ulmer on 16 May. The film follows eight young undocumented men, Kurdish, Moroccan and Romanian, as they struggle for survival on the streets of Paris, Amsterdam and Madrid. http://www.dothouse.org/screen_past.php
- The French journalist Daniel Grandclément accompanied refugees from Eastern Africa across the Gulf of Aden into Yemen who were trying to reach Europe on board a vessel. His reportage on this “Hell-Trip of the Hopeless” is testimony of the horrors of such a trip. People on the cramped vessel were not allowed to talk or move and were beaten and abused by the traffickers, who, at the end of the journey, brutally throw the passengers into the sea. <http://www.tagesschau.de/aktuell/meldungen/0,1185,OID6735752,00.html>
- Following the seminar organised in June 2005 in Sevilla, Spain, on the externalisation of controls at the Europe’s southern borders, Migreurop held a meeting on 28-29 May 2007 in Ljubljana, Slovenia, on the consequences of the externalisation of immigration and asylum policies at Europe’s Eastern borders. <http://www.migreurop.org/article1055.html>

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