



JRS Europe

Serving Forgotten Refugees

Jesuit Refugee Service www.jrseurope.org

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An image from the new Detention in Europe website:
www.detention-in-europe.org

The new website is a unique website focusing on the administrative detention of asylum seekers and irregular migrants in Europe.

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Rue du Progrès 333/2,
B-1030 Brussels
Tel: 0032 2 250 32 20
Fax: 0032 2 250 32 29

Executive Editor:
Fr. Jan Stuyt SJ

Editor: Ben Holbourn
press.europe@jrs.net

Tightening controls while overlooking migrants' needs

The United Kingdom Borders Bill is currently passing through Parliament, the seventh major overhaul of the immigration and asylum process since 1993. Its aims are to implement the latest proposed reforms of the UK immigration and asylum process and to tighten UK border controls.

The Bill includes measures for biometric registration, treatment of claimants, enforcement and removal of criminals. In addition there are increased powers of detention at ports to combat transnational criminality.

Biometric Registration

The Secretary of State will be given the power to require individuals subject to immigration control to apply for a biometric document for specified immigration circumstances. Information gathered in this way may also be collected for purposes not relating to immigration. Penalties for non-compliance with these requirements include fines and cancellation of leave to enter the UK.

A lack of clarity means that individuals may be charged for this even though asylum seekers are not permitted to work and it can take an average of seven years for a refugee to find employment. Cancellation of leave to enter the UK may result in the loss of financial support and the expulsion of refugees contrary to international human rights standards such as the 1951 Geneva Convention Relating to the Status of Refugees.

Treatment of Claimants

A conditional leave to enter or remain is to be introduced. Anyone with a limited leave to remain in the UK could be obliged to report to authorities and adhere to residence requirements. A lack of clarity means that even those who have not committed serious crimes and those granted Humanitarian Protection may be removed.

The Bill misses a chance to address the problem of destitution faced by tens of thousands of asylum seekers left without support.

Enforcement

The Bill tightens border controls by trying to close various loopholes: any form of facilitation of unlawful entry into the UK is to be prevented. New offences of facilitation will be created. This, however, fails to take into account that

Rather than showing compassion, tougher measures are used to deter applications

there is no legal way of entering the UK to seek asylum. Thousands of people a year fall foul of visa requirements and of being turned away by Airline Liaison Officers in their country of origin. In 2003, 33,000 people were prevented from travelling to the UK by Airline Liaison Officers working for the UK Immigration Service. There is no way of telling how many of them had been in need of protection. Many of the individuals we meet at JRS (some of whom go on to get full refugee status) were only able to get to the UK by using an agent.

Measures to prevent trafficking are tightened – including making individuals outside the UK liable for offences.

(Continued page 2)



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JRS Italy opens new accommodation centres

Nothing, however, is done to further protect victims of trafficking: they continue to be liable for removal from the UK and little in the way of statutory services exist for caring for them. There is no statutory duty of care on relevant public bodies towards victims of trafficking as yet.

Removal of Criminals

New measures are introduced to make a removal order mandatory where a foreign national has been sentenced to a period of imprisonment of at least 12 months, or if their offences fall within a list to be designated as particularly serious. The new threshold is extremely and unnecessarily low. Previous failings in the system of dealing with removal of foreign

national prisoners arose from the maladministration of those cases within the Home Office, rather than because the legislation was not robust enough.

Conclusion

Unfortunately the Bill once again tightens asylum controls, with little thought to management. There is nothing to redress basic protection concerns for refugees or dealing effectively with individuals whose asylum claims have been refused fairly.

Rather than showing compassion or justice in the exercise of immigration controls, the UK government has fallen into the habit of dealing with problems in the asylum and

immigration processes by toughening measures to deter applications.

JRS hopes that future legislation will:

- Improve quality of initial decisions;
- Allow asylum seekers some dignity in the process (limiting pre-removal detention; allowing individuals who have been in the asylum process for more than six months to work;
- Be fair in the whole process; a dignified and effective way of returning those who do not succeed with their asylum claims rather than enforced destitution.

Louise Zanré, Director, JRS UK

Accommodation programme expands in Italy

On 13 and 14 January 2007, JRS Italy opened new accommodation centres in Trento, in northern Italy, and Catania, on the southern island of Sicily.

The centre in Trento, 'Casetta Bianca', will host 18 refugees and will be dedicated to family units. The project was born out of the collaboration with the Cooperative Villa S. Ignazio and aims to offer support and assistance to those refugees who look for work and dignity in the city.

During the inauguration of the accommodation centre Fr. Giovanni La Manna, JRS Italy Director, said: "Italy is starting to become aware of the economic benefits which foreign workers bring to our economy. However, there is still a long way to go before authentic attention and respect for migrants and refugees, for their diversity and wealth, can develop".

The event in Trento was attended by, among others, Adbelazim Adam Koko, Sudanese refugee, JRS manager of 'Casetta Bianca', and Paolo Artini, the UN Refugee Agency (UNHCR) Protection Officer.

The accommodation centre in Catania, "Padre Pino Pugliesi", will initially host 22 refugees, and this number is expected to increase to 62 after restoration work, due to begin shortly, is finished.

The "Padre Pino Pugliesi" centre, located near Catania airport, was given to JRS Italy by the city authorities after it was confiscated from the mafia.

It was named after Father Pino Pugliesi, a Catholic priest who worked with underprivileged children in Palermo, Sicily, and who was assassinated by the mafia in 1993. (photo right)

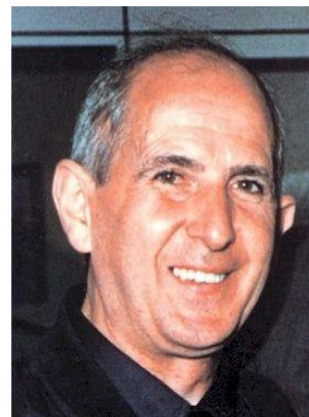
"Sicily, traditionally a landing destination, is becoming a stable residency for a rising number of foreigners: the presence of Jesuit Refugee Service can contribute to consolidate the culture of assistance and legality, starting from the protection of the most vulnerable ones", said Fr. Rosario Taormina SJ (Centro Astalli Catania).

The new centres bring the total of accommodation centres managed by JRS Italy to six. The other four are in

Rome and Vicenza, in central and northern Italy respectively. The three centres in Rome currently accommodate 170 recently arrived asylum seekers and refugees, while the centre in Vicenza - apartment-style accommodation - houses six long-term refugees as they make the transition to independent lodgings.

Donatella Parisi, Information Officer, JRS Italy

www.centroastalli.it



Fr. Pino Pugliesi, after whom the new JRS centre in Catania was named

New premises in Portugal will enable better support for migrants

JRS Portugal is moving to new offices located in Ameixoeira, Lisbon, in a space given up by the City Hall of Lisbon. The new JRS Portugal office will have a much better structure to enable it to carry out its mission.

The main reason for moving stems from the fact that the JRS office is sought by an enormous number of people who arrive every day looking for help. It is not possible to answer them as effectively as possible in the present building. In its new premises JRS will be able to offer a more human and efficient service to migrants who arrive seeking assistance.

Every department in the office will have its own space and every employee will have better work conditions to carry out his task: the Social Aid Office (GAS), the Immigrant Support Centre (CLAI), the Medical Aid, an office to help find accommodation, another to help find employment, a Legal Advice Office and the Recognition of Qualification of Immigrant Office.

Courses of Portuguese as a foreign language will continue in S. João de Brito College. The remainder of the activities will continue in the same locations, namely the Centro Pedro Arrupe in Lisbon and the Unidade Habitacional de Santo António in Oporto (partnership with Migration Services and IOM).



The modern premises in Lisbon, Portugal

Vera Marques, Programme Officer, JRS Portugal

Policy update - strengthening EU border control

On 22 February, the German EU Presidency issued a communication, in which it stated that the EU has plans to strengthen its border protection agency, FRONTEX.

A briefing at Frankfurt Airport detailed the new operation, which concerns migration by air and focuses on irregular migration from South America. Other airports involved are in Amsterdam, Barcelona, Lisbon, Madrid, Milan, Paris and Rome. Ilkka Laitinen, Executive Director of FRONTEX, described the four major routes for irregular migration to the EU as via the southern external sea borders, the eastern land borders, the Balkans and major international airports.

In addition, border police officers acting under the supervision of the Member State hosting the operation will be given executive powers. This allows, among other developments, for the possibility of creating rapid border intervention teams.

FRONTEX, based in Poland, was established in October 2005 with a mission to help EU Member States implement EU rules on external border controls. Recent focus has tended towards border patrols in southern Europe in the Mediterranean.

In other news, the European Commission launched on 1 March the Fundamental Rights Agency (FRA). This agency will have three key functions: to collect information and data on the fundamental rights situation across the European Union; provide advice to the EU and its Member States and promote dialogue with civil society to raise public awareness of fundamental rights.

However critics, including Amnesty International, say that the agency will not use comprehensive monitoring, and fail to address such areas as the increasing and disproportionate use of detention of asylum seekers and migrants.

JRS asks that asylum seekers and other migrants not be excluded from this debate; human rights are not dependent on legal status. JRS advocates for the protection of the rights of the individual, who can be easily lost amidst the statistics.

Migrants in London are turning to the Church for shelter

A report was published mid-February by The Von Hügel Institute, a Catholic research body based at Cambridge University, UK, to investigate the situation facing Catholic migrants in London. It was an interim report of a nine-month study, commissioned by Cardinal Murphy O'Connor, Archbishop Kevin McDonald and Bishop Thomas McMahon. Interviews were conducted in the three London dioceses of Westminster, Southwark and Brentford.

Three issues were focused upon:

- What are the current life experiences of migrants who attend Catholic congregations?
- What are their needs?
- What are their perceptions and expectations of the Church and its agencies?

“Many of these vulnerable people regard Church as a refuge, a harbour of hope and worship, where the idea of the Eucharistic feast is also grounded in lived community”

‘The Ground of Justice’ - Von Hügel Institute

The report found that many migrants, exploited by employers and isolated from society, turn to the Church for support. Half of those interviewed attended Mass every week. Of those questioned, half of the migrants had come from the eight new (2004) member states, with the other half from Africa, Latin America or Asia.

Within the congregations, 75% stated that they were undocumented, “irregular” migrants. At the same time 77% said that the Church could help them with integration into society. Almost half described their social circles as “small”.

Also interviewed were priests from the three London dioceses, many of whom said that they felt the need for extra support to address the needs of migrants who approach them with legal and asylum questions.

JRS UK works with undocumented migrants who come to visit the office in London, and offers them a place of shelter and a space to meet others and exchange experiences. Many of them may visit their local parishes for extra assistance.

(Source: *The Ground of Justice: The Report of a Pastoral Research Enquiry into the Needs of Migrants in London’s Catholic Community*, The Von Hügel Institute www.vhi.org.uk)

Re-launch of new Detention in Europe website

JRS Europe is proud to announce our new Detention in Europe website, www.detention-in-europe.org, launched 5 March. The original website, found at the same address, was an invaluable resource on European detention conditions and the legal dimensions relating to it.

The new website contains a wide (and expanding) collection of resources arranged according to countries, including relevant court cases, various national legislation and facts on national situations. It has full details of JRS Europe projects, including the ongoing project on detention conditions in the 10 New (2004) Member States.

With a particular JRS approach, the website also has a section for ‘the human cost’ of detention. The stories in this section provide an insight into the bleak and traumatic struggles that asylum seekers and refugees can face, and the damaging emotional, physical and psychological affect of detention.

The website will continue to expand, so keep checking for updates!

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