



POPE URGES JESUS-CENTRED VIEW OF REFUGEES AND ASYLUM SEEKERS

In a robust challenge to both politicians and Churches, the Pope said that refugees and asylum seekers must be seen through the eyes of Jesus. His message came ahead of the 92nd World Migration Day (2005) celebrated in the Catholic Church during Advent. In the message the Pope examines the plight of refugees and migrants requesting asylum or admission for work and call for reflection on the reasons that cause them to leave their country of origin.

For more information, contact ORP on 020 7901 4862.

NATIONAL NEWS

High Court censures Home Office deportation policy

Mr Justice Collins lambasted the Home Office for its practice of deporting refused asylum seekers at short notice and late at night thereby denying them the opportunity to consult their lawyers. Justice Collins was moved to say that "there has been too much of this recently...the Court has got a little fed-up with how the Home Office is putting these removals into practice." At the time of the hearing on 19th December 2005, the Home Office was scouring Iraq for an Iraqi Kurd, deported on 20th November, to comply with the Courts ruling of unlawful deportation. The Counsel for the Home Office said that a "regrettable mistake was made." In response the Refugee Council said that it was clear from the case that the Home Office handled forced removals to Iraq very badly as people were rounded-up and detained without warning or information and denied access to legal representatives to challenge the removal. "This policy is deeply flawed from the beginning," said the Refugee Council statement.

For more information, contact ORP on 020 7901 4862.

Trafficking in Human Beings climbs up the political agenda

The Joint Committee on Human Rights (JCHR) has decided to conduct an inquiry into the human rights of people trafficked into the United Kingdom. The inquiry will consider evidence on the development of the Government policy in relation to trafficking, and on whether or not the UK adequately meets its human

right obligations under national and international law, to protect against trafficking and to protect the victims of trafficking. The inquiry will also give consideration to the Council of Europe's 2005 'Convention on Action Against Trafficking in Human Beings', which the UK has refused to sign.

For more information, contact Nick Walker, Commons Clerk of the Joint Committee on Human Rights, Committee Office, House of Commons, 7 Millbank, LONDON SW1P 3JA.

The Home Office has initiated a consultation on the UK's First National Plan to Tackle Human Trafficking.

The public consultation comes in the wake of several recent high-profile trafficking trials and investigations. The consultation paper outlines what the Government has done so far to tackle human trafficking, from legislation and law enforcement to support to victims, and proposes an action plan for areas of future work. The consultation will look at all aspects of human trafficking, covering labour exploitation, sexual exploitation and trafficking in children. Among the proposals are: mounting awareness campaigns in source countries; giving police and immigration officers more training to help spot signs of people trafficking; tightening entry requirements for foreign minors; and tougher penalties for those knowingly employing illegal migrant workers.

The consultation closes on 5th April 2006 and the paper can be found at:

<http://www.homeoffice.gov.uk/documents/TacklingTrafficking.pdf>

In response to the consultation paper, several UK human rights groups issued a statement urging the government to sign up to the Council of Europe's *Anti-Trafficking Convention* and make greater efforts to protect all victims of trafficking. The statement said that to ensure proper protection for victims of trafficking the UK's National Plan should ensure: there is a guaranteed minimum reflection period for all victims of trafficking; specialist support and medical attention; safe houses; and temporary residence permits for those at risk if sent back to their home countries.

More information can be found at:

http://www.unicef.org.uk/press/news_detail.asp?news_id=594



Immigration, Asylum and Nationality Bill 2005 in the Lords

This Bill in essence implements many of the measures in the Government's five year plan on asylum and immigration outlined in *Controlling our borders; Making migration work for Britain, February, 2005*. At the November 2005 Commons Standing Committee, the Government introduced new anti-terrorism clauses viz. Clause 51, which extends the grounds on which the government can exclude people from seeking asylum. Whilst the 1951 UN Refugee Convention excludes from protection asylum seekers for 'acts contrary to the purposes and principles of the UN', Clause 51 proscribes 'acts of committing, preparing or instigating terrorism and acts of encouraging or inducing others to commit, prepare or instigate terrorism.' Taken together with the broad definitions within the Terrorism Act 2000 and the 2005 Terrorism Bill, Clause 51 may well deny protection to political activists arriving in the UK who are fleeing persecution and detection. The Bill is currently at the Grand Committee stage in House of Lords.

To see the marshalled list of amendments put down for debate, visit www.parliament.uk then go to House of Lords page or consult the Immigration Law Practitioners Association at www.ilpa.org.uk

HM Chief Inspector criticises detention centres

Her Majesty's Chief Inspector of Prisons Anne Owers, has published a report criticising three short-term immigration holding facilities at Gatwick Airport, London City Airport and Dover Asylum Screening Centre. All facilities were managed by GSL UK Ltd. The report found that the centres were not suitable for overnight stays and had inadequate facilities. Men, women and children were being held – sometimes overnight – with no means for proper separation. None of the centres had adequate child protection arrangements. The inspection also found detainees were sleeping in inadequate conditions without proper bedding or heating, and centres had no regular visits from healthcare staff etc.

Earlier, in mid-2005, following allegations of racism and abuse, the Prisons and Probation Ombudsman Stephen Shaw confirmed that a 'subculture of

nastiness' racism and casual violence and abuse existed at the immigration detention centre in Oakington, Cambridge.

To read the full report visit:

http://inspectors.homeoffice.gov.uk/hmiprisons/inspect_reports/irc-inspections.html/immigration_removal_centres1.pdf

Law Lords say no to asylum seeker destitution

The Law Lords unanimously determined on 3rd November 2005 that denying asylum seekers benefits as well as the right to work violates human rights. The ruling came when the Law Lords considered the Home Office appeal against the Court of Appeal's ruling that the removal of subsistence support from three asylum seekers (*R-Limbuella, Tesema and Adam v Home Secretary; also known as the Limbuella case*) was unlawful as it breached their right not to be subjected to inhuman or degrading treatment (Article 3 of the ECHR - safeguards). Under Section 55 of the Nationality, Immigration and Asylum Act 2002, those who do not apply for asylum as soon as reasonably practicable, are denied welfare support that is normally available to asylum seekers. The question is will the government remove this inhumane and degrading clause in the legislation?

Bishop Patrick O'Donoghue joined other Church leaders, led by Dr John Sentamu, the Anglican Archbishop of York, in expressing deep concern about the increasing levels of destitution among asylum seekers and refugees. In a statement, the Church leaders called on the government to change policies that victimise asylum seekers, especially policies that leave asylum seekers homeless and with no welfare support. 'All those within our borders, including people seeking asylum, whatever their status, should have the opportunity to help themselves and society through paid employment. Where this is possible, people seeking asylum, whatever their status, should be given the necessary rights to food, clothing and medical care and necessary social services (UN Declaration of Human Rights),' the statement read.

For a copy of the statement contact ORP on 020 7901 4862.



Sarum College:

Bishop Patrick O'Donoghue on Human Rights

In October 2005 Bishop Patrick O'Donoghue, Chairman of ORP, spoke at Sarum College's (Courses and Conferences) session themed: 'Human Rights in a Fractured World'. He was joined by the Director of Amnesty International and Dr Richard Steenvoorde. In his talk, Bishop O'Donoghue touched on the theory that anchors human rights, not so much in legislation and in courts or state pronouncements, but in the basic ethical principle that every individual has claims to the attention and regard of others; an emphasis also in the Gospel on the value of all human beings in the sight of God. He urged the audience to look beyond posited law when involved in projects to create a society/world based on equality, dignity and respect. He was referring to the tragedy of a world where 15 million refugees, most of whom are women and children, continue to suffer statelessness and homelessness and where 2.8 billion people live on less than 70p a day.

For more information, contact ORP on 020 7901 4862.

REGIONAL NEWS – European Union

Scandinavian Bishops in solidarity with refugees

A comprehensive review of support available for refugees and migrants was conducted during the General Assembly of the Scandinavian Bishop's Conference in September 2005. This review was inspired by the Pontifical Council's 2004 Instruction for the Pastoral Care of Refugees (*Erga migrantes caritas Christi*). Following the review a statement was issued pointing out recent political trends of xenophobia and exclusion aimed at refugees and asylum seekers in Scandinavian countries. The statement called on all people of goodwill to work for an open and welcoming society, where people's human rights and dignity are always respected.

For more information, contact ORP on 020 7901 4862.

CCEE (Conference of European Bishops' Conferences of Europe) Migration Congress on Gypsies and East-West migration

The 7th CCEE Migration Commission met in Croatia, 20-23 October 2005, to study and agree common strategies regarding the plight of Gypsies and the

increasing migration of Europeans from East to West. From national reports submitted to the congress, it was clear that Gypsies (includes Travellers in Britain) in Europe remained the most vulnerable and marginalised ethnic minority groups. The congress called for greater mainstream Christian involvement with and for Gypsies, and more EU/Council of Europe leadership in terms of social, economic and legislative protection for Gypsies.

On European East-West migration the Congress acknowledged that whilst there was evidence of "brain-drain" it is important to recognise that migration is an inherently trans-national issue, requiring co-operation between states at the sub-regional, regional and global levels. The Congress affirmed the fact that migration is a challenge and an opportunity, not only for the migrants and their families, but also for the ecclesial communities in the countries they leave and where they arrive, to celebrate international solidarity.

For more information, contact ORP on 020 7901 4862

European Council adopts Asylum Procedures Directive

On 1st December 2005 the Justice and Home Affairs Council (JHA) adopted without debate a proposal on a directive setting minimum standards on asylum procedures. This completes the last of the 'building blocks' towards the Common European Asylum System. It also triggers the move from the consultation procedure to full co-decision with the European Parliament in the field of immigration and asylum policy developments. It is hoped that the EP's role in decision-making will assist in raising standards in the drive towards a Common European Asylum System.

Church groups, including COMECE's Migration Commission, have expressed deep reservations about several aspects of the Directive viz. obligations of Member States to regard as manifestly unfounded applications from nationals of 'safe countries'; the concept of 'super-safe countries'; and the lack of proper rights to in-country appeals; legal advice and access to interpreters. The European Council for Refugees and Exiles (ECRE) described the Directive's adoption as a "sad day for Europe...a backward step



for refugee protection.” The UNHCR issued a statement saying that this Directive could lead to a “serious downgrading of asylum standards” and breaches of international refugee law, if additional safeguards are not introduced.

The Council of Europe’s Committee for Migrants, Refugees and Population has also criticised the directive, describing it as a “collection of dubious practices from across Europe.” The Committee also expressed deep concern over the way in which accelerated asylum procedures are evolving in Europe. The committee called for the “reversal of procedures favouring speed over fairness in asylum procedures. The return of those arriving in the Italian island of Lampedusa, or the return of those who scaled barriers to enter the Spanish enclaves of Ceuta and Melilla, are just two of the most publicised examples of 2005.” The Procedures Directive is in the Official Journal (L326/13).

For more information, contact ORP on 020 7901 4862 or Henrik Lesaar at COMECE on 0032 2 235 05 10.

LIBE unhappy with Returns Directive

In November 2005, the European Parliament’s Committee on Civil Liberties, Justice and Home Affairs (LIBE) had its initial discussion on the Returns Directive proposed by the European Commission. Its rapporteur, Manfred Weber MEP, said that the committee would be willing to pass the Directive provided the concerns of committee members are met. Weber pointed to a number of issues raised by committee members viz. the exclusion of transit zones from the Directive; the scope for member states to detain people for up to six months, that includes the use of prisons for states with no immigration detention facilities; the use of ‘proportionate force’ on detainees; the institutionalisation of re-entry bans especially since it can apply to people returning voluntarily; appeals always to have suspensive effect; ‘incentives’ for voluntary returns and the lack of safeguards for treatment of children and other vulnerable individuals e.g. families should never be separated because of removal and that the best interest of the child should always be paramount. An Italian Green MEP made a very pertinent point when she said that the “starting point was mistaken...the EU should have been

concentrating on common procedure of access to asylum procedures first, before embarking on a common returns policy!” No date was set for the adoption of the report by the Committee.

The UNHCR meanwhile published its observations on the Directive on 24th December 2005. Whilst broadly in line with the criticism of LIBE, it strongly recommended the inclusion of banning any form of “collective expulsion” and that the suspensive effect for all appeals should be in the Directive. A Joint-Churches response to this Directive is to be published by the end of January 2006.

For more information, contact ORP on 020 7901 4862 or www.unhcr.org or www.comece.org

Austrian European Union (EU) Presidency: Priorities on asylum/migration

According to the Austrian Presidency, priorities in the area of asylum and migration include continuing work towards the development of the Common EU Asylum system, common EU migration policy; integrated external-border management et al. Co-operation with non-member states on asylum issues is also a priority. The latter is a euphemism for the development of the Overseas Regional Protection Zones, as promoted by the British Presidency. Finally the Austrian Presidency will push for the introduction of visa application offices and an effective returns (deportation and re-admission) policy. Re-admission agreements with Turkey and the Ukraine are already on the cards.

Read the Austrian Presidency priorities on:

http://www.eu2006.at/en/Policy_Areas/Justice_and_Home_Affairs/index.html#Activities

EU accepts global dimension aspects to migration

The conclusions of the European Council, 15-16 December 2005, acknowledged the inevitability of migration in a globalising world and underlined the ‘need for a balanced, global and coherent approach’ covering policies to harness the benefits of legal migration, combat illegal migration and tackle the root causes of migration. The Council welcomed proposals put forward by the European Commission (*Priority Actions for Responding to the Challenges of Migration: follow-up to Hampton Court under the British Presidency, Nov. 2005*) which covered:



strengthening cooperation and action between Member States; increasing dialogue and cooperation with African States and States around the Mediterranean region etc.

For more information visit

[http://ue.eu.int/cms3_applications/docCenter.ASP?expandID=148&lang=en&cmsID=245#Justice%20and%20Home%20Affairs%20\(JHA\)](http://ue.eu.int/cms3_applications/docCenter.ASP?expandID=148&lang=en&cmsID=245#Justice%20and%20Home%20Affairs%20(JHA))

European Justice and Peace

calls for respect of migrant workers rights

The Catholic Justice and Peace Commissions of European Countries met recently in Lisbon, Portugal, to call on all European governments to sign and ratify the 1990 International Convention for the Protection of the Rights of Migrants Workers and their Families. So far only Bosnia and Herzegovina, Serbia, Montenegro among European countries have signed or ratified the Convention. The UN estimates that there are 175 million migrant workers worldwide.

For more information, visit www.juspax-eu.org/

INTERNATIONAL NEWS

Sri Lanka: Cardinal visits tsunami victims*

Cardinal Cormac Murphy-O'Connor went on a 12-day trip to Sri Lanka on 21st December 2005 – the first anniversary of the tsunami that devastated the country and caused widespread destruction across Asia. In all more than 205,000 people lost their lives and millions were made homeless. The Cardinal went to see first hand the work of CAFOD's local partner, Caritas Sri Lanka, in the humanitarian work of reconstruction made possible by the "generosity of Catholics from England and Wales."

For more information, visit www.cafod.org.uk

** The UN estimates that there are more than 25 million refugees because of environmental disasters worldwide, yet they receive very little support and are not recognised within the 1951 UN Refugee Convention. "Nevertheless, we should define, accept and accommodate this new category of refugees within international frameworks," said the UN Under-Secretary General Hans van Ginkel.*

Egypt: Refugees die in camp clearance

Thousands of Egyptian police forcefully cleared a Sudanese refugee protest camp in a small park

outside the United Nations Offices in affluent Cairo on 30th December 2005, causing 15 refugees, including 2 children to die. About 3,500 refugees were in Cairo to draw attention to the racist attacks, constant harassment, unemployment, lack of health care and education that Sudanese refugees face in Egypt. They demanded to be resettled in a third country. Egypt has vowed to expel them back to the Sudan, despite pleas by the UNHCR, churches and human rights groups. The UNHCR is believed to have said that it is not practical or feasible to move all refugees to the West at the moment; so on site help was needed. According to the UNHCR, it is quite possible that about 2-3 million Sudanese refugees are in Egypt but only 20,000 are registered with them. *For more information, visit www.unhcr.ch*

Democratic Republic of Congo: The Forgotten Emergency

The continuing political instability and conflict in the DRC is causing serious damage to the economy and people of the DRC. A recent mortality study by the International Rescue Committee (IRC) found that nearly four million people were killed from war-related causes since 1998; millions are internally displaced or displaced in camps in neighbouring countries. The IRC has pleaded with the international community to "start paying attention the plight of the people in the DRC." The country needs humanitarian assistance, rehabilitation of its education, health care, water and sanitation systems, and most of all, "concerted efforts for lasting peace and increases in foreign aid". For more information see the Lancet's January 2006 issue which contains the Mortality Study from the DRC.

For more information, visit www.theirc.org

Pakistan's displaced victims of quake – Update

With Pakistan's quake zone in the grip of winter, the UNHCR is intensifying relief efforts by replacing low quality tents, distributing heating stoves and relocating people to camps that are better equipped to cope with the bad weather. New camps are being set up for the potential new exodus from higher elevations. The UNHCR has responsibility for camp management within the UN team and is supporting the Pakistan government and NGOs in 144 earthquake relief camps.



Altogether these camps are housing nearly 140,000 people left homeless by the quake.

For more information from the Disasters Emergency Committee, the UK umbrella body of Development Agencies, visit www.dec.org.uk

Afghanistan:

displaced people continue to languish

Four years after the fall of the Taliban, an estimated 153,000 people remain displaced in Afghanistan. The largest concentration is in the south of the country near Kandahar, according to the Internal Displacement Monitoring Centre of the Norwegian Refugee Council.

For more information, visit

<http://www.nrc.no/engindex.htm>

World Bank Study:

South-North migration triggers brain drain

Migrants remittances reduce poverty in developing countries, but massive migration of highly skilled workers poses troubling dilemmas for many low-income countries, a new World Bank research study reveals. The study unveils the most comprehensive database to date, based on census and survey data from OECD countries, tracing a massive exodus of professionals from some of the world's most vulnerable low-income countries. Eight out of ten Haitians and Jamaicans who have college degrees live outside their country; for Sierra Leone and Ghana, the ratio is five out of ten whilst the rate of migration is almost 50% for professionals in Central America and Sub-Saharan Africa. More than 200 million people are living in countries other than the ones in which they were born and remittances are estimated to reach about \$225 billion in 2005, according to the forthcoming WB publication, 'Global Economic Prospects 2006'.

For more information, visit

<http://econ.worldbank.org/programs/migration>

CAMPAIGNS / RESOURCES / BRIEFINGS

Churches Refugee Network (CRN) – Conference 2006

The CRN will hold its annual conference on Saturday 20th May 2006. The theme, venue and programme

will be announced soon. As in the past the conference will have key-note speakers, workshops, NGO/activists' stalls, and more importantly, it will be participatory. Churches and church groups have long been involved in refugee advocacy and service work. In some cases, they are already leading exponents of the rights of refugee and asylum seekers. This conference will help Church activists to network, build solidarity and agree joint-actions to enhance the rights and dignity of refugees and asylum seekers. For more information, contact ORP on 020 7901 4862.

Living Ghosts Campaign organised by Churches Action on Poverty (CAP) aims to highlight and protest the impact of the asylum legislation that throws hundreds of refused asylum seekers and those who failed to apply for asylum immediately on arrival, into destitution. There is currently a postcard campaign appealing for the reinstatement of basic welfare support, if not, allow asylum seekers to sustain themselves through work. Please support this campaign. All cards will be delivered to the Home Secretary in person in spring 2006.

CAP resources can be downloaded from

www.church-poverty.org.uk

Immigration, Nationality & Refugee Law Handbook, 2005 Edition

This is a Joint Council for the Welfare of Immigrants (JCWI) publication, known for its clear and simple style in presenting complex legal matters, is useful for immigration advisers, lawyers as well as those wishing to understand immigration laws and rules. Priced at £48 (plus p&p) and available from JCWI, please call 020 7251 8708.

The Institute of Employment Right's (IER) recent publication examines present immigration and employment law and policy effecting migrant labour and concludes they are failing to protect the most vulnerable workers in the UK. A copy of *Labour Migration and Employment Rights* can be requested from the IER.

Please call 020 7498 6919.



The **University of Oxford's Refugee Studies Centre** public seminars will be convened by Dr Jason Hart and start on Wednesday 18th January. The RSC also holds weekend courses.

For more information contact Dominique Attala, Course Co-ordinator, on 01865 270272 or email rscmst@qeh.ox.ac.uk

ELENA (European Legal Network on Asylum), an ECRE (European Council on Refugees and Exiles) sponsored body, is conducting a course on 'Subsidiary Protection, the EU and International Human Rights Law' on 9th-12th February in Berlin, Germany. This course is meant for lawyers and legal counsellors working on behalf of refugees and asylum seekers.

For more information contact Julie Churchill on 020 7377 7556 or email jchurchill@ecre.org

“Deportation is Freedom!

The Orwellian World of Immigration Controls”

This book by Steve Cohen is a lively, thought-provoking read that will interest anyone who cares about the immigration or takes a radical view of the ethical and political contradictions surrounding immigration systems and controls. Priced at £12.99 (excluding p&p) from Jessica Kingsley Publishers. *Please call 020 7833 2307.*

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