
The 'HUMA network' is a European network of organisations committed to improve undocumented migrants and asylum seekers' access to health care.

The HUMA network's newsletter provides information about the latest European developments in the area of access to health care for undocumented migrants and asylum seekers. It is also available online in a PDF format.

If you would like to know more about the HUMA network, please visit our website at www.huma-network.org

EUROPEAN UNION

European Parliament

- **The European Parliament approved the "asylum package"**, including the Reception Conditions Directive, Dublin, Eurodac and European Asylum Support Office (EASO) on May 7th. The EP's report on the *Reception Conditions Directive* broadly supports the Commission's proposal.

The Council welcomed the progress already made and instructed its preparatory bodies to continue the examination of the proposals taking into account the EP's opinion. During the previous months, the Council preparatory bodies already carried out intensive discussions on the five proposals. A first reading of the text has been completed in all cases.

The HUMA network had suggested the EP to amend the proposal to allow asylum seekers to have access to health care under the same conditions as nationals, but this amendment has been rejected and the definition of health care benefits remains unchanged. For more information:

<http://www.huma-network.org/EU-policies/Asylum-Seekers/EU-amends-reception-conditions-for-asylum-seekers>

- **EP elections:** The results of the elections indicate a victory for the centre right parties and an increase of far-right and anti-immigrant parties. Parties that are traditionally more sympathetic to asylum issues registered a big defeat, apart from the Greens.
The HUMA network asked over 140 MEP candidates whether "would be willing to stand up for all those living in Europe to receive equal access to health care, including undocumented migrants?" From more than 40 positive

responses received, 22 were elected, coming from various EP political parties. For more information:

HUMA network,

<http://www.huma-network.org/Activities-of-the-network/Campaigns/European-elections-campaign>

European Commission

- The **European Annual Report on Social Protection and Social Inclusion**, released in March 2009, highlighted the fact that 16% of Europeans are living at risk of poverty and 8% of workers are still below the poverty line, with these figures likely to keep rising. The report makes several references to the situation of undocumented migrants, specifically in relation to health care access in Spain, Sweden and Luxembourg.

Joint report by the European Commission and the Council, http://ec.europa.eu/employment_social/spsi/joint_reports_en.htm#2009

- **Future EU actions to reduce health inequalities**

The European Commission issued a call for consultation among civil society organisations working at the EU level regarding future EU actions to reduce health inequalities.

http://ec.europa.eu/health/ph_determinants/socio_economics/cons_inequalities_en.htm

In response to this call, the 'HUMA network' contributed to highlight several issues regarding undocumented migrants' access to healthcare, namely, the fact that not all people living in Europe have equal access to health services, which is becoming increasingly tied to legal status. As a result, undocumented migrants do not necessarily have access to

health care even if this is recognised as a fundamental right in the EU. The document also highlights the need to pay particular attention to groups such as undocumented migrants which do not enter official statistics.

HUMA network, <http://www.huma-network.org/EU-policies/Health-inequalities>

- **European Commission publishes Stockholm Programme**

On Wednesday 10 June 2009, the European Commission adopted a communication on the Stockholm Programme. This programme will provide a framework for EU action regarding citizenship, justice, security, asylum and immigration for the next five years (2010-2014). . . Under the heading "a single area of protection" it states that "solutions have to be found for asylum seekers who do not obtain refugee status or subsidiary protection but cannot be removed for specific reasons". The Commission's communication on the Stockholm Programme will be reviewed and discussed by the Council and the European Parliament, with a view to adoption by the Council in December 2009

<http://www.statewatch.org/news/2009/jun/eu-com-stockholm-prog.pdf>

The European Civil Liberties Network (ECLN), a coalition of civil liberties, activist and human rights groups across Europe, has published a statement calling on civil society groups and individuals to voice their opinions about the EU's Stockholm programme and work towards a democratic Europe. One of the areas of concern of ECLN regarding this programme is the exclusionary immigration and asylum policies that are leading to thousands of deaths at Europe's borders as well as on EU territory.

ECLN, <http://www.ecln.org/ECLN-statement-on-Stockholm-Programme-April-2009.pdf>

COUNCIL of EUROPE

Thomas Hammarberg, the Council of Europe's High Commissioner for Human Rights, presented his report on the human rights situation in the Netherlands, in which he paid particularly close attention to the treatment of asylum seekers, children's rights and integration. He also outlined the entitlement of irregular migrants to health care while they are in the Netherlands and welcomed the legislative reform adopted by Parliament in January 2009 to secure the financing of care for undocumented migrants.

Full report:

https://wcd.coe.int/ViewDoc.jsp?id=1417061&Site=CommD_H&BackColorInternet=FEC65B&BackColorIntranet=FEC65B&BackColorLogged=FFC679

NATIONAL DEVELOPMENTS

GERMANY:

- The Berlin State senate is considering the implementation of an anonymous health insurance certificate that would facilitate access to health care for the estimated 100,000 undocumented Berlin residents. The doctor's fee would be guaranteed as well. There are, however, still legal and financial issues that have to be resolved before a decision on the project can be expected. Source: die tageszeitung. For more information see:

<http://www.taz.de/regional/berlin/aktuell/artikel/1/ein-papier-fuer-papierlose>

- The federal state of Berlin will present a legal initiative to the Federal Council of Germany seeking to secure and decriminalise medical treatment for undocumented migrants in Germany. The proposal includes introducing an anonymous sickness certificate to facilitate access to health care which is a human right and should not be subject to charity as is currently the situation in Germany. Furthermore, the proposal seeks to remove the legal gray area surrounding doctors who provide health care to undocumented migrants. A precondition for this measure is a change in the laws regulating the right to stay; these laws currently demand social officers to report information regarding undocumented patients to the Foreigners Office. The Berlin plan foresees that a public office will be established which will enable undocumented migrants to remain anonymous when being processed by the social offices who pay for their medical treatment.

Deutsche Welle,

<http://www.dwworld.de/dw/article/0,,4060922,00.html?maca=de-rss-de-all-1119-rdf>

ITALY:

- **Italy approves bill which makes irregular migrants criminals:** On Wednesday 13 May 2009, the Italian lower house of Parliament approved legislation, which criminalizes irregular migration. This is the latest effort by Italian Premier Silvio Berlusconi's centre-right alliance to get tough on "illegal" migration. The legislation makes entering or staying in Italy without permission a crime punishable by a fine of € 5,000 to € 10,000 and it also imposes a prison term of up to three years for anyone who rents housing to an undocumented migrant. But the bill does not lift the ban on health

professionals to report undocumented migrants to the authorities.

EU Observer, <http://euobserver.com/22/28124>

- The International House of Women in Rome, a meeting point and political rallying centre for Italian and migrant women, has released a statement against racism and sexism which has been ratified by several organisations. The joint declaration denounces Italy's current policies and legislation towards exploited and excluded migrants which fosters precariousness and feeds new forms of popular racism resulting in increased episodes of inhumanity and violence. The International House of Women seek namely to conduct an analysis of the living and working conditions of immigrant women in Italy with specific emphasis on their right to access health care.
IHW's blog: <http://www.celestissima.org/italie-la-maison-internationale-%20des-femmes/>

NETHERLANDS:

- A **new 'bill for asylum and return'** was sent to the Council of State. The new proposal "for a more effective asylum procedure and more effective return policy" includes an 8-day asylum procedure, considering medical aspects in the asylum procedure and four weeks of shelter after refusal of the asylum claim.
http://www.regering.nl/Actueel/Pers_en_nieuwsberichten/2009/april/24/Asielprocedure_wordt_sneller_en_zorgvuldiger

SWEDEN:

- **Sweden's National Assembly of Health Professionals**, the Vårdförbundet, issued a message to the Swedish Minister of State stating its opposition to the government's policy of blocking access to health care for undocumented migrants.

The medical professionals state that denying healthcare contravenes the codes of professional ethics that apply to Sweden's midwives, biomedical scientists, radiographers and nurses who have pledged to continue complying with the principle of human dignity and providing healthcare on equal terms and on needs. These medical professionals have vowed that the right to health, as guaranteed in international conventions, will always take precedence over national laws and regulations that contravene the principles. The Vårdförbundet's National Assembly strongly urged all parties in the Swedish Parliament to assume their responsibility so that people without papers and those in hiding throughout Sweden may gain access to health care on the same terms as the rest of the population.
www.vardforbundet.se

UNITED KINGDOM:

- **UK: Children's Commissioner: detention of children must stop:** On Monday 27 April 2009, England's Children's Commissioner published a report on the arrest and detention of children subject to immigration control. The Children's Commissioner is responsible for ensuring compliance by the State with the UN Convention on the Rights of the Child in England. The Commissioner describes the government's policy of holding children in removal centres as "harmful to their health and well-being".
Guardian,
<http://www.guardian.co.uk/uk/2009/apr/27/children-refused-asylum-detention-centres>

PUBLICATIONS

- **“Access to health care for people without residence status in Germany: possibilities, limitations and approaches”** (“Zugang zur Gesundheitsversorgung von Menschen ohne Aufenthaltsstatus in Deutschland: Möglichkeiten, Grenzen und Lösungsansätze”): the report of the event on this issue that took place on 19 November 2008 in Munich is now available. This event was organized by Doctors of the World, Café 104, and IPPNW.
http://www.aerztewelt.org/Publikationen/Fachtag_Med_VersorgungMenschenOhnePapiere_19Nov08.pdf
- **“Criminalising solidarity in France”**: The observatory for the protection of human rights defenders (FIDH -OMCT) has published a research report on the obstacles faced by defenders of the rights of migrants in France entitled "Crime of solidarity: stigmatisation, repression and intimidation of defenders of the rights of migrants".
<http://www.fidh.org/Delit-de-solidarite-Stigmatisation>
- **Amnesty International publishes its 2009 Annual Report**
On 28 May 2009, Amnesty International launched its Annual Report 2009: 'The State of the World's Human Rights'. This annual global assessment of human rights covers human rights developments in over 150 countries in 2008. The report highlights the fact that the world is in the middle of a human rights crisis. The organization is also launching a worldwide campaign called 'Demand Dignity', which aims to put human rights at the centre of poverty eradication and end the human rights violations that keep people poor.
- **European Centre for social welfare policy and research publishes Policy Brief**
On 26 May 2009, the European Centre for Social welfare policy and research published a policy brief that deals with 'Access to Health Care for Migrants, Ethnic Minorities and Asylum Seekers in Europe'. Migrants, asylum seekers and irregular migrants are at high risk of poverty and social exclusion and there is evidence that they sometimes do not receive the care that best respond to their needs. The policy brief outlines hurdles of access to health care for migrants, ethnic minorities and asylum seekers and discusses policy implications.
'European Centre Policy Brief'
http://www.euro.centre.org/detail.php?xml_id=1473
- The Walloon Institute for Mental Health publishes a report entitled '**Exils et Appartenances**'. This report addresses the psychological needs of refugees, asylum seekers, undocumented migrants and new arrivals. Various experts in the field of mental health and immigration have contributed to this report which covers a broad spectrum of issues including irregular migration, unaccompanied minors seeking asylum for medical reasons and themes such as trauma, depression and social exclusion.
IWSM, [http://www.iwsm.be/confluences/C21%20\(3\).pdf](http://www.iwsm.be/confluences/C21%20(3).pdf)

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