

# A Call for the Regularisation of all Illegal Residents in Europe

At the meeting of the European Council in Seville in June 2002 a large amount of time was devoted to the debate on the development of a future common policy on immigration and asylum. However, the rights of those affected by such a policy and the citizens of states outwith Europe were only mentioned as a sideline. As far as the rights of those who are de facto residents are concerned, variously referred to as illegal residents or *clandestines*, there was no mention.

Once again, the majority of the debate was on border surveillance, the possibility of repatriation to countries of origin and the cooperation of the police in the fight against illegal immigration. Europe, as it develops, constructs rules which, it claims, aim at “controlling migratory flux”.

The method of “control” proposed is to deny access to the European territory to all, except those whom the European economies requires, in particular to support the proposed systems of pensions.

While waiting for this proclaimed, grand harmonisation of European immigration policies, each of the Union states is adopting a harder line. The implementation of regulations, and administrative practices, are more often a cocktail of repression, suspicion of fraud and denial of rights. Occasionally, when the situation becomes controversial and the actions of illegal residents leads to demonstrations of solidarity, the public authorities implement a regularisation on a large scale. However, this is replaced once again by the abuse of the rights of those who appear to be slaves of the 3<sup>rd</sup> millennium.

The political institutions of the European Union prepare texts concerning, for instance, the right to family reunification or the minimal norms for the reception of asylum seekers. But even if they mention the fight against racism and xenophobia they do very little for the rights of foreign residents and nothing for the rights of illegal residents, who are the creation of discriminatory regulations.

Thus, it is time to address, on the European level, the issue of adequate rights for immigrants.

Their presence is a reality. A few tens of thousand, maybe even a few hundred thousand, are present within Europe. One might refer to them as a drop in the ocean compared to the disorder present in the rest of the world. However, this drop in the ocean is presented as a tidal wave or an insupportable movement which is used to feed xenophobia and racism.

These citizens of third world countries which are unstable or in a state of war have chosen or been forced to come to Europe, either permanently or for a few years. Most of the time they work here, sometimes raise children here, consume here and certain amongst them work within their community helping to develop their immediate environment. Many of them have a major role in the support and development of their village or region, or simply in the survival of their friends and family who have stayed in their country. They contribute thus to the economic and cultural richness of Europe and to the development of the rest of the world.

It is inadmissible that these people, some of whom have lived amongst us for several years, should be excluded from all that constitutes citizenship, living in permanent fear of being expelled from the country, being denied elementary rights and being subject to the actions of all sorts of criminals: illegal employers, disreputable landlords, pimps, etc.

The argument of impracticality used against those who criticise this treatment has been deconstructed for several decades: illegal residents in Europe are here because they have found employment and if they had real rights they could subscribe to the systems of social protection and many could create activities and thus create employment. The risk of the provocation of an “influx” has never been proven and nothing indicates that the favouring of free circulation through European borders would not encourage movement in both directions with the spontaneous departure of some who came here to try back home to create a new life.

What is sure, on the other hand, is that the respect for the values of a state which operates within a framework of rights rests upon the fight against all forms of inequality and cannot accommodate the sub-status conferred upon certain of its members.

This is why we believe it to be just to ask that:

- All de facto residents within the European Community obtain, within the country where they are, a durable residence status.
- The European political institutions oblige the member states to protect these people against exploitation and to guarantee access to the rights which result from their presence and their employment.
- The states of the European Union create measures targeted at the eradication of the situation of foreigners with neither status nor rights by creating the status of European resident which encompasses security of residence.
- Europe integrates into its principles the right and liberty of circulation for all persons, whether nationals of European states or states outwith the European Community.
- In the immediate future the status of current illegal residents be resolved through a directive which would oblige the member states to proceed to a regularisation of all such persons.

13th September 2002

**Signatories (09-01-2003):**

**Belgique** - *Collectif Solidarité contre l'Exclusion, CADTM (Comité pour l'Annulation de la dette du Tiers Monde), CRACPE (Collectif de résistance aux centres pour étrangers), Décembre 18, HAND-in-HAND, Kairos Europe, LDH Belgique francophone (Ligue des droits de l'Homme), MRAX (Mouvement contre le racisme, l'antisémitisme et la xénophobie), Le Piment, Universal Embassy*

**Deutschland** - *Agisra-Köln (Arbeitsgemeinschaft gegen Internationale sexuelle und Rassistische Ausbeutung), Antiracism Office Bremen, Arbeitskreis zur Unterstützung von Asylsuchenden e.V., Asyl in der Kirche, AWO (Arbeiterwohlfahrt Bundesverband - Bonn), FIZ (Fraueninformationszentrum für Frauen aus Afrika, Asien, Lateinamerika und Osteuropa), Fluchtlingsinitiative Bremen, FRC (Flüchtlingsrat im Kreis Coesfeld), IBIS- Interkulturelle Arbeitsstelle für Forschung, ILA (Informationsstelle Lateinamerika), Interkulturelles Frauenzentrum SUSI, JungdemokratInnen/Junge Linke Landesverband Berlin, Kanak attack, Komitee für Grundrechte und Demokratie, MediNetz Bremen, Medizinische Flüchtlingshilfe Bochum e.V., MigrantInnen, Promondial (Organisation für emanzipatorische Zusammenarbeit), Remedio e.V., Solidaritätsnetz Bern und Umgebung für menschen ohne geregelten Aufenthalt, Verein zur Foerderung und Integration auslaendischer Jugendlicher, Zentralamerikakomitee*

**España** - *Asociación familiar Rondilla, Asociación pro derechos humanos de andalucía, Fundación Etnopolis, Los Verdes de Andalucía, SOS Racisme Catalunya, SOS Racismo España*

**France** - *AC ! (agir ensemble contre le chômage !), Acort (assemblée citoyenne des originaires de Turquie), Act-Up Paris, AFJD (association française des juristes démocrates), Alternative couleur citoyenne, AMF (association des marocains de France), ASTTu (association de solidarité avec les travailleurs turcs), ATF (Association des Tunisiens en France), ATMF (association des travailleurs maghrébins de France), ATTAC (Association pour la Taxation des Transactions pour l'Aide aux Citoyens), Ballon Rouge, Casss-papiers Brest (collectif d'action de soutien et de solidarité avec les personnes sans-papiers de Brest), Catred (Collectif des accidentés du travail, handicapés et retraités pour l'égalité des droits), Cedetim (centre d'études et d'initiatives de solidarité internationale), Cnafal (conseil national des associations familiales et laïques), Collectif arabe des sans-papiers de Marseille, Collectif Corrèzien de Soutien aux Sans-papiers, Collectif de soutien à la démocratie et aux victimes de la violence politique en Algérie, Collectif de soutien aux demandeurs d'asile et sans-papiers, Confédération paysanne, Collectif Portugais Pour Une Pleine Citoyenneté, Comité des Femmes Arabes de France, Coordination nationale des sans-papiers, Cultures & Citoyenneté, Dal (Droit au logement), Droits Devant !!, École Émancipée, Emmaüs Aquitaine, Emmaüs Insertion, Emmaüs Développement, Fasti (fédération des associations de solidarité avec les travailleurs immigrés), Fédération Artisans du Monde, Femmes de la terre, FGTE-CFDT*

*(fédération générale des transports et de l'équipement – CFDT), FCE (Forum Civique Européen), FTCT (fédération des Tunisiens de France pour une citoyenneté des deux rives), Gisti (groupe d'information et de soutien des immigrés), La Marmite, LDH (Ligue des droits de l'homme), Longo mai, Migrant contre le Sida, Migrations Santé, Moi sans toit, Mrap (Mouvement pour la réconciliation et l'amitié entre les peuples), Odu (observatoire du droit des usagers), Pays d'Allier-Solidarité Afrique, Ras l'front, Sud Culture, Sud Éducation, Sud PTT, Sud Rail, Turbulences*

**Hellas** – *Antiratsistiki Protovoulia Thesalonikis, CGC (Communauté congolaise de Grèce), Diktio Koinwnikis Ypostirixis Prosfign kai Metanastw, Sudanese Community in Greece, Turkish minority movement for human and minorities rights*

**Italia** – *ASGI (associazione studi giuridici sull'immigrazione), Associazione Cancelaria - Donne immigrate, Associazione delle Donne del Tigray, Avvocati contro la guerra, CDS (Casa Diritti Sociali), CESTIM (Centro Studi Immigrazione), CIAC (Centro Immigrazione Asilo e Cooperazione), CIB Unicobas, CIE (Centro d'Iniziativa per l'Europa), Coordinamento giuristi democratici, CRED (Centro di ricerca ed elaborazione per la democrazia), CRESM (Centro di Ricerche Economiche e Sociali per il Meridione), Filcams- Cgil (Federazione Italiana Lavoratori Commercio Turismo e Servizi – Confederazione Generale Italiana del Lavoro), Filef Lombardia (federazione Italiana Lavoratori migranti e famiglie), Liberimigranti, Lunaria, Naga, Todo Cambia, Trama di Terre, UCODEP (immigrazione e lotta alla discriminazione), Unicobas Scuola*

**Nederland** – *The Commission JPIC (Justice Peace Integrity of Creation) of the Missionaries of Africa*

**Österreich** – *ANAR (Austrian Network Against Racism), BDFa (Bunte Demokratie für Alle), Die Bunten, SOS Mitmensch*

**Portugal** – *African Cultural Centre from Setúbal, SOS Racismo Portugal*

**Switzerland** – *Centre de contact suisses-immigrés/SOS Racisme, CSSI (Commission socialiste de solidarité internationale), Mouvement suisse des sans-papiers, Syndicat Comedia*

**United Kingdom** – *Campaign Against Racism and Fascism, Colombia Peace Association, Globalise Resistance, Ilpa (Immigration Law Practitioners' Association), NNRF (Nottingham and Notts. Refugee Forum), Kalayaan (Justice for migrant domestic workers), TERF (Trans-European Roma Federation), National Coalition of Anti-Deportation Campaigns*

**International structures** – *AEJDH (association européenne des juristes pour la démocratie et les droits de l'homme dans le monde), Collectif Romeurop, Coordination européenne pour le droit des étrangers à vivre en famille, ENAR (European network against racism), FIDH-AE (Association européenne pour la défense des droits de l'Homme), MRI (Migrants Rights International), PICUM (Platform for International Cooperation on Undocumented Migrants), Réseau européen des Euromarches, UNITED for Intercultural Action (European network against, nationalism, racism, fascism and in support of migrants and refugees)*

**Political formations supporting the call** – *Alternative Libertaire (France), Comitato per i diritti dei migranti e popoli (Italia), Giovani Comunisti federazione del PRC (Italia), KPÖ (Kommunistische Partei Österreichs - Deutschland), LCR (Ligue communiste révolutionnaire - France), Les Piments Rouges (Belgium), The Greens / European Free Alliance, PRC (partito della rifondazione comunista - Italia)*

**The new signatures of organizations (not of individual signatures) are to be sent (in French, English, Spanish or Italian) by fax to the 00 (33) 1 43 14 60 69 or by mail to regul-europe@ras.eu.org**