Webinar agenda

Inclusion of Migrants with Irregular Status: A Role for Cities

1. Presentation by Sarah Spencer, Director, Global Exchange on Migration and Diversity, COMPAS, University of Oxford

2. Presentation by Jan Braat, Senior Policy Advisor, Migration and Integration, City of Utrecht

3. Q&A moderated by Kim Turner, Cities of Migration, Global Diversity Exchange, Ryerson University (Toronto, Canada)

Webinar recording will be available on the website: www.citiesofmigration.ca
Sarah Spencer

Director, Global Exchange on Migration and Diversity, COMPAS, University of Oxford
Inclusion of Migrants with Irregular Status: Why do cities reach out?

Dr Sarah Spencer
Cities of Migration Webinar
April 2018
Irregular (‘undocumented’) migrants in Europe

Who do we mean?
Citizens of non EU countries who have not fulfilled their conditions of entry or stay
Some enter without permission
Many enter legally, to work, join family, study or seek refuge, but do not comply with conditions of their visa, or overstay

Most recent estimate?
0.4% - 0.8% of the population of the EU 27 in 2008
3% - 6% of cities such as Ghent, Genoa & Rotterdam

But recent refugees refused asylum are expected to swell numbers: EU return rate is 36%

Source: UNHCR
A European challenge

Many work or are supported by family and friends. Some become destitute, need shelter and essential services, posing policy challenges for national and local government.

Utrecht, 2012

Barcelona, 2013-2014

Grenfell Tower, London, 2017

Berlin protest, 2013
Drawing on our research & city learning-exchange initiative

Research
National, regional & local responses to irregular migrants in EU28 2012-2015
Spencer, Hughes & Delvino

City Initiative on Irregular Migrants in Europe (C-MISE) 2017 – 2019
Nine cities from eight countries:
- Athens
- Lisbon
- Barcelona
- Oslo
- Frankfurt
- Stockholm
- Ghent
- Utrecht
- Gothenburg
- Plus Helsinki & Zurich (Associate members)

Local responses to children & families with ‘No Recourse to Public Funds’ in UK 2012-2015
Price & Spencer

Athens town hall, C-MISE meeting, January 2018
Expectation that cities will foster integration of *regular* migrants

But not those whose status is *irregular* & subject to enforcement action
Yet European governments do recognise the need for access to some services

- All EU28 allow emergency health care (although some require payment)
- Some allow access to primary care, hospital care, maternity, treatment for infectious diseases, & full care for children
- School: Nine countries granted specific entitlement; law in most states allows ‘all’ children to attend

**Recent extensions to access:**
- Sweden 2013: Health care ‘that cannot be postponed’ & full access for children to health care & school
- Spain 2011: special residence permits for victims of domestic violence
- UK 2012: Treatment for HIV
Why was access extended?

‘All health care should be carried out on the same premises and on the basis of the same requirements for quality, documentation and possibility of supervision.’

Swedish official inquiry on health care for undocumented migrants, 2011

‘The driver for the decision was public health…the growing body of evidence on the protection benefits of anti-retroviral drugs on onward HIV transmission. There was an international study in 2011 that was quite compelling.’

UK government official, 2013

Nevertheless the policy norm on access to services is highly restrictive, creating challenges for local government
‘These people are here, some in desperate need, dying on the streets or involved in crime. The national government does not have to bother with the problems we have every day.’

Dutch city public health worker, 2013

‘We have to respect the law. But if someone has something to eat they don’t need to steal to eat so providing food is also supporting the law. And providing food to live is a higher aim than law enforcement.’

Greek city politician, 2013

City priorities can differ from those of national governments
Some cities provide services beyond national expectations

- Health care
- Nursery education
- Shelter
- Legal advice & representation
- Language classes
- Birth certificates
- Assisting voluntary returns

- Skills training; job search
- Local ID cards
- Safe reporting for victims of crime ‘safe in, safe out’

Provided directly by the city or in partnership with, or through, an NGO
Why? Cities say exclusion prevents them achieving their goals

- Homelessness, street sleeping
- Crime prevention
- Image of city: tourism, business
- Public health; domestic violence
- Resolving irregular status
- Managing public services
- Humanitarian; medical ethics
- Legal duties; Child protection
- Reputational risk
‘The police in practice do not pass on information on immigration status which they are aware of because someone is a victim of crime. That is not in writing anywhere but in practice they do not.’

Belgian city official, 2013

‘Although the Ministry knows that we also treat undocumented migrants this is never openly and explicitly discussed.’

Austrian city-funded health care provider, 2013

‘The food distribution services...is for legal residents but what is left is always given to the irregular migrants who come and no questions are asked about their residence status. There is enough for everyone who comes.’

Greek city politician, 2013

Rules are stretched to enable provision
But that ambiguity is a problem for staff

‘There is no policy. We have tried to be acknowledged but while everyone in the city administration knows the two of us and the work we are doing there is no visible recognition of it.... This is the biggest challenge in my job, acceptance and non acceptance.’

Social Worker with the homeless, Danish city, 2013

…..and for NGOs

‘You can see that it is all ad hoc rules here, with nothing written down, and we may not want to change that, in some ways. We operate in the grey zone where we know, after years of doing this, who to contact and who to avoid. But it is becoming more difficult....’
Funding services through NGOs can be another way to avoid controversy, and reporting duties.

‘When the NGO came to us for funding they underlined the service would only be for legal residents.

I said our condition would be that they don’t ask about immigration status.’

Finnish city official, 2013

‘NGOs are so helpful, enabling us to provide services in grey areas where not too many people are aware of it. If it is not too visible it is ok.’

Dutch city official, 2013
Cities need to share experiences & learn from each other

City Initiative on Migrants with Irregular Status in Europe (C-MISE) 2017-2019

- Cities meeting over two years
- Supported by Oxford Universities’ Global Exchange & invited experts
- Initiative adopted by Eurocities Working Group on Migration and Integration

Aim:
- Share experiences, learn from each other
- Produce guidance for municipalities across Europe – *on which we need more examples please!*; and four short videos
- Raise awareness of, & promote dialogue on, the challenges cities face
- Consider reforms at EU level which would help cities address the challenges effectively.
Resources from COMPAS


Jan Braat

Senior Policy Advisor, Migration and Integration, City of Utrecht
A population of 328,000 makes Utrecht the fourth largest city in the Netherlands. Utrecht is a student city with a relatively young population composition. It also has the most highly educated working population of the Netherlands' larger municipalities.

Education level of working population (C50 ranking)
1. Utrecht
2. Amsterdam
17. The Hague
22. Rotterdam

Population forecast total number of residents
2002: 260,639
2004: 270,243
2006: 281,011
2008: 294,712
2010: 307,124
2012: 316,277
2014: 328,276
2016: 333,320
2020: 336,320
2030: 340,220

The population of Utrecht comprises a relatively high number of 20- and 30-year-olds and relatively few people over the age of 45 in comparison with the other 38 large Dutch municipalities.

Household composition
- Single 92,168
- Households with children 34,757
- Households without children 33,040
- Single-parent households 9,209
- A total of 328,276 residents

Population dynamics 2013
Deaths: 1,892 - Births: 4,942
Situation in Utrecht in the winter

- Rough sleeping conditions in the Utrecht forest area
Basic Principles Local Utrecht Policy

- Human Rights Treaties:
  - European Convention on Human Rights
  - International Convention on the Rights of the Child
  - European Committee of Social Rights
- Necessary care and shelter to vulnerable undocumented in the municipality
- Public order competence (Mayor)
Objective: to prevent and reduce illegal stay in the Netherlands

The result is:

- either a residence permit and integrate in Utrecht through coaching for education and work
- or “reconnection” to the country of origin
- homelessness and rough sleeping conditions on the street is not the solution, but part of the problem
What are the strategic implications?

• Litigation based on human rights conventions: European Social Charter, UN Convention Right of the Child

• “Winning by losing strategy” for undocumented families with children

• Vulnerable undocumented migrants is main focus, not every service for all

• Coalition of municipalities, national and international (Eurocities, C-MISE), NGO’s and scientific community
Utrecht policy undocumented migrants

Solution oriented and pragmatic:

1. Professional guidance is essential (800)

2. Support Centre Perspective for former Unaccompanied Minors and medical shelter (PTSD)

3. Emergency shelter rejected asylum seekers. Utrecht offers shelter to 225 undocumented migrants

4. EU migrants successfully approach Polish organization Barka
What are the results in Utrecht?

Total results 2002-2018: 92% solution rate:

- 59% legalized and integrated in Utrecht society
- 19% reconnected to countries of origin
- 13% received shelter in national asylum centres
- 8% lost to illegal stay
Future citizens in the Human Rights City of Utrecht

- Most undocumented living in Utrecht shelters are future citizens we want to activate as soon as possible and integrate after legalizing their stay. Results are a key factor.

- A possible agreement and cooperation between municipalities with national government based on local experience

- Professional guidance combined with shelter, care and activation for mainly former refugees

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Acknowledgments

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