

REPORT ON REGULARISATION WORKSHOP

The regularisation workshop was well attended, about one hundred and fifty people from different communities as well as from british organisations took part.

The purpose of the workshop was to discuss the problems and situation of unauthorised migrant workers and "illegal"immigrants and to analyse the prospects of an amnesty or "regularisation"of their situation.The discussion of policy and a common campaigning platform for all the communities affected by the problem,figured as a prominent aspect of the debate.In this context the workshop considered a discussion paper drafted by members of the organising working group of the conference that included an analysis in depth of the problem in relation to the british state and society.The working group also put forwards through the paper a set of proposals in the form of general principles and practical demands to serve as a basis for future action.

The main points of the regularisation paper were presented by the chair and by a speaker from the working group.They emphasised that the question of unauthorised working and illegal immigration have their roots in international political and economic relations of imperialism and dependence between western industrialised countries and the underdeveloped world.Internationally stimulated economic recession and political repression compell thousands of people to leave their countries of origin and emigrate to western europe and the U.S.A. where they are made to work in low paid labour intensive industries that are unable to attract local labour due to their bad working conditions.In this process migrant workers become net contributors to the western economies as low paid workers,deprived of any of the basic civil and labour rights and unable to benefit from social provisions to which they contribute with their labour and taxes.

In the U.K.the so called migrants are separated from their brothers and sisters from the new commonwealth countries by legal devices and differences of status that while being artificial,create effective barriers to organisation and unity.Another way in which migrants are separated from other immigrants and black people in this country (as well-as from the local population)is by classifying some of them as "illegal immigrants".

However the process that creates illegal immigration or unauthorised working must be found not in the behaviour of migrant people but in the nature and operation of the immigration controls that effectivly play the double of politically controlling the migrant/immigrant communities and of ensuring the maximisation of economic exploitation of these workers through discrimination,repression and employment restrictions.

It was pointed out during the debate that the issue of unauthorised working and illegal or "irregular"immigration must figure prominently amongst the priorities of the Migrant/immigrant/refugees communities and the developments of solutions and alternatives must be an essential aspect of our struggle.Furthermore,the tackling of this problem must be viewed as the most important step in the process of organisation and political mobilisation of M/I/R/communities due to the nature of the issue and the restrictions and limitations caused on the communities by the systematic criminalisation and persecution of many of their members,limitations that also hinder our ability to organise and face up to the broader problems affecting us.

On this conection it was felt by the workshop that unauthorised working and illegal immigration had to be raised in the context of the general struggle against all immigration controls of which this particular issue is a clear example of their irrationality and repressive/discriminatory methods.Therefore there was a consensus amongst those present in the workshop that immigration controls and the persecution and deportation of so-called "illegal immigrants"were measures designed to use a whole section of the active population of this country as scapegoats for economic recession,unemployment and industrial decline.The intensification of deportations and the tightening of immigration controls(including internal immigration controls) represent the practical way in which the state pretends to isolate and deny their basic ights to migrants,immigrants and refugees through the use of artificial

definitions of illegal immigration and as such this kind of repression poses a serious threat to the very principles of democracy that this country claims to uphold.

In order to confront this challenge the participants to the workshop approved a programme of reivindications and demands based on the concept of regularisation of status for all "irregular" migrants or immigrants in this country. It was also made clear in the workshop that the M/I/R communities do not accept the proposal and definition of "amnesty" since the words conveys the impression that migrants have committed criminal offenses and the concept, as used in a number of occasions, is normally applied to the solution of the problem of a limited number of people, under particular circumstances and by special legislation that is granted not as a right but as a one-off concession.

Regularisation was defined as the process of recognition of the right to stay, work and settle for those migrants/immigrants and refugees who have previously been classified as illegal immigrants, overstayers or unauthorised workers (working in breach of conditions). The process of regularisation would then become an administrative procedure of the home office, under close and active community supervision, that had to take into account all aspects of the process of migration (i.e. recruitment, travel, employment, deportation etc) as the basis for regularisation of situation. It would therefore have to include recognition of all the reasons and causes why people fall foul of the complicated and irrational immigration system and cover a wide-range of cases and communities.

Regularisation must also be an ongoing process to be repeated after a certain period in the context of "relaxed" or abolished immigration laws. On these basis the communities may provide a programme and alternatives to the existing system that ensure a fair treatment of this issue by the authorities should the prospect of regularisation arise in the future due to our own pressure or due to a change in governmental policy. In this way it would also be possible to prevent a repetition of the negative experiences that have accompanied past governments' amnesties in Europe and the U.S. that have normally led to more repressive measures and hindered the capacity of the communities to organise themselves.

Needless to say, past amnesties have never resolved the real problem and have made it often worse, for which reason we believe that regularisation must be an ongoing process to be repeated from time to time.

The way in which these demands and proposals may be implemented is by political action in the wider context of the development of a migrants/immigrants and refugees movement that takes up the issue in conjunction with other sections of this society such as black and white british workers, women, low paid workers etc, with which we share a position of oppression and with whom we can identify ourselves from the point of view of our own position and demands.

Therefore the workshop agreed on the following set of principles and demands as the basis for a regularisation campaign:

General guiding principles

- a) Regularisation must lead to a weakening rather than a strengthening of immigration controls, since otherwise the regularisation process may eventually lead to more repressive measures and deportations as past experiences in other countries show.
- b) Regularisation must be an ongoing process, repeated in successive periods.
- c) Regularisation must be accompanied by the granting of civil and political rights.
- d) Regularisation must not be determined by employment situation
- e) Regularisation must be underlined by a determined stand against all immigration controls as a matter of principle.
- f) Regularisation process must preclude and challenge any sort of discrimination on sexual or racial grounds.

List of demands

- a) All irregular migrants and their families must be granted full settlement rights
- b) Automatic right of settlement for any migrant who has lived in the U.K.
Removal of any restrictions referring to the use of public funds.
- c) Reform of the work permit system in favour of the worker. The work permit must always lead to settlement.
- d) Regularisation and the granting of settlement rights must not be bound up to any past or present situation of unemployment. No reference must be made to employers.
- e) Automatic right of asylum for any irregular migrant who may fear political or social persecution in his/her country of origin.
- f) The regularisation of any member of a migrant community who do not fall within the category of worker, on the basis of length of stay or humanitarian considerations (i.e. elderly, disabled or sick people, separated wives and mothers etc). Full consideration to be given to any community links (i.e. community service, non-dependant children etc)
- g) Regularisation or right of entry must be granted to foreign husbands and fiances of women resident in the U.K.
- h) Equal treatment for men and women. Status of women ought not to be made conditional to her husband's. Equal treatment of irregular migrants by all agencies and institutions with respect to treatment of settled immigrants.
- i) Pardon for any previous breach of immigration laws, administrative procedures or any other law or regulation connected to situation of irregularity such as not payment of taxes, jumping bail in an immigration case, breach of a deportation order etc.
- j) Decriminalisation of immigration controls. Right of appeal to any home office decision.
- k) Any baby born in the U.K. should have full citizenship rights, back-dated to the enactment of the nationality act 1981.
- L) Right of full-time students and their spouses to engage in employment.
- M) Full representation of affected communities through their organisations in the every stage of the regularisation process.
- N) Regularisation must be an ongoing process to be repeated

Apart from these demands the workshop referred back the following demands to the working group for further consultation and discussion:

A) Granting of extension on leave to stay up to 2 years for all those who are for any reason rejected from the regularisation process or who do not wish to remain permanently in the U.K. Also assistance in terms of training and educational opportunities and financial aid to return to the country of origin.
On this particular point the workshop felt that there were two separate issues and that in any case the mention of provisions for returning to the home country could be misunderstood as a reference to repatriation.

B) Right of newly arrived migrant workers to seek employment for a specific period of for instance 3 months. Any employment thus obtained must be paid at the legal rate. This point was agreed on principle but there was disagreement about the specific time and about the meaning of "legal rate"