WHY ‘UNDOCUMENTED’ OR ‘IRRREGULAR’?

IT’S RECOGNISED BY KEY INSTITUTIONS

- **UNITED NATIONS GENERAL ASSEMBLY**
  - “The UN General Assembly requests the UN organs and specialized agencies concerned to utilize in all official documents the term ‘non-documented’ or ‘irregular migrant workers’.”
  - General Assembly, Measures to ensure the human rights of all migrant workers, 3649, 2433rd plenary meeting, 9 December 1975

- **UNITED NATIONS INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT**
  - The most comprehensive text on international migration adopted by the international community at the time affirmed that “undocumented or irregular migrants are persons who do not fulfill the requirements established by the country of destination to enter, stay or exercise an economic activity.”
  - Programme of Action of the International Conference on Population and Development (ICPD), Cairo, 1994

- **INTERNATIONAL LABOUR CONFERENCE, 92ND SESSION**
  - The Resolution concerning a fair deal for migrant workers in a global economy, adopted by the highest governing body of the International Labour Organisation in 2004, refers to “irregular status” and “workers in irregular situation”.

- **COUNCIL OF EUROPE PARLIAMENTARY ASSEMBLY**
  - “The Assembly prefers to use the term ‘irregular migrant’ to other terms such as ‘illegal migrant’ or ‘migrant without papers’.” This term is more neutral and does not carry, for example, the stigmatisation of the term ‘illegal’.
  - Council of Europe, Parliamentary Assembly, Resolution 1509, “Human Rights of Irregular Migrants”

- **EUROPEAN PARLIAMENT**
  - “Calls on the EU institutions and Member States to stop using the term ‘illegal immigrants,’ which has very negative connotations, and instead to refer to ‘irregular/undocumented workers/migrants’.”
  - General Assembly, Measures to ensure the human rights of all migrant workers, 3449, 2433rd plenary meeting, 9 December 1975

- **UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS**
  - “‘Illegal immigrants’ should be avoided and replaced by the internationally accepted definitions of ‘irregular’ or ‘undocumented’ migrants, which more accurately describe the situation.”
  - UN High Commissioner for Human Rights, Navi Pillay, 12th session of the Human Rights Council, 22 September 2009

- **EUROPEAN COMMISSION**
  - “And let me be clear about my vocabulary too: illegal migrants do not exist. People may come to the EU and might be required to use irregular ways… but no human being is illegal.”
  - Cecilia Malmström, European Commissioner for Home Affairs, 29 November 2010

- **ASSOCIATED PRESS AND OTHER MEDIA**
  - Several international media outlets have changed their terminology and dropped ‘illegal migrant,’ including leading news agency Associated Press: “The Stylebook no longer sanctions the term ‘illegal immigrant’ or the use of ‘illegal’ to describe a person.”
  - Associated Press, 2 April 2013

More examples and information available at www.picum.org/terminology

IT’S POSSIBLE

- **Bulgarian**
  - Български език: нерегулярен мигрант

- **Croatian**
  - Hrvatski: Neregularni migranti

- **Czech**
  - Cesina: Příslušníci bez dokladů Neregistrovaný Neregulérní

- **Danish**
  - Dansk: Udokumenterede migranter

- **Dutch**
  - Nederlands: Mensen zonder papieren
  - Dutch: Mensen zonder wetig verblijf

- **English**
  - Undocumented migrant

- **Estonian**
  - Eesti keel: Elamisloata immigrant

- **Finnish**
  - Suomi: Paperiton siirtolainen

- **French**
  - Français: Sans-papiers

- **German**
  - Deutsch: Migranten ohne (gesicherten) Aufenthaltsstatus

- **Greek**
  - Elliniká: μετανάστες

- **Hungarian**
  - Magyar: Rendezetlen jogállású bevándorló

- **Irish**
  - Gaeilge: Imirceach gan doiciméid

- **Italian**
  - Italiano: Migranti irregolari

- **Latvian**
  - Latviešu valoda: Nelikumīgie imigranti

- **Lithuanian**
  - Lietuvių kalba: Neregulierus migrančiai

- **Maltese**
  - Malti: Immigranti irregolari

- **Polish**
  - Polski: Niedokumentowani migranci

- **Portuguese**
  - Português: Migrantes não-documentados

- **Romanian**
  - Română: Imigranți cu vedere nereglementată

- **Slovak**
  - Slovenčina: Nezodokumentovaní príslušníci

- **Spanish**
  - Español: Migrantes irregulares

- **Swedish**
  - Svenska: Papperslösa

These translations have been provided by PICUM’s network across the EU. Share your fair and impartial terms and descriptions by contacting info@picum.org. Updates and other languages available at www.picum.org/terminology
**Legally Incorrect**
Being undocumented does not constitute a crime in most countries. As it is not an offense against persons, property or national security, it belongs to the realm of administrative law. However, even in countries where violations of immigration law are considered criminal offenses, committing a criminal offense does not make you an ‘illegal’ person.

**Misleading**
The majority of undocumented migrants in Europe have lost their status as a result of exploitation, misinformation or administrative delays - not by committing an offense. Children are also erroneously labelled ‘illegal’ simply by being born or coming into an irregular situation with their parents.

**Ignores International Legal Obligations**
States have internationally recognised obligations towards all persons under their jurisdiction, all of whom have human rights no matter what their migration status is. In response to human rights violations, atrocities and crimes against humanity, these standards were designed precisely to prevent states from defining any human being as anything less than a legal person.

**Violates Principle of Due Process**
Defining and treating an individual or group as ‘illegal’ violates their right to recognition as a person and a rights holder before the law. Due process is a fundamental human rights safeguard, yet migrants are increasingly denied their full legal rights in immigration proceedings. While punitive sanctions, such as detention, are increasingly used to enforce immigration violations, these administrative proceedings lack the necessary procedural safeguards and protections.

**Inaccurate to Describe People Arriving at Borders**
Under international law, everyone has the right to leave a country, including their own. All those arriving at borders have innate human rights and specific human rights protection needs. Labelling all migrants trying to reach Europe through unofficial channels as ‘illegal’ is inaccurate and increases their exposure to prejudicial treatment.

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