



Stichting Landelijk Ongedocumenteerden Steunpunt

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The website [iLegalevrouw.nl](http://www.iLegalevrouw.nl) has been launched

On 23 September, Judith Sargentini, member of the European Parliament for Groen Links launched the website of *i-Legalevrouw*. On this website, you can find information that is relevant to the assistance to women who don't have a residence permit, for instance the right to healthcare, housing and social assistance benefit. The ways of obtaining a residence permit are described here, as well as the risks a woman runs if she has no residence permit: are the police entitled to ask for her identity documents, for how long may she be detained?

The website includes a social map containing approximately 100 organisations committed to women without a residence permit. Look at: www.iLegalevrouw.nl The English-language site is currently under construction.

The LOS foundation is the supporting organization for the assistance of migrants without residence permits. By means of this newsletter we inform you of current developments. If you have any questions about this newsletter or about the rights of migrants without residence permits, please feel free to contact LOS.

1. Basic rights

Family Locations in Gilze and Vught for asylum seeking families who have exhausted all legal remedies

Earlier on, in response to a question by PvdA MP Hans Spekman, the minister indicated that the Family Locations are meant exclusively for families who have exhausted all legal remedies and must return. However, information from the Dutch Refugee Council makes clear that families in a regular admission procedure are transferred to Family Locations as well. The Family Location rules are severe: occupants are not allowed to cross the municipal boundaries, they are to call in every day (including weekends) and their allowance is reduced. Moreover, travelling expenses to visit a solicitor or a doctor are not refunded.

Dutch state summoned for refusing work placement if a pupil lacks a residence permit

Dutch government has decided that pupils lacking a residence permit are not allowed to do a work placement. Defence for Children (DCI) objects and has started legal proceedings against Dutch government. According to DCI, the Netherlands violates the right to education. The association of school attendance officers and the trade union support the summons.

2. Admission policy

Protection in the Netherlands on account of domestic violence in the country of origin

The Netherlands may sometimes issue an asylum residence permits if the authorities in the country of origin fail to offer protection against domestic violence. In past weeks, the court judged that the authorities of Mongolia do offer protection in principle, and that the women in question thus did not need to be offered protection by the Netherlands (Almelo court house, 11/10428). In Nepal, things are different: as the authorities do not offer protection, the Netherlands cannot expect the woman to ask protection from the authorities first (Council of State, 201104179/1/V2).

No integration requirement in country of origin for Turkish migrants

Due to the Association Agreement, the Netherlands is not allowed to impose new integration requirements on Turkish migrants. Earlier on, it became known that Turkish migrants don't need to pay the high fees that apply to other migrants. They are likewise exempted from the new income requirements, and from the Civic Integration Abroad Act (language test).

Minister Leers wants to make family migration more difficult

The minister wants to make it harder for partners to obtain residence permits. He aims for:

- a status for married partners alone, not for partners who live together
- allowing a partner in only after the first migrant has lived in the Netherlands for 1 year
- the dependent partner only obtains an autonomous residence permit after 5 years' residence

The text of these amendments has not yet been published.

MVV-exemption for children and readmission to be abolished

The MVV (authorization for temporary stay) is a visa that must be applied for in the country of origin if the applicant wishes to stay in the Netherlands for longer than 3 months. Currently, some migrant groups do not need an MVV: that is the case for children of school age who have lived here for longer than 5 years. It also applies to migrants who used to live here for longer than 5 years as a child. The minister aims to abolish these to exemptions from 1 January 2012.

Court decides that a Nigerian victim of human trafficking cannot go back

This case is about a Nigerian woman whose family had sold her to a human trafficker. The court poses that although there is an organization in Nigeria that receives victims of human trafficking, this reception is finite. After this period the woman would still have to return to her family. The court finds that this is not safe (Assen court house, 10/4706).

3. Check and Deportation

Minister Leers explains how illegal residence is punished

Illegal residence will be punished with the imposition of a fine of at most 3.800 euro or an alternative detention of at most 4 months. If someone is unable to pay the fine, it will remain outstanding for 4 years. The fine does not apply to minors. Help to people staying illegally will not be made punishable through this Act. It is already punishable to give someone without a residence permit shelter without reporting this to the police. It is likewise already punishable to employ someone without a work permit. Minister Donner announced that he will punish the lending of identity documents more severely. Euro commissioner Malmström made clear that locking up migrants who have no residence permits is not allowed in the European Union.

4. What can be done?

Lecture series of Institute for Social Studies on precarious work

Worldwide, more than a billion labourers, which amounts to 40% of the total supply of labour, are 'working poor'. Globalization and lack of agricultural land has driven them to the cities, where they have ill-paid and unprotected jobs in the informal economy. Migrants likewise often work under bad working conditions. In the months of September through December 2011, the Institute of Social Studies will organize a series of lectures on precarious work and the relation with globalization. Click [here](#) for the various lectures.

Day of General Discussion on Migrant Domestic Workers

On 19 September, a Forum Discussion on the importance of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Migrant Workers Convention) took place in Geneva. The LOS foundation sent a letter containing recommendations. Petra Snelders of RespectNL was present in Geneva. She called for attention to the consequences of criminalization of illegal residence for the realization of the basic rights of migrants without a residents permit. Click [here](#) for the account.