



Stichting Landelijk Ongedocumenteerden Steunpunt

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PICUM/LOS/ROS Conference Criminalization illegal residence 27 May Rotterdam

The Dutch authorities intend to criminalize illegal residency. PICUM, the LOS foundation, the ROS foundation, and the Pauluskerk organize an international conference with the purpose of providing insight into the criminalization of illegal residence in other European countries. In this way we hope to be able to make a case against the plans of the Dutch authorities. The official language of the conference is English. You will find more information in [the preliminary programme](#) and on [the registration form](#).

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 contact LOS.

1. Basic rights

Work placement MBO

Ministers Kamp and Bijleveld have stated that MBO students without residence permits are not allowed to work and therefore are not allowed to participate in work placement programmes either. Previously other ministers had stated that students were entitled to participate in work placement programmes, because they have a right to education. As yet Defence for Children attempts to achieve the right to work placements.

Right to marry

The European Court of Human Rights have decided that marrying is a human right, which also applies to migrants who have no residence permit. Financial consequences are not allowed to provide an impediment.

2. Admission policy

Female genital mutilation in Burkina Faso

Because of the risk of genital mutilation in Burkina Faso, it is mandatory to grant legal status to girls who have not undergone genital mutilation, according to the Court of Appeal Zwolle.

Single mother can be sent back to Iran

The Council of State, the Court of Higher Appeal, are of the opinion that in Iran the risk of persecution of single mothers who return to that country, is not grave enough to grant this group legal status.

Pakistan does not protect the victims of honour-related violence

The Court of Appeal in Arnhem have decided that a Pakistani man who had been threatened with honour-related violence by his wife's relatives will not be protected by the Pakistani authorities and is therefore entitled to asylum.

Residency with Dutch children

Previously several Courts of Appeal had decided that it is in the interest of children with the Dutch nationality that their parents can join them in the Netherlands. The Court of Appeal have ruled that it is not mandatory for these parents to obtain an authorisation for temporary stay. These verdicts refer to the ruling of the European Court of Justice in the case Ruiz Zambrano of March of this year.

Convention Council of Europe on domestic violence

The Council of Europe have adopted a convention which condemns domestic violence. Victims should be protected, even if they have no residence permits.

No protection of victims of human trafficking in Nigeria

The Court of Appeal Assen have decided that the support of victims of human trafficking in Nigeria is inadequate. Victims are to be granted prolonged stay in the Netherlands.

3. Check and Deportation

Criminalization illegal residency in breach of Return Directive

In Italy illegal residency has already been made liable to punishment. On 28 April the European Court of Justice decided that criminalization is in breach of the Return Directive. This directive stipulates which specific measures countries are allowed to take in order to stimulate migrants to return to their country of origin. These measures do not include imprisonment.

Check Chinese migrants

The Immigration and Naturalisation Service and the Aliens Police co-operate in order to clamp down on human trafficking. They also monitor the abuse of applications for residence permits for education and work for Chinese migrants.

4. What can be done?

Opening Wereldhuis The Hague ‘Op zoek naar de sleutel [Looking for the Key]’, 20 May 13-14.00 hr

The Wereldhuis The Hague is to become a place where undocumented migrants can meet and can find information. It is an initiative by STEK and VluchtelingenWerk The Hague. The opening will take place on the 20th of May from 13.00 - 14.00 followed by a reception. Address: Kempstraat 124-II, please apply through dhwereldhuis@steknet.nl.

Talk show by WominInc about women trafficking, 23 May Amsterdam

Is it true that huge numbers of illegal prostitutes are recruited under false pretences or do they generally opt for prostitution because the economic prospects in their respective countries of origin are so miserable? And are the present policies to clamp down on women trafficking effective? More information about the talk show is to be found [here](#) (in Dutch).

Dental care for undocumented migrants in Gelderland

Until this summer undocumented migrants in Gelderland can obtain dental treatments through the Radboud University Nijmegen. Application through the Gelderland support organisation; this organisation can contact Caroline Visser for appointments through: pvisser@xmsnet.nl.