



Stichting Landelijk Ongedocumenteerden Steunpunt

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Please, submit your complaints against detention of aliens at the LOS foundation!

For over a year, LOS Foundation has accumulated complaints against the state of affairs in the detention of aliens. With respect to medical care, the treatment by warders, the food the isolation cells. We help lawyers file the complaints and we report these complaints to politicians and human rights organisations.

If you have any complaints about the way you've been treated in detention, please phone LOS Foundation through 0800-3388776 (free from detention centres) or alternatively 030 2990222.

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

Child benefit for Dutch family recently returned from Pakistan

A Dutch mother with a family returned from a prolonged stay in Pakistan and applied for child benefit. According to the Social Insurance Bank (SVB) a parent is only eligible for child benefit if there is a legal, economical and social tie with the Netherlands. The SVB refused to grant this family child benefit. The family went to court: the court ruled they are eligible for child benefit.

Social assistance benefit for legal child of illegal father

An undocumented father had children with a legal mother. Therefore, the children are legal residents. The relationship broke up and most of the children went to live with the mother. However, the court granted the father the custody of one son. The father applied for social assistance benefit to support his son. At first, Social Services rejected this application. However, the court found for the father.

2. Admission policy

UNHCR thinks that westernized Afghan children are refugees

The UNHCR, the UN organization for refugees, has written a letter to the Dutch government. The UNHCR feels that the Netherlands is to grant westernized Afghan children a proper refugee status instead of a status due to trauma. Moreover, the UNHCR thinks that every child should be assessed individually.

Council of State finds that single women may return to Burundi

The Council of State, the Higher Court of Appeal, finds that single women will not be in danger upon their return to Burundi.

In another court decision, the Council of State decided that Burundi children who have lived in the Netherlands for a long time may return with their parents if the status of their parents is not extended.

Council of State finds that return to Sud-Kivu, Congo is not safe

According to the Council of State, security in Sud-Kivu is so poor that nobody must be sent back there.

Council of State finds that single women may safely return to Iraq

According to the Council of State, there are many single women in Iraq (due to the war) and women have political rights. It is not unsafe for single women to live there.

Council of State finds that lesbian woman may safely return to Sierra Leone

The woman told that she had had a secret lesbian relationship. However, this had not been the reason for her flight. The Council of State thinks that upon her return she may be able to express her lesbian feelings in the same way.

Exemption from language test for illiterate Afghan mother in Pakistan

An Afghan father was granted a status in the Netherlands and his children were allowed to come to the Netherlands as well. The mother had to take a language test, but could not, for she is ill and illiterate. The judge decided to ask the European Court if the Immigration and Naturalisation Service may deny the mother access. However, before the Court answered this question, the Immigration and Naturalisation Service decides to admit the mother after all.

3. Check and Deportation

Annual report Health and Safety Inspectorate

In 2010, the Health and Safety Inspectorate found 2,400 labourers who worked without a permit, especially Bulgarians, Chinese, Turks and Rumanians. The employers were fined and the Chinese and Turkish employees were put in detention as aliens. Last year, the Health and Safety Inspectorate focussed on the cleaning industry, temporary agencies and small supermarkets. The Health and Safety Inspectorate also checked foreign students and knowledge migrants.

4. What can be done?

Conference: Walls around Europe, 6 June 9.30 a.m. 4 p.m. Utrecht (in English)

This conference revolves around Frontex, the European border security agency. Many migrants lose their lives on their way to Europe. What can we do about that? In this conference, Elias Bierdel (Cap Anamur), father Jan Heuft (Algeria) and Karina Franssen (Dutch Refugee Council) talk about the situation and our responsibility.

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Hirokazu Yoshikawa: Immigrants Raising Citizens- Undocumented Parents and Their Young Children

This study about undocumented parents in the US makes clear they have little contact with social workers, have isolated social networks and need to work long hours for little money. These living conditions adversely influence the development of their children.

Kalayaan: Ending the Abuse; Policies that work to protect migrant domestic workers

Kalayaan advocates for the rights of domestic workers in England. Its report shows that domestic workers with an independent status have better employment rights than domestic workers who work for diplomats and depend on their employers.