



Stichting Landelijk
Ongedocumenteerden
Steunpunt

NEWSLETTER, year 2 no. 11

11 June 2012

CONTENTS	PAGE
1. BASIC RIGHTS	2
2. ADMISSION POLICY.....	2
3. CHECK AND RETURN	3
4. WHAT CAN BE DONE?.....	3

PROPOSED AMENDMENTS FAMILY MIGRATION DEEMED CONTROVERSIAL

On 13 April, Minister Leers proposed amendments to the family migration policy. For instance, unmarried couples would no longer be granted a residence status, and the contingent residence permit duration would be extended to 5 years.

Due to the fall of, the Dutch government, this legislative proposal has been deemed controversial. The amendments are postponed.

On 17 April, Minister Leers proposed to reduce the administrative charges for a residence permit for a family member on social assistance benefit. This legislative proposal has been deemed controversial as well. However, when applying for a residence permit for a family member receiving social assistance benefit you may always apply for an individual reduction of administrative charges.

1. BASIC RIGHTS

Eviction Ter Apel refugee camp

On 23 May, the mayor of Ter Apel evicted the refugee camp. The 230 Iraqis had already decided to accept reception at the COA (Agency for the Reception of Asylum Seekers). The remaining asylum seekers were evicted in a heavy-handed way, which was motivated by an alleged 'danger to public order'. According to the court, the mayor might have deployed other means for this than eviction. However, the court did agree with the mayor's decision to fence off the area, so that new refugee camps can no longer be set up there.

Proof of Chinese personal details always through Hukou

As from 1 June 2012, the IND will no longer accept any notarial declarations regarding the identity of Chinese aliens. Only True Copies of the Hukou (the Chinese identity booklet) made by the solicitor will be accepted.

2. ADMISSION POLICY

Streamlining procedures

On 22 May, Minister Leers has published proposals to shorten the procedures for residence permit applications.

In the future, initial asylum procedures will be weighed with regard to all humanitarian aspects (for instance medical, family life, poignancy and no fault).

In initial procedures for a regular residence permit without authorization for temporary stay, all documents must be mailed in advance, so that the IND can study them. When the actual application is submitted to the IND office, the IND may possibly reject this application right away.

In case of new procedures (asylum or regular) only new information will be taken into consideration. Information that could be assessed before, will no longer be included in the procedures.

Lawyers receive a lower fee if they lose application procedures. The Legal Aid Board will organize a separate telephone surgery for asylum seekers who have no lawyers.

These proposals are yet to be assessed by parliament.

Court: risk involved in return lesbian woman to Gambia

The court finds that lesbian women in Gambia are in danger. In spite of the fact that the court does not believe the asylum account of the woman concerned, she does not have to return to Gambia (Haarlem court, 12/10465)

Minister: 'Public interest' will not be a separate admission criterion

The Advisory Committee on Migration Affairs has advised the Minister to take into consideration 'public interest' as a separate admission criterion. A special committee should advise the minister regarding this residence purpose. The Minister has declined the proposal. However, he is willing to ask the mayor of the municipality in question for advice on this subject, in view of his/ her discretionary powers.

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 contact LOS..

Minister: target group children's pardon

According to the Minister, there are approximately 700 children who have stayed in the Netherlands for longer than 8 years and are still in reception or involved in a procedure. Moreover, there are approximately 30 former solitary underage asylum seekers (AMAs) who have stayed in the Netherlands for longer than five years and are still in reception or involved in a procedure. They constitute the target group for the legislative proposal for a children's pardon.

Minister: no time for reflection for victims of human trafficking who have not been victims recently

If victims of human trafficking have been free from the human trafficker for a longer period, they no longer qualify for the time for reflection. However, when they report to the police, they are immediately granted a B9 permit.

3. CHECK AND RETURN

Policy: authorization for temporary stay (mvv) and entry ban

Aliens who stay in the Netherlands illegally and ignore the deportation order, receive an entry ban. When an entry ban has been imposed, admission to Europe is prohibited. However, according to the Aliens Decree, the entry ban is lifted, if an mvv has been allocated.

Meanwhile, the Upper House has passed the legislative proposal 'Eens Illegaal - Altijd Illegaal' (Once Illegal - always Illegal). On the basis of this proposal an mvv may be refused if the applicant stayed in the Netherlands without a permit before. As a result, in many cases, the IND does not need to lift the entry ban after all.

4. WHAT CAN BE DONE?

Thirty years' fight for equal adjudication of women in Morocco, 15 June Amsterdam

The Netherlands Moroccan Women's Association (MNVN) invites you to attend its fifth anniversary meeting. Speakers are Fatiha Saidi (senator Belgian PS), on the position of Moroccan women in Europe, and Amina Akrouh (founder of the first women's association in the Riff) on the history of the women's association in the Riff.

Location: De Nieuwe Liefde (Da Costakade 102 Amsterdam), 19.00 - 22.00hrs

Application and information: info@mvvn.nl - 020-7759638- 06-81429392

Report: Undocumented Migrant Women, launched 21 June 12.30-14.00u Brussels

PICUM's report "Strategies to End Double Violence Against Undocumented Women" illustrates how initiatives to prevent, protect and prosecute gender based violence can be strengthened by including this group. A broad range of legislative, financial and practical measures from across Europe which help undocumented women to access support and justice are detailed. The launch of the report will be followed by a preview screening of the chapter on undocumented women of "[Undocumentary](#)", an upcoming web-documentary on the daily realities faced by undocumented migrants in Europe produced by PICUM. For more information, please contact eve.geddie@picum.org

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 contact LOS..