

NEWSLETTER, VOLUME 5 NO. 9

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UNION OF NETHERLANDS MUNICIPALITIES (VNG): REACTION TO GOVERNMENT BED-BATH-BREAD PROPOSAL

On April 22, the government [decided](#) that only five municipalities are allowed to provide shelter, just for a few weeks, and in view of return. People should apply by way of the DT&V. If other municipalities were to provide shelter, they would be penalized.

By means of this [letter](#), the Union of Dutch Municipalities (VNG) is reacting to the government proposal. The VNG prefers for several municipalities to provide shelter, for a longer duration, and states they should not be penalized for results they have no influence on: return or a status being granted.

During the parliamentary debate on the government proposal members of parliament kept referring to a consultation by the secretary of state with the VNG. During that consultation, other arrangements must be made. A date for this consultation has not yet been set.

1. BASIC RIGHTS

Care Institute: nationalities of patients whose medication is paid for

The Care Institute funds medication of patients without residence permits who cannot pay for themselves. Thus, the use of medication gives an insight into the group of care recipients without residence permits. At the request of LOS Foundation, the Care Institute has made a survey of the top-ten of medication users:

Nationality	No. of pharmacy patients
Morocco	664
Ghana	613
Nigeria	610
Surinam	282
China	247
Turkey	228
Sierra Leone	218
Afghanistan	217
Iraq	213
Somalia	204

What strikes us is that people without residence permits who have no asylum background apply for most of the compensation for medication costs.

2. ADMISSION POLICY

Council of State: asylum seeker must change Facebook page to avoid risks upon return

This case concerns an Iranian woman who applied for asylum because she had been converted to Christianity. The Immigration and Naturalisation Service (IND) did not believe her. She had posted Christian texts on Facebook, which might constitute a risk upon her return. The Council of State rules that she herself must change her Facebook page in order to return safely. Read further information [here](#) (in Dutch only).

Council of State: admission mother to Dutch child, Dutch father abusive und unfit to provide care

According to EU law, a parent without a residence permit receives right of residence with a child who has the nationality of the land of residence, if the other parent cannot care for the child. The IND rejects many applications for residence, since it holds that the other parent is capable of providing care. In this case, the child suffered from domestic violence. The Council of State rules that an abusive Dutch parent must not be burdened with the care of a Dutch child. Read further information [here](#) (in Dutch only).

Council of State: no right of residence for old Egyptian who has lived in the Netherlands for 30 years

The application for an asylum permit for this Egyptian has been rejected. He has lived in the Netherlands for 30 years and should have applied for asylum earlier. In view of his private life he is not entitled to a residence permit either, as he did not have a residence permit for the duration of those 30 years. Read further information [here](#) (in Dutch only).

State Secretary Security & Justice: number of no-fault residence permits

As a result of the debate about shelter for people with no residence permits, questions have been asked about the number of no-fault residence permits. In 2013, 15 persons were granted a no-fault residence permit, and in 2014 the number amounted to 20. In earlier years, far higher numbers were involved. Read further information [here](#) (in Dutch only).

3. CHECK AND RETURN

Council of State: assessment to place someone in alien detention must be stated explicitly

In a number of cases, the Council of State has decided that the reason why alien detention is an appropriate measure must be explicitly stated in writing. In the decision, attention must be paid to the possibility of deportation and the implementation of alternatives. This applies both in cases of first detention and in cases of extension of detention or of border detention. If that assessment has not been made, the alien is to be released. You can find further information [here](#) (in Dutch only).

4. ACTIVITIES

Discussion about “ Alien detention and action perspectives”, 13 May Utrecht

Featuring introductions by Annemarie Busser from Amnesty International, Hanneke Atsma, pastor in Zeist Detention Centre and Els Brouwer from the Zeist Wake group. Also, the story of a hands-on expert. Afterwards, the participants will talk and meet in groups and in full.

When and where: 13 May, 19.30-22 hrs in Johannescentrum, Moezeldreef 400, Utrecht.

Parliament, 25 May: reading of Istanbul Treaty bill about domestic violence

The Istanbul Treaty is meant to protect victims of domestic violence. The Treaty does not distinguish residential status. The Netherlands wants to accede to the treaty. Once the Senate has passed the bill, people without residence permits will be able to appeal to it.