

## NEWSLETTER, volume 7 no. 12

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### REPORT ON BBB EXPERIENCES: FALSE HOPE OR BITTER NECESSITY?

The study report on Bed-Bath-Bread experiences shows that ceasing reception has no effect on encouraging departure whatsoever. Moreover, it has a decidedly negative effect on people's health. Having to live (survive) in the streets draws heavily on people's physical and mental health. Besides, these are often people who already had various medical problems. Vulnerable groups are hit extra hard by this national policy.

Wherever 24-hour shelter and access to medical care is provided, things are much better: people feel better and the transition to a legal existence - here or elsewhere - takes place more smoothly. Key factors are: stability, rest, privacy and support by specialised organisations that help people take back control of their own lives.

Therefore, the report advises the national government to give municipalities the room they need to provide humane shelter, offering rest, stability and counselling. The researchers consider night shelter to be insufficient. The study (written in Dutch) can be found [here](#)

## 1. BASIC RIGHTS

### Dutch Administrative High Court: no allowances for legal partner after ending living together

The Dutch Administrative High Court has concluded that a spouse who has no residence permit cannot be 'permanently separated' if the couple still intends to stay together. That is why the legal partner's extra allowances can still be withdrawn, even though the undocumented partner has been deregistered. See [here](#) (Dutch only).

### NVVB: warning for fake acknowledgements migrant mothers' children

The Dutch Association for Citizens' Affairs has issued a warning for registering acknowledgements of the unborn children of pregnant women with a weak right of residence by Dutch men. These men probably do not have relationships with the women, but have acknowledged the children to prevent deportation of the expecting mothers. See [here](#) (Dutch only).

### Supreme Court: child from bigamous Moroccan marriage not granted Dutch citizenship through father

The Supreme Court judges that a child of a Dutchman and his second (Moroccan) wife does not automatically acquire Dutch citizenship. See [here](#) (Dutch only).

## 2. ADMISSION POLICY

### CoS: no provisional residence permit due to earlier false information

The Council of State (CoS) judges that, following an admission request, the admission and residence permit of a person who previously submitted false information may be refused. See [here](#) (Dutch only).

### Court: visit to IOM counts in assessment asylum request

The court rules that a visit to IOM (International Organisation for Migration) in view of possible voluntary return denigrates the feigned fear of prosecution upon return. The asylum request is not credible. See [here](#) (Dutch only).

### State Secretary S&J: Burundi policy

On 1 July next, the decision and departure moratorium for Burundi will end. New policy has been established. Journalists, members of the opposition and persons who are active in civil society (such as NGOs or other organisations opposing government) are considered risk groups. They do not need to prove that the government cannot protect them, nor is it assumed that they may settle elsewhere in Burundi. Also, women fearing sexual violence will be granted an permit more easily. See [here](#) (Dutch only).

### Court: ill mother to follow her grown-up son

The court finds that the Immigration and Naturalisation Service (IND) must supply an entry visa to an ill Syrian mother who needs informal care from her son in the Netherlands. The daughter who is currently caring for her mother will not remain in Syria. See [here](#) (Dutch only).

### CoS: No residence with child for Armenian with record and NL partner who cannot go to Armenia

This case concerns an Armenian with a criminal record, due to which he has no right of residence. His

partner cannot leave the Netherlands for Armenia. Together they have a child. The Council of State judges that the interest of a family life for the child is not weighty enough to grant the father a residence permit after all. See [here](#) (Dutch only).

#### Court: income requirement self-employed person upon EU residence right Greece

An Egyptian alien, who has long-term resident status in Greece aims to do work in the Netherlands as a self-employed person. He has a business plan and three commissioners want to hire him. The judge finds that the IND must individually assess whether he will thus earn enough money not to become dependent on social assistance. See [here](#) (Dutch only).

### 3. CHECK AND DETENTION

#### Ministry of Social Affairs and Employment: illegal work will be penalised

According to the Aliens Employment Act everyone who offers an alien work needs to check his or her identity on the basis of the original documents. Employers risk a € 1.500,- fine if they fail to do so. The fine will be increased for repeated offences. The Labour Inspectorate has decided internally not to fine private citizens.

In 2014, 2015 and 2016 respectively, 11, 63 and 57 employers were fined for not checking the identity. Private citizens were not fined. See [here](#) (Dutch only).

### 4. ACTIVITIES

#### WHO: Undocumented women and access to health services

The World Health Organization's (WHO) European magazine on sexual and reproductive health *Entre Nous* published an article on undocumented women's access to health services in Europe. The article describes the obstacles faced by women with irregular status in getting health care, and the impact on their health, families and communities. It also outlines health professionals' ethical duty to provide care on a non-discriminatory basis. The full issue available is [here](#)

#### 10th People's Global Action on Migration, Development and Human Rights 3-4 July, Berlin

The 10th [People's Global Action](#) (PGA) on Migration, Development and Human Rights provides an independent space for dialogue, assessment of critical migration developments, and strategizing.

#### IOM recruits native consultants for interviews

IOM recruits three consultants to conduct interviews with recently arrived migrants from Ethiopia, Nigeria, Somalia, and Iraq. Main requirements: Bachelor's degree, work permit and fluency in English and at least one of these languages: Arabic, Kurdish, Amharic, Oromo, Somali. More info [here](#)  
Applications should be sent to [iomnlrecruitment@iom.int](mailto:iomnlrecruitment@iom.int) before **21 June 2017**.

Since 2003, the LOS Foundation (the Dutch acronym for 'Landelijk Ongedocumenteerden Steunpunt') has been the knowledge centre for people and organizations providing assistance to undocumented migrants. LOS Foundation devotes itself to the basic rights of these migrants and their children.