



NEWSLETTER, volume 8 no. 24
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CHILDREN'S RIGHTS FESTIVAL, 25 NOV. 12.00-17.30 H, RU PARÉ, AMSTERDAM

Including performances by children, theatre, music by young people from the local area, workshops, interviews with children and other interesting people. There will be room for a lot of information and activities of, among other things, women's and youth organisations, schools, Children's Rights Ombudswoman, Defence for Children and UNICEF. Access is free for everyone.

Where: Ru Paré, Chris Lebeaustreet 4, 1062 DC Amsterdam

Click [here](#) for more information.

1. BASIC RIGHTS

CoS: Recovering fees when revoking a residence permit with retroactive effect is allowed in some cases

This case is about an Afghan whose asylum status is withdrawn with retroactive effect because he has visited his country of origin several times. Normally, in such situations, any additional fees [toeslagen] will not be recovered with retroactive effect, but as the status is withdrawn due to his own behaviour, the Council of State allows it in this case. See [here](#).

2. ADMISSIONS POLICY

CoS: if someone has a regular status, he/she can still apply for asylum

Until recently, someone with a regular status could not apply for asylum, as their safety was already guaranteed by the right of residence. The Council of State has recently decided that an asylum request from someone with a temporary regular status must be accepted for processing after all. According to the European Procedure Directive, an application for asylum must always be accepted for processing. See [here](#).

Court: partner's residence permit rightfully revoked, relationship ended despite living together

According to the court, a partner's residence permit may be revoked if the relationship has ended, even if the formal marriage still continues, the partners still live at the same address and share their meals. The man has confirmed several times to the IND that the relationship has broken down, that both partners have their own income, and that they no longer do anything else together. The woman did not want a divorce because that would not be accepted by the Indonesian community. See [here](#).

Court: IND must also grant entry visas to non-Dutch children of a mother to a Dutch child

The mother of this Dutch child got a visa to come to The Netherlands, so her child could grow in The Netherlands. Her other (non-Dutch) children did not get a visa. The court decided that the rights of the Dutch child, to grow up with her mother in The Netherlands, are impaired. See [here](#)

Court: journey in connection with family reunification of a refugee's sick 70-year-old mother who was left behind, allowed

This case is about the 70-year-old, sick mother, whose daughter, a Syrian refugee, has been admitted to The Netherlands. The mother cannot take care of herself and lived with her daughter until the daughter fled. The granddaughter who was left behind as informal carer was killed during a bombing. It is uncertain whether there is sufficient care available, having regard to the uncertain situation in Syria. The IND had rejected the application for a residence permit, because the mother had already survived in Syria without her daughter for two years. But the court finds that insufficient account has been taken of the unstable situation in Syria and the personal ties. See [here](#)

3. INSPECTION AND DETENTION

SvJ&V: detention of children

According to the secretary of state, efforts are made to make alien detention for families with children as humane as possible. The family is picked up in the morning before school starts, the vans are as neutral as possible and the family is not first taken to a police station but directly to the Closed Family Facility. To be able to act quickly, the family gets little time to say goodbye or pack their belongings, but their belongings will be forwarded.

The secretary of state undertakes to ensure that the Transport and Support Service will be well informed in advance of the situation of the family. See [here](#).

4. WHAT'S ON?

Conference: Safeguarding children's rights in immigration law, 23 Nov. 9.30-17.30 Leiden

Millions of children are on the move worldwide. Throughout the migration process, children find themselves in a vulnerable position. The entry into force of the UN Convention on the Rights of the Child has accelerated the proliferation of children's rights worldwide. Also within immigration law, the idea that children deserve specific protection has become common place. However, in times of the securitisation of migration control, the danger exists that the best interests of the child are not a primary consideration for governments and policy makers at international and domestic levels. To address the challenge of safeguarding children's rights in immigration law, we convene this [conference](#).

Vacancy; project officer Wereldhuis The Hague for 20-22 hours per week

The Hague Wereldhuis helps undocumented migrants in The Hague and surroundings to hold their own in society and to orientate themselves on their future. The starting point is to focus on their strengths and on what they are able to do. As a project officer, you support the project leader of the Wereldhuis. See the vacancy [here](#), respond before 25 November

I'm Sorry: Korean campaign for a right to a birth certificate for undocumented children

Please join the [petition](#)!

Network UN Women's Convention for an independent right of residence for migrant women

We would like to consider possibilities to influence the duration of the dependent partner-residency, with other parties. For several years this dependence was shortened from 5 to 3 years, but now, partner-migrants will again only get an independent right of residence after 5 years. Interested parties can already register at [Secretariat of the Network](#).

Since 2003, the LOS Foundation (National Undocumented Migrants Support Centre Foundation) has been the knowledge centre for people and organizations who provide assistance to migrants without residence permits ('undocumented migrants'). The LOS Foundation is committed to the basic rights of these migrants and their