

NEWS LETTER, volume 9 nr 23
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PRESENTATION : COMBATting SEXUAL VIOLENCE, 10 DEC 13-17.30 HR THE HAGUE

This conference is IOM's conclusion of the PROTECT project of IOM, Rutgers, Pharos, and Arq. The objective of this project is providing more support for refugees, migrants and asylum seekers who have fallen victim to sexual and gender-related violence.

Key individuals with a migration background will provide reliable information sessions in order to contribute towards the awareness and emancipation within migrant communities with respect to sexual and gender-related violence and to inform these migrants about institutions where they can find help. The key individuals play a pivotal role in the exchange of information between migrant communities and aid workers. You will find more information about the project [here](#).

The final meeting will take place in The Hague, you can register through [this link](#), code **tn5H2**.

BASIC RIGHTS

Court of Appeal: adjustment of the assistance benefit for a single mother with partner in AZC

This case concerned a single mother with legal residence whose partner lives in the AZC. The tax authorities have reclaimed the supplementary benefit for single parents. According to the judge this is an exceptional circumstance that was not part of the legislator's intended objective. Therefore the amount of the assistance benefit will have to be adjusted in order to compensate for the loss of the supplementary benefit for single parents. You will find more information [here](#).

Court of Justice EU: temporary AZC ban as a form of punishment is a violation of human dignity, particularly for unaccompanied minors

This unaccompanied Afghan minor had submitted an asylum request in Belgium and had been placed in a shelter. In the shelter he got involved in a fight. By way of punishment he was excluded from the shelter's material provisions and by his own account he slept in parks in Brussels and in friends' homes. Concerning this preliminary questions have been posed to the EU Court of Justice. The Court has made it clear that sanctions always have to be objective, neutral, motivated and proportional to the specific situation of the migrant and in all circumstances a dignified standard of living must be warranted. Withdrawing all material shelter facilities such as housing, food or clothing, even if this is a temporary measure, is not compatible with the minimum that is required for a dignified standard of living. If an unaccompanied underage migrant is concerned who has been categorised as vulnerable, the child's interests should always prevail when sanctions are imposed. You will find more information [here](#).

ADMISSION POLICY

Court of Appeal: circumcision of boys may be torture but can be avoided in this case

According to the Council of Europe circumcision of boys is only admissible if it is medically justified. It is not clear whether in Nigeria this can be warranted. Therefore the Court is of the opinion that circumcision of boys is potentially a violation of article 3EVRM (prohibition of torture). In this case the Court is of the opinion that the mother can see to it that her son will not be circumcised and therefore the asylum request will be denied. You will find more information [here](#).

Council of State: revocation Dutch citizenship is justified because child with new partner was concealed

This case concerned a man who has a residence permit with his partner. He has applied for Dutch citizenship. This has been denied, because in the meantime he had a child with another woman and he had concealed this from the IND. The Council of State has agreed with this. You will find more information [here](#).

Court of Appeal: years of stay with Dutch child do not count for naturalisation

This case has shown that a residence permit with a Dutch child is not equivalent to a regular residence permit. As long as the non-Dutch parent is unemployed the right of residence is temporary. Therefore these years do not count when someone applies for naturalisation. You will find more information [here](#).

CHECK AND DEPARTURE

Court of Appeal: a visit in the country of origin after the Belgium route does not count as 'return', entry ban has not come into effect

This case concerned a man whose asylum application had been denied in The Netherlands and who subsequently went to live in Belgium with a Dutch woman; thus he obtained a permit as the partner of an EU citizen. In combination with the asylum application he had been issued an entry ban for two years from The Netherlands. This means that on his return he would not be allowed to travel into the EU during two years. The entry ban had been included in the EU database.

The man had paid a family visit in his country of origin, so he had left the EU. Currently he wants to return and to settle in The Netherlands with his partner. The question is whether the entry ban is still in force.

The court has decided that the family visit cannot be considered to be 'return' because he had a status in Belgium. Therefore the entry ban has not become applicable (Vzr VK Rb Amsterdam, AWB 19/6509, 1.11.19).

ACTIVITIES

Charity Beauty Evening Fanga Musow, 30 November 12-18 hr Utrecht

Fanga Musow is a shelter for women and children without a residence permit. Some of the older residents have a status and they have organised a Charity Evening. They will give visitors a haircut and a beauty treatment free of charge. The revenues are for the shelter. Venue: Buurthuis de Speler, Utrecht. You will find more information about Fanga Musow [here](#).

Informative meetings with IOM Nigeria, 10-12 December several cities

Two employees of IOM Nigeria will provide information in The Netherlands about reintegration options after voluntary return. There will be network meetings in Amsterdam and Den Helder (10 December), Drachten and Harderwijk (11 December) and Utrecht (12 December). In each of these cases the network meetings will be followed by meetings for the Nigerians themselves.

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Registration: <https://iom-nederland.nl/INFO-NIGERIA>

Stichting LOS (Landelijk Ongedocumenteerden Steunpunt) is sinds 2003 het kenniscentrum voor mensen en organisaties die hulp bieden aan migranten zonder verblijfsvergunning ('ongedocumenteerden'). Stichting LOS zet zich in voor de basisrechten van deze migranten en hun kinderen.