

NEWS LETTER, volume 9 nr 25  
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## GROUP PROCEEDINGS NATURALISATION FOR PEOPLE WHO WERE GRANTED A PARDON

These proceedings are intended for people who have a RANOV permit but who cannot naturalise because they cannot be issued a passport and/or birth certificate. For all these people law firm Everaert want to bring joint proceedings.

If you want to participate in these proceedings, you will have to fill in the [questionnaire](#). Subsequently you will have to submit a naturalisation request before September 2020. The municipality has to deal with this request, even if you have not all the documents required. If the IND refuse the naturalisation, Everaert law firm will file an objection and, if necessary, an appeal. You will have to pay a fee for the naturalisation application; the lawyers charge subsidised rates.

You will find more information about the proceedings and the terms for participation [here](#).

Please note: this procedure does not apply for people who reported a false identity during the Pardon Arrangement; in this case please contact [diels@everaert.nl](mailto:diels@everaert.nl).

## 1. BASIC RIGHTS

### Court of Appeal: child born from non-confirmed marriage does not have the Dutch nationality, DNA test does not suffice

This case concerned a child of a Somali mother and a Dutch father. They have Somali documents pertaining to the marriage but these were forged according to the IND. Therefore the child was not automatically granted Dutch citizenship. The IND are of the opinion that they are not obliged to offer a DNA test, because this will not provide a decisive answer concerning the legal paternity. You will find more information [here](#).

## 2. ADMISSION POLICY

### Court of Appeal: no permit with Dutch child for mother with status in Spain

The purpose of a permit with a Dutch child is seeing to it that the child does not have to leave the EU with the custodial parent. But because the mother has a residence permit in Spain, this rule does not apply in this case. The IND are of the opinion that the mother has not proved that the child and the father will not be granted residence permits in Spain. You will find more information [here](#).

## 3. CHECK AND RETURN

### Council of State: refusal of asylum permit in connection with human rights violation does not automatically lead to long-term entry ban

The Council of State are of the opinion that in case of people who are not granted an asylum permit because they are suspected of human rights violations, the IND always must consider each case individually and make an assessment as to whether the person concerned is a 'actual and serious threat of public order'. You will find more information [here](#).

### Court of Appeal: consideration return decision and status Italy required; no detention in case of bus ticket Italy

This case concerned a Senegalese man with residence permit in Italy. The Removal and Deportation Service had issued him with a return decision and had placed him in detention of aliens with the objective to evict him to Senegal.

The Court has decided that this should not have happened, because a return decision would mean that this man had to leave the EU. The man had bought a bus ticket to Italy and should be released (Rb Utrecht, NL19.27788 en NL19.27799, 26.11.19).

### State Secretary Justice and Security: numbers of returnees

The report Immigration Process [rapportage vreemdelingenketen] over the first six months of 2019 has made it clear that 6.900 people of the 12.700 who should leave the Netherlands have gone out of view. This means that only 41% can be proved to have left. You will find more information [here](#).

## 4. ACTIVITIES

### Petition for Daniel

A Dominican boy who was born and brought up in the Netherlands and who now, 19 years old, is threatened by eviction to the Dominican Republic while he has lived here all his life and was educated here.

[https://www.petities.com/dit\\_is\\_voor\\_daniel](https://www.petities.com/dit_is_voor_daniel)

### Informative meeting Mensenhandelregeling [Regulation Human Trafficking] 17 December 15:15-16:45u Ministry for Justice and Security The Hague

On 1 August of this year the residence regulation human trafficking (B8/3) was adjusted. This month also saw the introduction of the Landelijk Coördinatie Centrum (LCC, National Coordination Centre) as part of the police organisation. This is a central point where direction is provided in relation to requests relating to criminal reports of B8-related human trafficking. During the past months these two new methods gave rise to practical questions in the field. Therefore we would like to enter into conversation with you to answer as many questions simultaneously as possible.

For registration, please contact Jeroen Steijsiger: [w.j.steijziger@minjenv.nl](mailto:w.j.steijziger@minjenv.nl)

### Meeting 50 years of Moroccan Migration, the pioneers speak out, 20 December 17-21hr EMCEMO Amsterdam

The struggle for equal rights, the actions for legalisation, for better housing, against racism and Islamophobia and from migration to citizenship. The struggle for human rights in Morocco, the struggle against the interference of the Moroccan authorities in the Netherlands. Struggle for citizenship here and over there, solidarity with the repressed people in Morocco, freedom of speech and women's rights. What is left of the treaty between Morocco and the Netherlands?

Interviews with Mohamed Rabbae, Abdou Menebhi, Nadia Bouras and Fenna Ulichki.

Registration mandatory because of catering: [emcemo1@gmail.com](mailto:emcemo1@gmail.com)

### EPIM: 'Migrant-led advocacy across Europe'

The report identifies obstacles to migrant advocates' participation in policy-making and addresses recommendations to policymakers, non-migrant led civil society organisations, funders and migrant advocates. The report also includes a list of self-identified migrant advocates and migrant-led organisations, which conduct advocacy at local, national and/or regional level, from 22 EU Member States.

[READ THE REPORT](#), 27.11.19