

NEWSLETTER, Volume 12 no. 24
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EU SUMMIT FOR REFUGEES AND MIGRANTS, 17–19 JANUARY, BERLIN

The Summit is an occasion for migrant and refugee leaders and organisations to meet and share their vision for the future, and set a common agenda for migrant and refugee action.

The Summit is intended for migrant and refugee leaders who identify themselves as refugees or migrants, work in refugee or migrant advocacy and represent a formal or informal network or organisation.

If you would like to participate, please apply via this [link](#), by no later than 25 November 2022. For more information about the Summit, [see the website](#).

BASIC RIGHTS

State Secretary for Justice and Security: Undocumented migrants are not allowed to work

The State Secretary is responding to parliamentary questions from the Labour Party (PvdA). He makes it clear that undocumented migrants are not allowed to work, as this would hinder their return. Moreover, they would be at risk of being exploited.

The PvdA questions concerned the situation of Dutch Dreamers and Duldung (a German system whereby asylum seekers who have exhausted all legal avenues are allowed to continue working as long as they cannot be deported). See [here](#).

ADMISSION POLICY

Information Paper 2022/100: Naturalisation is possible for youths with a residence permit but who do not have identity papers

The State Secretary has decided that young people who do have a residence permit but cannot prove their identity with documents from their country of origin can still become Dutch citizens from 1 January 2023. Their identification problems are not their fault and they cannot solve this issue themselves. This concerns young people with a Pardon permit (RANOV), but also other youths. See [here](#).

District Court: no protection against domestic violence in Armenia

This ruling shows that the authorities in Armenia do not provide sufficient protection against domestic violence. Thus, this woman's asylum application should not be rejected simply because Armenia is considered a safe country of origin. See [here](#).

District Court: after 3 years in Nigeria, partly in a rehabilitation clinic, residence permit rightfully revoked

This ruling is about a Nigerian man who has been living in the Netherlands since 2002, mostly on a residence permit. He became addicted to alcohol and cannabis, amongst other things. When he went on a holiday to Nigeria in 2017, he was admitted to a clinic there to detox. He remained in this clinic until 2018, and eventually came back to the Netherlands in 2020. The IND revoked his residence permit in 2021, because his principle place of residence had changed. The man was too late in lodging his objection. According to the judge, his residence permit was rightfully revoked, despite the fact that he had gone to school and had been employed in the Netherlands. See [here](#).

District Court: decision-making about a temporary entry permit (mvv) for a woman's new partner also takes the interests of her 5 children into account

This case is about a Turkish man who applied for a permit with his new partner. This woman has five children from a former marriage who live with her ex-husband. The judge ruled that the interests of these five children should also be taken into account in the decision on whether her new partner should be issued with a residence permit without mvv. See [here](#).

Court of Justice of the European Union: allow family reunification for mother and child, also if the child is married

This ruling by the EU Court of Justice shows that a married minor with a residence permit in the EU can also apply for family reunification for his/her parents. In such cases, the Netherlands does not consider a

married minor as dependent on his/her parents, and family reunification is no longer possible. See [here](#).

District Court: Dutch child protection measure can be transferred to Georgia, mother no residence permit

A child for whom a protection measure has been imposed by the Netherlands is usually unable to leave the country, as this measure cannot be transferred to the country of origin. Therefore, the family is then usually granted a residence permit in the Netherlands. This ruling shows that a similar measure does exist in Georgia, albeit that Georgia will decide on this matter only after the family's arrival. The judge nevertheless ruled that the mother and child may be sent to Georgia. See [here](#).

CHECK AND DETENTION

District Court: ID check in Flixbus is allowed

This ruling shows that KMar Flixbuses that are crossing national borders are allowed to check people's ID to counter illegal border crossings. Reason is that people without a residence permit often use these buses to travel. See [here](#).

Dutch Council of State: prospect of deportation to Morocco

The Council of State has confirmed that there is again a prospect of deportation to Morocco, as three people have now been deported with a Laissez-Passer. Moroccans are therefore allowed back into alien detention. See [here](#).

ACTIVITIES

Meet-up: 'Unlocking Labor Potential for Businesses: Undocumented Migrants and Refugees in the Netherlands', 25 November, 13:00–16:30 hrs, Amsterdam

The Regiegroep Ongedocumenteerden Amsterdam (RgOA) and SDG Young Leaders Board of the Global Compact Network Netherlands warmly invite you to the symposium 'Unlocking labor potential for businesses: undocumented migrants and refugees in the Netherlands', to be held on 25 November, in Amsterdam. The symposium will centre around the question of how the labour potential amongst undocumented migrants and refugees could be unlocked and optimised, benefiting both employers and potential employees. We intend to bring together inspiring speakers who will also participate in panel discussions to stimulate creative debate and draft a preliminary agenda for action. [Please join us!](#)

Fier: Legal weighting framework for victims of human trafficking

The weighting framework is a tool for healthcare professionals to substantiate whether something constitutes sexual exploitation from a legal standpoint. With the help of Sterk Huis, Via Jeugd, Hogeschool Leiden and Praktikon, we have tested the framework amongst victims of human trafficking. And with great result! The weighting framework proved to be a useful tool for healthcare professionals to identify victims of trafficking. Further research is needed to determine the reliability and validity of the weighting framework.

For those interested or curious about this weighting framework, the report can be downloaded [here](#). For those interested in receiving a copy of the framework and guidance document, please email us at onderzoek@fier.nl.

Founded in 2003, the LOS national foundation for undocumented migrants (Landelijk Ongedocumenteerden Steunpunt) is the knowledge centre for people and organisations providing assistance to undocumented migrants. The LOS foundation is devoted to the basic rights of these migrants and their children.