

## NEWS LETTER, VOLUME 5 NR 11

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### NEW ACCOMMODATION FOR SHELTER AND SUPPORT AMSTERDAM

Amsterdam will extend the shelter and support services for asylum seekers who have exhausted all legal remedies. As of 1 July undocumented migrants who are willing to co-operate with respect to resolving their situation will find shelter and support in 24-hour residences where they can stay for a maximum of six months. Previously this opportunity existed for vulnerable undocumented migrants and currently it has been extended to people who 'co-operate'.

Moreover, as of next month a limited group of vulnerable asylum seekers will be able to lay claim on a monthly benefit of 225 euro living allowance and another 225 euro housing benefit with which they can arrange their own shelter and support. These are existing benefits, which used to be paid by the Fonds Gevolgen Vreemdelingenwetgeving [resources made available by the municipality of Amsterdam]. As of now the municipality will be responsible for this

## 1. BASIC RIGHTS

### Council of State: entitlement to assistance benefit on withdrawal of permit

On an appeal against the withdrawal of the assistance benefit of a refugee whose residence status had been withdrawn the Council of State have ruled: they are of the opinion that the assistance benefit can only be terminated once the withdrawal of the permit has been approved by the Council of State as well. You can find more information [here](#).

### Council of State: no child-related budget if parents have no residence rights

This is another case in which the Council of State are of the opinion that the child-related budget is not a necessary contribution towards living expenses and that therefore undocumented parents are not entitled to this benefit. You can find more information [here](#).

## 2. ADMISSION POLICY

### European Court of Human Rights: eviction after 24 years and family life on account of criminal record is permitted

The European Court of Human Rights find it appropriate that this Albanian man who had been detained for 2,5 years on account of drug-related offences can be sent back to his country of origin. In spite of the fact that he had legal residence in Switzerland from his 29th to his 53rd and has a wife and children here who have the Swiss nationality. You can find more information [here](#).

### Council of State: asylum applications of people with a strict entry ban should be judged with respect to content

Usually migrants with a criminal record will be issued a strict entry ban. They are not permitted to be in the Netherlands for a period of 5 - 10 years and staying in the Netherlands is a punishable offence. But asylum applications of people with strict entry bans should be dealt with. Factors that should be investigated include reasons to withdraw the entry ban. You can read the judgment [here](#).

### European Court of Human Rights: Return to Baghdad is not too dangerous

The European Court of Human Rights have ruled in this case of an Iraqi family from Baghdad who fled for IS and who have applied for asylum in Sweden. According the European Court of Human Rights the family do not run a personal risk. In addition the situation in Iraq is not so bad that return is now dangerous for everyone. You can find more information [here](#).

### State Secretary of Security and Justice: income norm single-parent family adjusted

The Work Instruction of 1 January 2015 states that the social assistance norm for single-parent families has been abolished and with that the income norm applied for the invitation of children. Currently the norm of 70% of the minimum wage applies; this used to be 90%. You can find more information [here](#).

### 3. CHECK AND RETURN

#### Council of State: discriminating check on the place of work is forbidden

The Labour Inspectorate had checked employees at a construction site, but checked only those with a foreign appearance. They turned out not to have work permits, so the employer was fined. In this case the Council of State have ruled that the Inspectorate is not allowed to exclusively check foreigners, because this would mean discrimination. The fine is withdrawn. You can find more information [here](#).

#### Court of Appeal: no prospect of eviction to Somalia

In a recent ruling the Court of Appeal Rotterdam have decided that eviction to Somalia is still impossible. The negotiations of Dutch and Somali authorities on taking back migrants who have exhausted all legal remedies have as yet not yielded any positive results. You can find more information [here](#).

### 4. ACTIVITIES

#### Meeting for undocumented migrants: what would you want to tell to caregivers? The Hague, 20 May

The Red Cross organise a meeting behind closed doors for undocumented migrants on the occasion of World Refugee Day around the theme: ‘What would you want to tell caregivers?’.

Place and time: Humanity House (Prinsegracht 8, The Hague), Saturday 20 June 12.00 - 17.00 hr.

English, French and Spanish interpreters are available. Please pass on other desired languages.

Undocumented migrants can register through [cpronk@redcross.nl](mailto:cpronk@redcross.nl) or 06-12140974, but they are also welcome if they have not registered. Travel expenses can be remunerated.

#### Report: effects of living with undocumented parents for (legal) children

A new report shows that the fear and uncertainty caused by having a parent with an irregular residence status cause difficulties for children evident from early childhood through adolescence and emerging adulthood.

Read an opinion piece by the authors in the New York Times [here](#) and download the report [here](#).