



**Stichting Landelijk Ongedocumenteerden Steunpunt**

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## **NEWS LETTER, volume 1 nr 4**

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## **Sign against penalization illegal residence**

**The Dutch cabinet want to penalize illegal residence of migrants. The cabinet want to ensure that people who reside in this country and are found to have no residence papers, cannot ever again acquire legal residence, even if new, relevant facts came to light that would justify such residence.**

**Please sign the petition against penalization of illegal residence on [www.geenstrafbaarstelling.nl](http://www.geenstrafbaarstelling.nl). We would highly prefer it if you could sign on behalf of an organization.**

The LOS foundation is the supporting organization for the assistance of migrants without residence permits. By means of this newsletter we inform you of current developments. If you have any questions about this newsletter or about the rights of migrants without residence permits, please contact LOS.

## 1. Basic rights

### **Is mental health care accessible to people without residence permits?**

The Aliens Act states that physicians are always obliged to provide medically necessary care; this Act also applies to people without residence permits. Medically necessary care includes mental health care as well, which means help provided by psychologists and psychiatrists. According to the Dutch Organization for Mental Health Care (GGZ Netherlands, Nederlandse organisatie voor Geestelijke Gezondheidszorg), psychologists and psychiatrists will always provide care for people without residence permits. We would very much like to hear about your own experiences with the accessibility of mental health care for people without residence permits!

## 2. Admission

### **Temporary protection for refugees from Ivory Coast**

For the next six months the Immigration and Naturalisation Service will not make any decisions about asylum requests from refugees from Ivory Coast. Both Human Rights Watch and the UNHCR have issued an appeal not to deport anyone to this country because it is too dangerous. Asylum seekers from Ivory Coast who have exhausted all legal remedies will again be entitled to shelter.

### **Relatives who are left behind**

In some cases women or children with residence permits will be sent back to the country of origin by their husbands or fathers. In many cases the men in question also take away their residence permits. These women and children are said to be left behind. Women and children who are left behind are entitled to return to The Netherlands. In most cases they will be given back their residence permits.

According to the Minister during the past two years in 33 cases mention was made of women and children who were left behind in Morocco and 5 in The Netherlands. In two of these cases this concerned being left behind in Turkey.

### **Turkish family members are entitled to a year's job search after breaking up relationships**

Migrants with residence permits through their partners are entitled to autonomous residence permits after three years of residence. If the relationship breaks up before three years have elapsed, dependent partners will only be given residence permits in harrowing circumstances, for example in cases of domestic violence.

Only Turkish family migrants will be given an additional chance. If the relationship broke up before three years had elapsed, they will be given provisional residence permits for a 'year's job search'. During that year they may attempt to find an autonomous job. If they succeed in doing so their residence permits will be extended.

### **Illegal parents of a child with a European nationality will be given residence permits**

This has been decided by the European Court of Justice. The case pertains to a Belgian child with Colombian parents who illegally resided in Belgium. The European Court of Justice have decided that the child must be enabled to utilize his rights as a European citizen. This is only possible if his parents will also be given residence permits and work permits. This decision applies in The Netherlands as well.

## **3. Checks and detention**

### **The police are not allowed to perform random checks on African women in exclusive residential neighbourhoods**

Two weeks ago the police, together with the Bus Company Connexxion, checked up on African women who allegedly worked as cleaning ladies in Aerdenhout and Bloemendaal, exclusive residential neighbourhoods in the vicinity of Haarlem. The police checked the women's identity papers when they were about to enter the homes. Identity checks are only allowed in cases where there are 'reasonable grounds of illegal residence'. African women in an exclusive residential neighbourhood is no reasonable ground of illegal residence.

### **Children no longer in detention of aliens**

The Minister has decided that children are not allowed to be kept in detention of aliens for longer than two weeks. This rule already applied to children who are accompanied by their families. Currently it has been decided that this rule also applies to children who illegally reside in The Netherlands without their parents. They will be given shelter in dedicated Asylum Seekers' Centres.

Only children who have previously ran away are allowed to be detained for longer periods of time.

## **4. What can be done?**

### **Replacement Night 17 March Amsterdam, Utrecht, The Hague, Eindhoven, Nijmegen**

Replacement Night will take place in five cities in the Netherlands. During this Night we will protest against the penalization of illegal residence. We will discuss this topic with local politicians and with employees of local organisations.

You will find more information on: [www.nachtvandeervanging.nl](http://www.nachtvandeervanging.nl); [www.askv.nl](http://www.askv.nl)

### **New self-study pack for the new examination Civic Integration Abroad**

Because stricter requirements for the basic examination Civic Integration Abroad have been implemented, a new self-study pack has been compiled. The pack contains Dutch-language textbooks, to learn to speak and write the Dutch language and an exercise book. It also contains a film about The Netherlands.

You will find more information on: [www.naarnederland.nl](http://www.naarnederland.nl)

**Brochures**

The brochures below are intended for people who want to come to The Netherlands on account of relationships. The brochures are in [Moroccan](#), [Turkish](#) and [Chinese](#).