



Stichting Landelijk  
Ongedocumenteerden  
Steunpunt

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### CHILD'S PARDON - WHO DO APPLY?

The coalition agreement describes the first criteria for child's pardon. This pardon only applies to children who entered the country as asylum seekers and who lived in the Netherlands as minors for five years and who are still in the picture. Another restriction is that they are not over 21 years of age. Family members will be granted status too.

In future an Act pertaining to children who have become rooted in Dutch society will be introduced; this act will grant a permanent pardon of some form. In accordance with this act children who entered the country as asylum seekers and who lived in the Netherlands as minors for five years will be granted status. The status will be granted on the condition that the children have co-operated towards their departure, have given proof of their identity and have no criminal record for grave offences.

## 1. BASIC RIGHTS

### Encampments asylum seekers who have exhausted all legal remedies in Amsterdam and The Hague

Last week the Amsterdam mayor van der Laan decided to close the Amsterdam encampment because of the number of residents (currently almost 100) and because the residents refused to be examined by the GGD [community health service] in preparation for accommodation in shelters if it starts to freeze. A group of sympathizers are looking for a building to house the residents of these encampments.

The encampment in The Hague receives much less media attention, but this facility currently contains almost 100 people as well. By order of the mayor the tents are in part open.

## 2. ADMISSION POLICY

### Minister Leers announces new policy for Christian asylum seekers

Recently the European Court of Justice decided that a religious person cannot be expected to adjust his religious convictions to his country of residence. Migrants who are to be prosecuted on the basis of their conviction, have valid grounds to be granted asylum. Minister Leers has given the undertaking to adjust the policy (Dutch Parliamentary Document 19637 nr 1590, 2.11.12).

### Minister Leers: Migrants abroad will receive feedback for language examination for integration

Following a report by the National Ombudsman Minister Leers has decided to provide more information to candidates who failed their examination integration abroad; this information will pertain to their scores obtained for the subjects vocabulary, syntax, pronunciation and fluency (reply to Parliamentary Question 432, 24.10.12).

### Minister Kamp: more stringent demands on labour migrants

Labour migrants from outside the EU are only allowed to visit the Netherlands if there are no suitable candidates who have priority (candidates from the Netherlands or the EU). Minister Kamp has submitted a legislative proposal stating that the UWV [authorities for the execution of benefit policy] has to make more effort to find employees who have priority before candidates from outside the EU can qualify. The employment permit will only be granted for one year and the employee will be free on the labour market only after five years (Parliamentary Document 33475: 3, 2.11.12).

## 3. CHECK AND DEPORTATION

### Coalition agreement: stringent Aliens policy, including penalization illegal residence

The new cabinet will largely continue the former cabinet's Aliens Policy. Among other things illegal residence will be penalized, even though many social organizations have protested against this. In a motion by the Wijchen branch of the PvdA [Dutch labour party] have asked the PvdA congress to take the PvdA manifesto into account when drawing up the Aliens policy. In another motion the

Zoetermeer of the PvdA have asked to take international treaties into account. In spite of this the PvdA has endorsed the coalition agreement (PvdA congress 3.11.12).

#### Minister Kamp: fines for illegal employment increased as of 1 January 2013

As of 1 January the fines for companies who employ undocumented employees will be increased to EUR 12,000.- per offence. Companies can be closed for a period of 3 months if they repeatedly employ undocumented employees.

#### Detention centre Alphen aan den Rijn in use again

Detention centre Alphen aan den Rijn was closed for years because of leakage. As of 1 October the building has been taken into use again for criminal undocumented aliens with the intention of starting proceedings for extradition during their custodial sentence. Early release is only possible if migrants can be extradited.

#### Minister Leers: payment to Guinean delegation for Laissez Passers is normal

A month ago a Guinean delegation visited the Netherlands to issue Laissez Passers. Minister Leers stated that delegation members received EUR 100.-- per day in addition to investigation and legal fees for each Laissez Passer issued. Approximately 100 Laissez Passers were issued. Therefore this is not a case of bribery according to the minister (reply to Parliamentary Question 386, 29.10.12).

## 4. WHAT CAN BE DONE?

#### Debate about detention of aliens, 18 November 14–16.30u De Nieuwe Liefde Amsterdam

During this debate the numbers, social circumstances and legal position of migrants in Aliens Detention will be discussed as well as the options there are to influence policies. The following people will be present: Addie Stehouwer (National Ombudsman), Annemarie Busser (Amnesty International), Sharon Gesthuizen (member of parliament for the SP [Dutch socialist party]), Eric Nijman (director Detentiecentres), Frans-Willem Verbaas (asylum lawyer) and experiential experts.

Information can be found at <http://denieuweliefde.com/programmas/vreemdelingendetentie.57.html>

#### Fahamu Post-Deportation Monitoring Network

The [Fahamu Refugee Legal Aid Project](#) (in English) have a web site with a lot of legal information. Recently Fahamu also started a [Post-Deportation Monitoring Network](#), a network of organisations from asylum countries and countries of origin with the objective of monitoring deportations and organizing help if necessary. You can register with Fahamu for participation in the network.

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.