

NEWS LETTER, VOLUME 3 NR 16

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Peoples' Global Action on Migration, Development and Human Rights.

[Peoples' Global Action on Migration, Development & Human Rights](#) is an independent civil society and grassroots people's event held in conjunction with the 2013 UN High Level Dialogue on Migration & Development (HLD). This year, the PGA will be held on 30 September (Monday) - 4 October (Friday), at the [Church Center of the UN \(CCUN\)](#), in New York, USA. Activities will include a labour & community march and rally across the Brooklyn Bridge, major plenaries by international grassroots leaders and notable dignitaries, self-organized workshops, government lobbying visits, art displays, cultural events and numerous other activities.

To **register & submit workshop proposals** for the PGA conference, visit: www.PGA2013.org

For more info contact DRUM (NYC anchor organization): [718-205-3036](tel:718-205-3036)

2. ADMISSION POLICY

Council of State: mother of 2 from Curaçao who has lived here for 20 years has to obtain the authorisation for temporary stay in country of origin

The minister decided that this woman has to submit her application for residence with partner from her country of origin. Her lengthy irregular residence in the Netherlands is no reason for dispensation. The Council of State have confirmed this verdict
<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RVS:2013:648>, 1.8.13.

Council of State: new-born child needs passport for residence permit

This case concerns a newborn child of a father with a residence permit and a mother who has no residence permit. The father does not need a passport, because his refugee status has been acknowledged but according to the Council of State the child does need a passport for his residence permit because the mother has not been granted dispensation from the passport requirement
<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RVS:2013:706>, 8.8.13.

European Court for Human Rights: no entitlement to family reunion after illegal entry and four year's stay of three children

This case concerns a Kosovar couple who live in Switzerland. They had their three undocumented children come to Switzerland illegally. The children are between 10 and 19 years of age and have lived with their parents for four years. The European Court are of the opinion that the children are not entitled to stay because they lived in Kosovo for a long time and were not entitled to enter the country. European Court for Human Rights 948/12 (Berisha - Switzerland), 30.7.13.

3. CHECK AND DEPORTATION

Council of State: people with a strict entry ban cannot be granted residence permits

This case concerns migrants with a strict entry ban, for example because of a criminal record or because of not respecting a return order. Such people cannot be issued residence permits for the duration of the strict entry ban. For this reason it is futile to apply for a residence permit, as the Council of State have declared in this verdict
<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RVS:2013:687>, 31.7.13.

Council of State: is it possible to evict Somalis

According to the Secretary of State there are 41 Somalis who should be evicted and only one or two can be evicted each month. Therefore the Council of State have posed questions as to the selection of the Somalis to be evicted. The response of the Secretary of State will determine whether Somalis can be placed in detention of aliens vluchtweb ABRvS, 201306789/1/V3, 2.8.13.

Council of State: no detention of Togolese because Togo does not render assistance to return

According to the Council of State no laissez-passers for Togolese were issued during the years 2010, 2011, and 2012. Therefore detention of aliens cannot lead to eviction. For this reason the detention of Togolese is illegal <http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RVS:2013:769>, 7.8.13.

4. WHAT CAN BE DONE?

Information evening on basic rights for undocumented migrants, Wereldhuis Amsterdam, 21 August

On Wednesday 21 August 2013 there will be another information evening about the rights of undocumented migrants in the Wereldhuis: Learn more about your rights. This time the training will be given by Jet Groen, registered nurse at the GGD.

Dinner is at 18.00, the training starts at 19.00. Location: Wereldhuis, Nieuwe Herengracht 20
Registration through: 06-22821472 or e-mail: info@wereldhuis.org.

Information afternoon return Guinea, Utrecht 22 August, 14.00 - 16.00

Together with their sister organisation, 3A Enterprises (3AE), Beyond Borders and Maatwerk bij Terugkeer [Tailor-made solutions to eviction] organise an informative meeting for councillors and other interested parties. At this meeting 3AE will provide information about possibilities for return and experiences of Guinean migrants. Of course there will be an opportunity to ask questions.

Where: Stichting Maatwerk bij Terugkeer and Beyond Borders, Goeman Borgesiuslaan 77, Utrecht
Registration and information through info@maatwerkbijterugkeer.nl or telephone (030) 755 15 80.

Secretary of State for Security and Justice: letter about various investigations into fraud and improper use of regulations human trafficking

In this letter secretary of State Teeven responds to the report by the WODC (Wetenschappelijk Onderzoeks- en Documentatiecentrum van het ministerie van Justitie - Scientific Study and Documentation centre of the Ministry of Justice) about the procedures for victims of human trafficking in other European countries. According to the WODC the situation is quite dissimilar from the Dutch situation. Teeven has announced investigation into abuse of the B9-regulation

<https://zoek.officielebekendmakingen.nl/kst-28638-100.html>, 9.8.13.

[WODC-Cahier 2013-3](#): Verblijfsregeling voor slachtoffers van mensenhandel en oneigenlijk gebruik
Een verkennende studie in het Verenigd Koninkrijk, Italië en België

[Residence regulations for victims of human trafficking and improper use - an exploratory study in the United Kingdom, Italy and Belgium].

PICUM: Youth Migration: Moving Development Forward

This new report and accompanying toolkit presents strategies to support and empower undocumented migrant children and their families. Through case studies and expert insight, the report and toolkit focus on ways to improve access to education, health care and housing, as well as a regular and secure residence status, as fundamental to the well-being of children, and to ensuring that they can develop and reach their full potential.

Download: [Realising the Rights of Children and Families in an Irregular Migration Situation](#)

Download the toolkit in [Dutch](#) or in [English](#).

Since 2003, the LOS Foundation (the Dutch acronym for 'Landelijk Ongedocumenteerden Steunpunt') has been the knowledge centre for people and organizations providing assistance to undocumented migrants. LOS Foundation devotes itself to the basic rights of these migrants and their children.