

## NEWSLETTER, VOLUME 3 NO. 19

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### DUTCH REFUGEE COUNCIL: INHABITANTS VLUCHTFLAT (REFUGEE FLAT) WON'T BE LET DOWN

The Amsterdam office of the Dutch Council for Refugees was commissioned by the municipality of Amsterdam to examine 159 files concerning the former inhabitants of the 'Vluchtkerk'. The conclusion is that 94 people (60%) have a sound perspective on legal residence in the Netherlands. According to current regulations, only 30 refugees (20%) have exhausted all legal remedies. Of the latter group, many people come from dangerous countries, such as Somalia or South Sudan, or from countries like Eritrea and Ethiopia, where deportation may not be responsible or feasible.

[www.wijzijnhier.org](http://www.wijzijnhier.org), 27.9.13

## 1. BASIC RIGHTS

Council of state: right of reception during waiting period for judgement asylum request on account of homosexuality

Currently, the European Court is dealing with the question how the asylum request made by someone stating to have had problems related to homosexuality should be judged. The Council of State rules that the applicant should keep his or her right of reception in such a case.  
ABRvS, 201212027/2, 29.5.13

State secretary: Family locations

As children are no longer to be evicted from their homes, family locations have been opened since 2010. On 1 July 2013, 2000 people were living in these family locations, compare to 1300 people one year earlier. New family locations still need to be opened, for instance in Goes (Rapportage Vreemdelingenketen (i.e. organisations cooperating in the immigration process), 27.9.13)

## 2. ADMISSION POLICY

State secretary: increased number of asylum applications

During the past six months, 6,190 people have applied for asylum in the Netherlands, the highest number since 2010. The majority of the applicants are from Syria and Somalia. The number of renewed asylum application decreased to 1490 persons. (Rapportage vreemdelingenketen 27.9.13)

Court: renewed asylum application not to be handled as applicant has an entry ban

The court rules that the renewed asylum application will not be handled. First, the applicant must submit a request to have his entry ban lifted. In this application, he may raise the risks he runs upon his return.  
(<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBDHA:2013:12192>, 19.9.13)

Court: lack of clarity about Egyptian Christians, sentence appeal judge needed

The court rules that circumstances in Egypt for Christians are very insecure. For that reason the asylum seeker may wait for a decision by the appeal judge, while he retains his right of reception.  
<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBDHA:2013:12208>, 13.9.13

Court: lack of clarity about safety in Iraq, asylum seekers not to be sent back

Various courts rule that the circumstances in Iraq are worsening at a fast pace and that currently, asylum seekers are not to be sent back. (Groningen court and others, 13/11182, 29.8.13)

Council of State: Tamils who applied for asylum in NL are not automatically at risk upon return

The Council of State does not find that Tamils run risks upon their return *solely* as a result of their asylum applications in the Netherlands. In individual cases, this may be different  
(<http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RVS:2013:1155>, 9.9.13)

Court: undocumented Somali man taking care of child of Dutch schizophrenic mother to be released

The man proved by means of documents that the mother is incapable of taking care of their child by herself. The court now releases him from aliens detention, as a residence permit is likely to be granted when there is a Dutch child. Haarlem court AWB 13/18061, 2.9.13

State secretary: children's pardon

Of the 3,200 applicants for the children's pardon, 1300 were granted and 1800 rejected. The rest is still being handled. Reasons for rejection were: lack of asylum history, too old upon application, failed to remain in the scope of national government at all times. (Rapportage vreemdelingenketen, 27.9.13)

Approximately 1300 appeals are being processed. Court do not rule unanimously about the applications by children without asylum histories.

### 3. CHECK AND DEPARTURE

Dutch Refugee Council: deportations Somalia suspended

After a successful deportation to Somalia on 16 September, all subsequently planned deportations on 18 and 26 September have been suspended. According to the Repatriation and Departure Service, the deportation of 16 September is to be 'evaluated'. The Somali minister said on the radio that he does not condone forced returns.

### 4. WHAT CAN BE DONE?

Children's pardon activity for Wime (and others who are a bit too old), 2 Oct 13.30-14.30 The Hague

Wime came to the Netherlands when he was 10 and has been here for 12 years. The children's pardon did not apply to him, as he was six months too old when he made the request. Likewise, in 2001, he came to the Netherlands six months too late to be included in the general pardon in 2007. By now, Wime has been in aliens detention for 20 days.

On Wednesday 2 October, the Friends of Wime organise a SING ALONE SONG activity from 13.30 to 14.30 hrs in The Hague to have him released. For further info: [www.defenceforchildren.nl](http://www.defenceforchildren.nl).

Advice on reporting crimes safely in Wereldhuis, 16 Oct 17.30-19.00 hrs, Amsterdam

The Wereldhuis organises a basic information workshop on reporting crimes safely and the Immigration and Naturalisation Service (IND) on 16 October. One police and one IND representative will answer your questions. Directly after, there will be a meal at 19.00 hrs.

Location: Diaconie Protestantse Kerk Amsterdam, Nieuwe Herengracht 20, 1018 DP Amsterdam

Please present yourself for the meal in advance on 06 22821472 or through [info@wereldhuis.org](mailto:info@wereldhuis.org)

Workshop refugees Council of Churches, 2 November 10-15.30 hrs, Amersfoort

On 2 November, the project group Refugees of the Council of Churches in the Netherlands organises the annual workshop for its supporters and any others who may be interested. The workshop is dedicated to topical developments in the aliens policy and the activities by the churches.

Location: Bergkerk, Amersfoort. Please, apply through [rvk@raadvankerken.nl](mailto:rvk@raadvankerken.nl);

Advocaat Fischer: bijstand éénoudergezin voor ongedocumenteerde ouder met NLS kind

Nederlandse kinderen met een ouder zonder verblijfsrecht krijgen in vijf gemeenten bijstand naar de norm van een éénoudergezin: Oss, Groningen, Hoorn, Tilburg en Wageningen. Zonde om niet te gebruiken, ook in andere steden. Pim Fischer wil graag zelf de aanvraag doen zodat de kans op succes zo groot mogelijk is. Bel of mail naar [www.fischeradvocaten.nl](http://www.fischeradvocaten.nl).