

NEWSLETTER, VOLUME 5 NO. 17

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VICTIMS' DIRECTIVE SOON TO BE DISCUSSED IN DUTCH PARLIAMENT

On 9 September, Dutch parliament will decide on how the implementation of the Victims' Directive is to be handled in the Netherlands. This is a European directive describing victims' rights. Article 1 of the directive affirms that the rights and minimum standards set out apply to all victims of crime irrespective of their residence status. Unfortunately, the implementation act does not mention this section at all. The explanatory memorandum does state that victims who have no residence permit should have access to the police, but fails to mention how this is to be implemented precisely. Earlier, all Dutch police forces received an instruction about how to facilitate reporting a crime safely. However, in many towns, this has not yet been acted upon. You can ask your local police force to facilitate reporting a crime safely. Experiences by undocumented victims continue to be welcome at the LOS foundation.

1. BASIC RIGHTS

Dutch Administrative High Court: no support Congolese in WMO for not vulnerable enough

The Dutch Administrative High Court has ruled that the physical and mental health of this Congolese man is not being substantially threatened if he gets no WMO support. The city of Rotterdam has admitted him (voluntarily) to its BedBathBread shelter. You can find further information [here](#) (Dutch only).

2. ADMISSION POLICY

Court: even after 30 years' legal residence, permit can be revoked with recent criminal record

This case concerns a Moroccan repeat criminal who is addicted. He has lived in the Netherlands since 1980 and has had a permanent residence permit since 1990. Nevertheless, his permit may be revoked, as he has committed multiple crimes. You can find further information [here](#) (Dutch only).

Court: alien to be heard when permit revoked due to assumed relocation

This man was deleted from the population register because the municipality thought he had moved away. The man claims to have been on holiday. Due to deregistration, his residence permit was revoked. The judge finds that the man should have been heard. You can find further information [here](#) (Dutch only).

Council of State: no risk upon return to Sierra Leone by one-time prostitute

This case concerns a Sierra Leonean woman with a child, who was already a prostitute in Sierra Leone. She states that she will be forced to prostitute herself upon her return, because she cannot support her child otherwise. The Council of State finds that organisations in Sierra Leone can help her to provide for herself and her child in different ways. You can find further information [here](#) (Dutch only).

Council of State: in case of return by Belgium route, evidence of actual residence in Belgium is needed

This case concerns a couple that used the Belgium route. They had been registered in Antwerp for a year, at the address of the husband's sister. However, they owned a house in Etten-Leur. The question is whether the couple really lived in Belgium, or only visited occasionally. The Council of State decides that the public transport tickets and the language course in Antwerp are insufficient evidence, since they cover no more than three months. You can find further information [here](#) (Dutch only).

Council of State: no medical information for Sierra Leone available since December 2013

For 'postponement of departure on medical grounds' (art. 64) current information is needed regarding the availability of medical treatment. For Sierra Leone, the Netherlands has had no access to current information since December 2013. This is relevant for Sierra Leoneans who are ill. You can find further information [here](#) (Dutch only).

3. CHECK AND RETURN

Police: numbers of arrests

At the request of Amnesty International, the police have published that last year, 2140 aliens were arrested to check their identities. In 2013, 2710 aliens were arrested. Most of them were arrested in Amsterdam (25%), followed by Rotterdam (nearly 20%), The Hague (16%) and Utrecht (10%).

4. ACTIVITIES

Film: Carnotstraat 17, about migrants in a former Antwerp film palace. Various cinemas

At Carnotstraat 17 in Antwerp, various migrant families share one roof. Dish antennas and clothes lines decorate the old building. Its inhabitants talk about migration, identity and rooting in society. Among them is an Armenian family that has no residence status.

<http://www.cinemadelicatessen.nl/film/carnotstraat-17/>

Lustre Stap Verder, 19 September 14.00-20.00 hours, Amsterdam SE

In September, Stap Verder celebrates its fifth anniversary. Stap Verder supplies information to inhabitants of South East about medical, social and legal matters. Free Dutch lessons are given as well.

Location: Stap Verder, Hoogoord 187A, 1102 CJ Amsterdam South East ('Zuidoost'),

www.stapverder.org

If you want to attend the lustre party, please register through tel: 020-8457566; or through

erikafeenstra@stapverder.org;

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.