

NEWS LETTER, VOLUME 6 NR 5

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BED-BATH-BREAD

In November 2015 it became clear that the Netherlands will only provide shelter and support to undocumented migrants if they are willing to co-operate in their return. Recent statements made by the Ministry and the Council of State have made it clear that support in freedom restriction centres will only be offered to people who have shown that they are co-operating in their return. But even in these cases people are frequently turned back onto the street after a stay of several months in a freedom-restriction centre.

According to lawyer Pim Fischer it is possible to take legal action if people are back on the street after a stay in the freedom-restriction centre Ter Apel. Please contact if you are aware of any recent cases.

1. BASIC RIGHTS

Secretary of State Security and Justice: half of the undocumented migrants have an asylum background

In a written statement the Secretary of State has announced that half of the people who were found to have no residence permit have an asylum background in the Netherlands or another EU country. You will find more information [here](#).

Council of State: identity restoration impossible even with a genuine passport and a DNA test

This woman had been issued a permit as a Sudanese but she wanted identity restoration as a Nigerian. She has a Nigerian passport and disposes of a DNA test proving the descent of her father. However, she was denied identity restoration because such a DNA test with only one of the parents does not offer a 99% certainty (ABRVS, 201504183/1/A3, 3.2.16).

2. ADMISSION POLICY

Court of Appeal: withdrawing asylum permits Somalians because of criminal record

This Somali man who has lived here since the early nineties is losing his permit because of his criminal record. He has to return to Mogadishu. According to the latest official country report Al Shabaab is no longer dominant there, for which reason his return as a westernized Somali does no longer pose a threat. You will find more information [here](#).

In the case of another Somali with a criminal record, who belonged to the Ashraf clan, the Court of Appeal have decided that a separate consideration should be made concerning the return of Ashraf to Mogadishu. You will find more information [here](#).

Secretary of State Security and Justice: new rules admission highly educated

Foreign students who studied in the Netherlands are allowed to stay in the Netherlands for a year to find a job at their level. If this job provides them with sufficient income their right of residence will remain valid. In addition highly educated migrants will be offered the opportunity to look for high-level employment in the Netherlands.

The Secretary of State will combine these two options. Graduated migrants are required to have been their certificates no longer than 3 years ago. The point system has been abolished. Highly educated migrants should be financially independent but are allowed to perform additional activities without an employment permit. You will find more information [here](#).

3. CHECK AND DETENTION

Court of Justice EU: detention asylum seeker is possible

The Council of State had posed questions to the EU court about the possibility to keep asylum seekers in detention. At this moment current asylum proceedings preclude extradition. The Court have decided that this is possible, the asylum proceedings temporarily delay the objective of the detention, namely extradition.

You will find more information [here](#).

Court of Appeal: no extradition to Ethiopia possible

The Court have decided that forced extradition to Ethiopia is currently not possible. Voluntary return with IOM (International Organisation for Migration) is possible but this cannot be enforced by detention. This man will have to be released. You will find more information [here](#).

4. ACTIVITIES

Jubilee 10 years Fanga Musow, 8 March 16-20 hour Utrecht

Fanga Musow is a relief centre for undocumented women in Utrecht. On International Women's Day we want to pay extensive attention to our 10th anniversary with speeches, an interactive quiz and a fund-raising dinner.

Information: www.fangamusow.nl and www.seguro-opvang.nl.

Meeting about the policy concerning harmful practices in the Netherlands, Leiden, 7 April 14-16.30

In co-operation with Defence for Children - ECPAT (DCI) the Network UN- Women's Treaty organize a meeting about harmful practices such as female genital mutilation, forced marriages, child marriages, imprisonment in marriage, and honour-related violence. The objective is formulating common viewpoints in order to combat these practices. Later on in 2016 these viewpoints will be included in the *Schaduwrapportage CEDAW 2.0* [Shadow report CEDAW 2.0]. The [complete programme](#) can be found on the website of the Network UN Women's Treaty.

Participation is free of charge, application is required - please use the [contact form](#) of the Network UN Women's Treaty.

'Ordinary married - an investigation into child marriages and religious marriages in the Netherlands'

The investigation shows that most of the informal marriages pose no major problems. As for religious marriages respondents have been looking for ways in which religious marriages could be granted a civil status. You can read the research report [here](#).