

NEWSLETTER, volume 10 no. 02
20 January 2020

Contents

BASIC RIGHTS.....	2
ADMISSION POLICY	Fout! Bladwijzer niet gedefinieerd.
CHECK AND RETURN.....	2
ACTIVITIES.....	2

COMENSHA: EXPERIENCES HUMAN VICTIMS WITH DUBLIN CLAIM

Since last year, Dublin claimants who have fallen prey to human trafficking have been interviewed by a special police team, with the aim to examine whether there are grounds for convictions in NL. If not, the victim is not granted B8 status and may be evicted to the Dublin country. Many victims do not wait for this to happen and go underground. It is unclear what their rights are if they do.

Comensha, the organisation assisting victims of human trafficking, is eager to hear more about their experiences.

Have you been in contact with victims of human trafficking who were evicted to Italy? How did that go?

Have you heard whether they arrived safely?

Or have you only dealt with victims whose whereabouts are presently unknown? Were victims who were on the waiting list for intake/ reporting in the Netherlands still been able to report human trafficking?

Please contact Comensha, Sandra van den Berg via s.vandenberg@comensha.nl

BASIC RIGHTS

Court: no study grant in case of medical status

This student has a residence permit for medical treatment with her father, as she has a heart condition that cannot be treated in her home country. She wants to study, but the university expects her to pay a college fee. Moreover, she is not eligible for a study grant. She finds this discriminative. The judge disagrees. See [here](#) (Dutch only).

ADMISSION POLICY

Court: Tunisian government can protect in case of domestic violence

In spite of reports by Amnesty International stating that women in Tunisia often fall victim to domestic violence, the judge in this case finds that the Tunisian government can offer protection. Also, the judge feels that the government can protect this woman from forced marriage (for the third time). See [here](#) (Dutch only).

CHECK AND RETURN

Court: police must knock before entering a home

The court has made clear that the police is not allowed to enter a home without knocking if they lack a valid reason for doing so. The alien who was present in the home and has been arrested must be released (Zwolle regional court, NL19.31276, NL19.31279, NL19.31280 and NL19.31281, 8.1.20).

ACTIVITIES

GREVIO: Baseline Evaluation Report Netherlands implementation of the Istanbul Convention

The Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is an independent human rights monitoring body mandated to monitor the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (“the Istanbul Convention”). GREVIO published its Report on the Netherlands on January 20th.

GREVIO is concerned about women victims of violence who do not possess a residence permit, for example because of overstaying the validity of their residence permit or visa, and asylumseeking women who experience violence. GREVIO notes that steps are being taken to make support available to those who are currently excluded through the terms of the Social Support Act. Measures seem to exist that would allow irregular migrant women to report incidents of violence to law-enforcement agencies without risking deportation (so-called firewall) but GREVIO is unsure as to its implementation in practice.

<https://rm.coe.int/grevio-report-on-netherlands/1680997253>, 20.1.20