

NEWSLETTER, Volume 10 no. 25  
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## DUTCH DOCTORS OF THE WORLD: CALLS FOR EMERGENCY SHELTER IN THE WINTER MONTHS

The Dutch section of Doctors of the World (Dokters van de Wereld) sent an appeal to the Dutch Cabinet to continue emergency refuge facilities:

*'We call on the government to transform the temporary homelessness policy into a sustainable 24-hour shelter with counselling. The current situation of emergency shelters needing to close and open again due to the alternating implementation and cessation of entire or partial lockdowns and other corona-related measures is rather confusing, labour intensive and expensive.*

*Ensure that shelter is available to all, at least up to 1 April 2021. All people in the Netherlands need to stay as healthy as possible, in the coming months. This also applies to the homeless, irrespective of their status.'*

See the [Letter](#) to the Dutch House of Representatives. And [Sign our petition: No one out on the Streets!](#)

## ADMISSION POLICY

### European Court of Human Rights (ECtHR): interest of the child outweighs criminal record of the father

This case was in Great Britain. The Nigerian parents of three young children were convicted of having forged residence permit applications. The father lost his residence permit due to his criminal record. The lawyer filed a complaint about this to the European Court of Human Rights (ECHR). His main argument concerned the interest of the children — particularly the youngest child, who has a heart condition and is in need of surgery. Therefore, this child requires a large amount of care.

The ECHR ruled that the residence permit of the father should not have been revoked. See [here](#).

### District Court: partner has no interest in the ruling on the temporary entry permit (mvv) because he is already staying in the Netherlands

This Nigerian man applied for an mvv (temporary entry permit) so that he could join his marital partner. His application was rejected. Meanwhile, he travelled on a visa to the Netherlands where he applied for asylum. He wanted his mvv application to be reconsidered. The IND was of the opinion that this was unnecessary, as he was already in the Netherlands. The judge agreed with this opinion. See [here](#).

### District Court: letters by doctors and police reports are insufficient evidence of domestic violence

When a relationship with a foreign partner ends due to domestic violence, the IND can issue a residence permit on 'non-temporary humanitarian grounds'. Domestic violence needs to be proven by letters from the police and assistance providers.

In this case, there were letters by a psychologist and a general practitioner, as well as a police report. However, the IND was of the opinion that these letters were drafted too late; the woman should have already talked to her doctor about the domestic violence before she broke off the relationship. The police report was also deemed not objective, because it was based on her own statement. The judges agreed with this opinion. See [here](#).

### District Court on a pardon for children: opportunities for children borne after completion of their parents' asylum procedure or criminal record

In two rulings, judges ruled on applications by children for the 'Afsluitingsregeling Kinderpardon' (i.e. completion regulation on a pardon for children). One case concerned children born after their parents completed the asylum procedure; the other case was about a child with a father who had been convicted of a crime (in 2005, before the child had been born). In both cases, the judge ruled that the children were eligible for the completion regulation (i.e. the 'Afsluitingsregeling'). See [here](#) and District Court of Middelburg, 20/761, 5.11.20.

## ACTIVITIES

### Appeal: share stories about refugees from Eritrea

The organisations STIL, Here to Support, and Ex-AMA-team are concerned about an excessive burden of proof in Eritrean cases and about the assumption that Eritrean people need to call on the authorities

they are running from to help them. In addition, we wonder what happens to those people. We would therefore like to inventory how many undocumented Eritrean people are currently staying in the Netherlands without the possibility of leaving voluntarily and without being deported. For this reason, we are looking to contact organisations that have provided assistance **since late 2017** to Eritrean people whose applications have been rejected. Please send your email to [eritrebewijsnood@gmail.com](mailto:eritrebewijsnood@gmail.com).

Commemoration of refugees who perished on the way to Europe, 10 Dec., 12:30–13:30 hrs, The Hague

Europe's borders are very treacherous. Every day, men, women and children lose their lives in an attempt to get to Europe. People who are looking for safety and protection. Over the last five years, more than 15,000 people died on the way to Europe. This has to stop!

On Thursday 10 December, on Human Rights Day, we will commemorate the thousands of people who perished, often nameless and in silence. Participants can participate either physically or digitally. Please register [here](#).

Book Elias Steinhilper: Migrant Protest - Interactive Dynamics in Precarious Mobilizations

Migrant protest has proliferated worldwide in the last two decades, explicitly posing questions of identity, rights, and equality in a globalized world. This book explores the interactions and spaces shaping the emergence, trajectory, and fragmentation of migrant protest in unfavourable contexts of marginalization. The book focusses on precarious migrants, including both asylum seekers and 'illegalized' migrants.

<https://www.aup.nl/en/book/9789463722223/migrant-protest>, 23.12.20