Newsletter LOS 13-22, 23 October 2023



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WEBINAR (ENG): SAFE REPORTING TO THE POLICE IN UTRECHT AND ELSEWHERE, 24 OCT. 14:00–16:00 HRS

Safe reporting to the police for people without residence permits is important for the safety of the person concerned and throughout the city. Since 2016, the Netherlands has had a policy on safe reporting to the police. See the information document by the police <u>here</u> and the investigation <u>here</u>.

New research has recently been carried out on safe reporting of complaints to the police in the cities of Utrecht, Barcelona, Ghent and Milan. This English-language webinar discusses this research. See <u>here</u>.

1. ADMISSION POLICY

District Court: Consider the risk of repeated human trafficking victimisation on return to Nigeria

This ruling concerns a human trafficking victim from Nigeria. According to the IND, she is able to return because she can settle down elsewhere in Nigeria. The court rules that this is only possible if she has a support network there where she can be safely accommodated. But she only has a network in the region from which she had been recruited: Benin City, where there is a risk of repeated victimisation. Therefore, the IND is instructed to reconsider its decision. (District Court Den Bosch, NL22.23934 and NL22.23935, 11.10.23)

District Court: If the IND in this case does not decide on issuing a visa within 6 weeks, the applicant may enter

The judge in this case finds that the IND is taking too long to decide on the appeal in the case of an Eritrean woman who wants to go to her Dutch child in the Netherlands. According to Jeugdzorg, the mother's presence is important for the child. The judge granted a 'conditional provision', which means a visa will be granted if the IND does not decide within six weeks.

District Court: No status for Indonesian, in the Netherlands since 1995, integrated and in relationship This Indonesian woman has been in the Netherlands for almost 30 years. She lives with her cousin with whom she is in a relationship. The IND does not believe the relationship is real, but does recognise that she has established a private and family life here. However, because she was already 32 years old when she came to the Netherlands, and the ties were forged during her illegal stay, she should not be granted residence status, in the opinion of both the IND and the judge. See here.

District Court: Visa for lone infirm elderly parent

Recent rulings show that lone single elderly parents can be granted an entry visa if it is clear that there is no one to care for them in their country of origin, and the Dutch child wants to care for this parent. For example, see <u>here</u> (Eritrea) and <u>here</u> (Ukraine).

2. IMMIGRATION DETENTION

Dutch Council of State: Detention in quick succession allowed if alien thwarts deportation

If deportation is not possible within 6 months of alien detention, the alien must be released unless he or she resists deportation or such deportation is imminent. If the alien does not resist, he or she may only be put in detention again if there are new circumstances. See <u>here</u>. If the alien does resist, the detention will be longer than 6 months and he or she may be put back into detention soon after having been released. See <u>here</u>.

3. ACTIVITIES

Webinar Statewatch: Activists and NGOs in Europol's databases, 7 Nov. 17:30–18:30 hrs

Digital rights experts from EDRi and Statewatch will explore how civil society, activists and social movements have been increasingly criminalised and surveilled in Europe, and will introduce attendees to a new tool that people can use to request access to their data held by Europol. Access requests are an important tool in countering the abusive data collection practices by European police. See <u>here</u>.

FNV Theme meeting on Migration, 8 Nov. 19:00-21:30 hrs 'Vakbondshuis' in Utrecht

During the theme meeting, we will talk to scientists and politicians about the possible field of tension between the welfare state and migration, and about solutions around labour migration, the influence of government policy and debunking myths and fears surrounding this topic. See <u>here</u>.

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Stichting LOS (Landelijk Ongedocumenteerden Steunpunt) is sinds 2003 het kenniscentrum voor mensen en organisaties die hulp bieden aan migranten zonder verblijfsvergunning ('ongedocumenteerden'). Stichting LOS zet zich in voor de basisrechten van deze migranten en hun kinderen.