

NEWS LETTER, volume 10 nr 12  
8 June 2020

Table of contents

1. BASIC RIGHTS.....	2
2. ADMISSION POLICY.....	2
3. CHECK.....	2
4. ACTIVITIES.....	3

## ORDERING MOUTH MASKS FROM AMSTERDAM CITY RIGHTS

Amsterdam City Rights is the organisation for documented as well as undocumented inhabitants of Amsterdam; the organisation advocates the rights of undocumented migrants in the city. They have started producing mouth masks. You will find more information [here](#).

In order to give undocumented migrants access to public transport, every undocumented person will be provided with two washable mouth masks. The plan is to produce mouth masks for other inhabitants of Amsterdam as well. In this way we can make a contribution towards the city. In addition there is a plan to assemble a kit with which people can sew their own mouth masks themselves.

**YOU have the opportunity to buy them yourself!** For as little as €5.-! Send an e-mail to [mondkapjes@heretosupport.nl](mailto:mondkapjes@heretosupport.nl). Your order will be sent to the producers. The proceeds will benefit the producers directly. This provides them with an opportunity to earn their own money, to contribute towards society and to invest in new materials.

## 1. BASIC RIGHTS

### Court of Appeal: seriously ill patient cannot be removed from asylum shelter

This case concerns a woman with mental health problems who receives treatment from an internist, a lung specialist, a neurologist, an anaesthetist, and an ophthalmologist. She suffers from diabetes and high blood pressure. She is being treated by a rheumatologist because she suffers from diffuse pain. This woman is visited two to three times a week for mental health problems for supportive contact and to provide her with daily structure as well as to observe her psychiatric symptoms. She is considered to be too unstable for trauma treatment as yet. It is expected that years rather than months of treatment will be required.

The court are of the opinion that this woman cannot be removed from the asylum shelter. You will find more information [here](#).

## 2. ADMISSION POLICY

### Council of State: cohabiting in Belgium is not considered plausible, because partner was also registered in The Netherlands

The couple concerned is married and states to live together in Belgium. The woman was also registered in The Netherlands. Therefore the Court is in doubt as to whether the couple live together. Because the cohabitation is not considered plausible the husband is not eligible for Dutch citizenship to which he would be entitled after three years of living together with his wife. You will find more information [here](#).

### Court of Appeal: two-year old child has to return to the country of origin for a residence permit

This two-year old child lives in The Netherlands with his mother, father and stepbrothers. The IND have declined the application for a residence permit, the child has to submit this application from the country of origin together with his mother. Meanwhile the mother can stay in contact with the other members of the family, irrespective of the amount of time this will take. The Court has agreed with this.

Moreover the family does not meet the income requirement and therefore the application submitted from the country of origin is likely to be declined. You will find more information [here](#).

### Court of Appeal: no residence permit for father of Dutch child who is older than 18 years of age

A parent of a Dutch child is entitled to a permit to enable the Dutch child to stay in the EU. This father has applied for a permit, but his Dutch child had just turned 18 years of age. Therefore the IND has declined the application. According the IND the age limit for majority in the EU is 18 years and the date of the application is taken as the starting point as opposed to dates prior to that. The Court agree with this. You will find more information [here](#).

## 3. CHECK

### Report Immigration Process departure statistics

According to the report Immigration Process 2019 only 46% of the immigrants that should have

departed, have verifiably departed (11,660 out of 25,600).

The Removal and Deportation Service only realised departure in 43% of the cases in their case load (7,220 out of 16,880). Only 40% of the Dublin claimants who had to leave have verifiably departed (2,430 out of 6,370). You will find more information [here](#).

## 4. ACTIVITIES

### [UN Women Guidance note: Addressing the impacts of the COVID-19 pandemic on women migrant workers](#)

This guidance note highlights the emerging impacts of the COVID-19 pandemic on women migrant workers, focusing on the key challenges and risks they face. It makes recommendations in the context of the economic and social response and recovery packages that governments are putting forward, supported by examples of existing good practices from around the world.

### [PICUM: A Worker is a Worker: How to Ensure that Undocumented Migrant Workers Can Access Justice](#)

This report explores judicial and state-based non-judicial labour complaints and redress mechanisms that are in place in 15 EU member states, and what happens or would happen when undocumented workers try to use them. The report is based on the experiences of organisations working on the front-line assisting workers in those countries. It points to some practices that are noteworthy for being particularly problematic or promising, including some interesting examples from outside of the EU. Finally, it suggests recommendations to improve enforcement of labour standards and access to justice.

### [Justin Zeit: PROIZVOD - My kingdom Tartarus in the world of women trafficking](#)

Proizvod is a story which contains inside information about the practices, the methods applied and the structure of sex trafficking. It describes the indoctrination and manipulation of the victims. How the women, deprived of their identity, are being raped, tattooed, and conditioned and how they were transported from abroad to Western Europe.

'Proizvod' (Croatian for 'product') shows the mentality of the human trafficker. Why did he do the things he did? And why was he able to justify his actions so convincingly to himself?

### [WODC: The road\(s\) to right of residence - Why foreign victims of human trafficking utilise the asylum procedure](#)

A temporary residence permit human trafficking will (almost always) be issued as soon as an alleged victim has filed a criminal report. The temporary residence permit will expire once the criminal investigation has been closed. The National Rapporteur Human Trafficking [Nationaal Rapporteur Mensenhandel - NRM] suspects that in many cases a subsequent applications for non-temporary residence permits on human grounds are not submitted because many victims prefer a regular asylum procedure.

The WODC (Scientific Research and Documentation Centre of the Ministry of Justice) have investigated what caused this and how potentially effective such asylum applications are. Will the rights and special interests of the alleged victims of human trafficking be sufficiently guaranteed through asylum procedures?

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.