

NEWS LETTER, volume 6 nr 21

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HELP THE LOS FOUNDATION WITH CONTENT FOR THE WEBSITE BASISRECHTEN.NL [BASIC RIGHTS.NL]

The website www.basisrechten.nl contains information about the rights of undocumented migrants. Examples are the right to health care, the right to housing, the right to legal aid. This information is available in Dutch, English and French.

The website is currently being updated. We would like to receive advice about information and organisations that are relevant to undocumented migrants and who want to be mentioned on the website.

1. BASIC RIGHTS

Asylum seekers are allowed to do voluntary work without a statement issued by the UWV
Minister Asscher of Social Affairs is adjusting the procedure for asylum seekers who want to do voluntary work. Currently the UWV have to grant their approval beforehand, which in practice takes too much time. As of 1 October the UWV will only test afterwards whether the migrant is doing genuine voluntary work. [You will find more information here.](#)

Temporary regulation educational aids for MBO students from families on minimal incomes
Minister Bussemaker makes available 5 million euro for MBO schools who have to use these means to support with the purchase of educational aids students in vocational training who are from families on minimal income. You will find more information [here.](#)

Council of State: a statement about income and means suffices for exemption of legal charges
The migrant in this case took legal action about the withdrawal of his permit. This had already made it impossible for him to be employed. His lawyer had attached a letter stating that the man had no private means. The Council of State have ruled that this suffices for the exemption of his legal fees. You will find more information [here.](#)

2. ADMISSION POLICY

Court for the application of the European Free Trade Association in Norway, Iceland and Switzerland: 'EU-route' even applies if the EEA citizen had not been employed in the EU country
This case concerned a Norwegian woman who had lived in Spain for a few months with her partner from outside the EU while she had no income of her own. Subsequently they went back to Norway together. The Court for the application of the European Free Trade Association of which, besides the EU, Norway, Iceland and Switzerland are members, have decided that her partner is allowed to stay with her in Norway. You will find more information [here.](#)

Council of State: NAPTIP helps Nigerian migrants build up new social networks through which female genital mutilation can be prevented
In this case the Court of Appeal had stated that the support organisation NAPTIP is able to help with the first support but not with building up a new network in order to prevent this woman and her daughter from having to return to her family where female genital mutilation is said to be imminent. The Council of State has annulled this court ruling and has acknowledged the earlier rejection by the IND. According to the Council of State the IND justifiably decided that this woman can build up a new network and an independent existence through NAPTIP and the church. In addition female genital mutilation is a criminal offence in Nigeria, which can be reported to the police. You will find more information [here.](#)

Work instruction: year to seek employment for highly-educated or status highly skilled migrant for UAF students in asylum proceedings
The UAF support asylum seekers who want to study at a University or an Institute for Higher Vocational Training. Recently the minister has made it possible for graduated UAF students to be eligible for a residence permit as highly-educated persons. In these cases the passport requirement and the

requirement for authorisation for temporary stay no longer apply. This is contingent upon the question whether he/she is still in asylum proceedings, has graduated in The Netherlands no longer than three years ago and the identity has been confirmed. The UAF stands surety for the living costs, in some cases through a loan. You will find more information [here](#).

3. CHECK

ECRE: EU pushes Afghanistan to accept back people in exchange for aid

Leaked documents illustrate how the EU is pressuring Afghanistan to take back Afghan nationals who were refused international protection in Europe and failed to return voluntarily. A **deal** between the EU and Afghanistan was signed on Sunday 2 October, in which the EU requires Afghanistan to readmit 80,000 nationals, even though the EU acknowledges that the security situation in Afghanistan is deteriorating.

4. ACTIVITIES

Interview with Loretta Napoleoni about Merchants of Men, 17okt 19.30u de Zwijger A'dam

The Italian journalist and political analyst Loretta Napoleoni shares insights of her new book 'Merchants of Men', on the business of human trafficking and refugees. The new breed of criminals that controls it has risen out of the political chaos of post-9/11 Western foreign policy and the fiasco of the Arab Spring. How it is possible that human trafficking became such a big industry? And how can it be dismantled?

<https://dezwijger.nl/programma/merchants-of-men-with-loretta-napoleoni>

Gender-related vulnerabilities in the EU asylum procedure: Spotlight on FGM, 8 nov, Brussels

FGM survivors and women and girls at risk are particularly vulnerable in the asylum system. Either because they suffer from the physical, mental and emotional consequences of FGM, or because they fear for themselves or their daughters, these women must receive support and advice from specialised trained professionals and civil society to help them navigate the process.

The aim of the conference is to address on-going challenges in the reform of the Common European Asylum System (CEAS), share good practice and address how we can deal with the issue of credibility, the systematic lack of training of professionals and bring together the different perspectives of the actors involved. http://www.endfgm.eu/editor/files/2016/09/FINAL_invitationagenda_2.pdf

GRETA: restrictive migration policy impedes the identification of victims of human trafficking

GRETA is the monitoring body of the Istanbul Convention, the Council of Europe standards for the protection of women. The report on GRETA's activities in 2015 highlights that irregular migrants are vulnerable to trafficking, as they are unable to work regularly due to restrictive immigration laws, and may risk prosecution due to the criminalisation of irregular entry and stay.

GRETA's monitoring has found that law enforcement efforts to combat irregular migration are too often disconnected from the legal obligation to identify victims of trafficking. The report is available [here](#)