

NEWSLETTER, volume 8 no. 12
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BASIC RIGHTS FESTIVAL, 30 JUNE, 11AM-5PM, UTRECHT

The aim of this festival is to inform undocumented people about their rights, and to encourage them to stand up for their rights. Therefore there are workshops about basic rights, such as: work, education, health, police and national developments with BBB. Furthermore there are workshops from undocumented people themselves, to explain how they stand up for their rights, for example by blogging, organising benefits, working with trade unions or protesting together about the situation in BBB.

The festival is especially for undocumented people, and we can reimburse their travel costs, as long as they travel with a group ticket. We would like to hear in advance how many people are coming.

Please sign up by contacting Rian Ederveen: rian.ederveen@stichtinglos.nl

Download the flyer [here](#)

1. BASIC RIGHTS

ECHR: satisfactory refuge for asylum seekers in France prior to submitting application

This case was about a Congolese woman with three small children in France. She took a case to the European Court, arguing that she had no access to reception facilities whilst she was waiting to be able to submit her asylum procedure (three months). She did however get night shelter from Caritas, and food. Two of her children went to crèche.

The Court decided that this was sufficient to prevent a humanitarian emergency. See [here](#).

Council of State: no childcare premium if partner lives in AZC or abroad

Childcare premium is only awarded to single parents, or if the partner works. This case was about a Syrian mother with children, whose partner was still living abroad (and later in the Netherlands in an AZC). In these instances the mother had no right to a childcare premium.

See [here](#).

Council of State: recovery of identity is possible, Mongolian biometric passport looked at

Sometimes immigrants with status want to change their identity years later. To do this, strong source documents must be shown. In this case, a woman showed a Mongolian biometric passport. The fingerprints were the same as hers, and also the same as the fingerprints taken during her asylum application. Therefore in this case the identity could be changed in the municipality.

See [here](#)

2. ADMISSION POLICY

Council of State: permanent incapacity to work only shown by IVA benefits, not WIA

For residence with a partner, the Dutch partner must earn enough, or be permanently incapacitated (permanently unable to work). This case showed that the IND does not consider WIA benefits as proof of being permanently incapacitated; that is only the case for IVA benefits. The partner entitled to benefits must potentially start legal proceedings against the rejection of IVA benefits to be considered as incapacitated. See [here](#)

3. CHECK AND DETENTION

DT&V: Guinea delegation

On 9-11 April a delegation from Guinea was in the Netherlands. The delegation had to make declarations of nationality for immigrants that must be sent back.

49 immigrants were invited, and 36 attended, 20 of whom had their nationality confirmed. For these people, travel documents (Laissez-Passers) will be made as soon as the flights are booked.

DT&V, 24.5.18

4. ACTIVITIES

MigrationRoute Tetterode : Refugees/migrants: welcome to join, 18-27 June & 7-8 July A'dam

Woonwerkpand Tetterode in Amsterdam Oud-West is an old factory, squatted 37 years ago, since then a free place, living-working-art-social community, in which many refugees have found refuge/support. MigratieRoute Tetterode 7-8 July 2018 is the public exhibition of results of co-creation in workshops between refugee/migrant artists and their Tetterodian colleagues. Everybody is talented, and has expertise/experience! So let's cooperate and create future, new citizenship and basic rights for all! In mid-June the workshops take place in Tetterode and the results will be exhibited at the MigrationRoute Tetterode on the weekend of 7-8 July, on a migration route with debate, music, documentaries, food & more;

Info: <http://www.allincluded.nl/posts/migratieroute-tetterode/>

<https://www.facebook.com/events/190875588227065/> 06-10484404

Petition for General Pardon in 2018

There are still many people who live in the Netherlands for a long time without a residence permit with which they can make something of life. With this initiative we hope to get support from the House of Representatives for a new General Pardon. We aim for 40,000 signatures! Help and sign!

<https://petities.nl/petitions/generaal-pardon-in-2018/signatures?locale=nl>