

NEWSLETTER, volume 10 no. 19
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GUTMENSCH TEAR-OFF CALENDAR 2021

The makers of the (Dutch-language) Gutmensch Tear-Off Calendar 2021 aim to gently redirect the public debate about asylum seeking, migration, refugees and the extreme right, in order to make it more civil.

We know the arguments of the vociferous opponents: a ‘tsunami of would-be refugees’ is threatening our welfare state, we are being assimilated as we speak, and they mean to cram our daughters into burkas. There is hardly any room for nuance or reflection.

This calendar is meant for Joe/ Joanne average, who is shouted down at birthday parties, at work, in the pub or in class, or who finds the discussion complicated and doesn’t know any counter-arguments off the top of their head. The calendar provides them with facts and contexts on a daily basis, so that they can face any debate with self-confidence.

Linda Polman, the author of *Niemand wil ze hebben. Europa en zijn vluchtelingen*, [Nobody wants them – Europe and its refugees] is the editor in chief. Contributors include Adriaan van Dis, Geert Mak, Sheila Sitalsing and many others.

You can order [here](#), see also: <https://gutmensch.org/>

ADMISSON POLICY

Council of State: tourist residence right ends due to offences

A tourist may reside in Europe for 90 days out of 180 days. The case is about the question whether a tourist may be evicted if they have a record.

An earlier judgment by the European Court of Justice makes clear that the criterion that the crime constitutes a 'present and serious threat to one of the fundamental interests of society' does not apply to this case. The decision to evict must be proportionate to the seriousness of the offence and the individual circumstances must be taken into account.

In this case, the Council of State has decided that an Albanian citizen who grew cannabis may be evicted. See [here](#) (Dutch only).

Court: partner of NL citizen can join partner in NL even after years of joint residence in Belgium

If a Dutch citizen settles in another EU country, their partner is granted right of residence in that other EU country ('EU route' or 'Belgium route'). After effectively living together in that other country for at least six months, the couple can resettle in NL together.

This case concerns a couple that, years ago, lived together in Belgium for two years. The woman returned to NL, the man remained in Belgium. After four years, the man decided to move to NL too.

The judge finds that the couple has presented sufficient documentation to prove that they effectively lived together in Belgium in the past, so that the man has the right to join his wife in NL, even after four years. See [here](#) (Dutch only).

Court: further investigation needed into role stepfather in care for sick stepchild

Together with his wife, this Ghanaian man is looking after his sick stepchild. His application for a residence permit has been refused, because he hasn't filed it in his country of origin.

The judge finds that the Immigration and Naturalisation Service (IND) should weigh in what the departure of the stepfather will mean to the stepchild. If the stepchild remains in NL, will it receive enough care? Conversely if the stepchild also moves to Ghana, can it be properly cared for there? A new decision must be taken. (Amsterdam Regional Court, AWB 19/9966, AWB 19/9967, 13.8.20)

CHECK AND DETENTION

Court: identity check upon drinking beer in park is justified

This man took a bag containing beers to an Amsterdam park to drink with his friend. Since drinking beer in a park is prohibited, the police asked for his ID. Since the man did not have his identity paper on him, he was arrested and ended up in alien detention.

The judge finds that the police has acted appropriately. See [here](#) (Dutch only).

ACTIVITIES

Debate: Plodding in the shadows, 21 Sept 20hrs de Balie Amsterdam

It is estimated that Amsterdam harbours thousands of undocumented people. many of them work in

cleaning, catering, building or other legal sectors without a work permit, thus contributing to the city's economy. However, in this shadow economy, malpractices and exploitation take place as well. Undocumented people can fall into the hands of rogue employers, people traffickers or rack renters. Which rights are violated and how do we perpetuate this situation together?
<https://debalie.nl/programma/zwoegen-in-de-schaduw-21-09-2020/>

Amnesty International, LOS Foundation and Doctors of the World: 'Isolation in alien detention'.

In 2015, these organisations concluded that isolation can entail serious health risks. At the time, the Dutch government promised to reduce isolation whenever possible.

Unfortunately, legislation, policy and practice to prevent isolation in alien detention have hardly improved. This report reveals that the number of people in isolation, have risen sharply, particularly isolation in their own regular cell. Even though the own cell provides more facilities, this form of isolation largely has the same negative consequences as isolation in a bare cell has.

The organisations summon the government to ensure that the policy is aimed to preventing and eventually banning isolation (also in alien detention). See [here](#) (Dutch only).

New address Wereldhuis Amsterdam

Arie Biemondstraat 103
1054 PD Amsterdam

Opening hours:

- Monday: 10:00 - 12:00 hrs. Lunch: 11:30 hrs
- Tuesday through Friday: 10:00 - 15.30 hrs. Lunch: 13:00 hrs.
- Saturday and Sunday: 12:00 - 14:00 hrs. Lunch: 13:00 hrs.

Modified opening hours Kruispost Amsterdam

At the moment, the Kruispost is struggling with a shortage of doctors / general practitioners. As a result, we cannot guarantee that we will always be open during regular opening hours. If we are open, we cannot guarantee how many people we are able to attend to and we may need to send people away.

This month, the morning schedule is reasonably filled, but the evening appear to remain empty.

That's why it's advisable to ring us before hand to enquire if we are open. Phone number 020 6249031

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.