



Stichting Landelijk  
Ongedocumenteerden  
Steunpunt

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## VACANCY IMMIGRANT DETENTION REGISTRATION OFFICE

The Immigrant Detention Registration Office (*Meldpunt Vreemdelingenendetentie*) is also located at the LOS foundation. The aim of the Registration Office is to improve conditions around immigration detention and deportations/expulsions. Immigrants in detention can call us free of charge. We listen to their stories, support them in their complaints and make these known through newsletters and social media, and we lobby for policy improvement.

There is a vacancy at the Immigrant Detention Registration Office for a Project Officer, for 16 to 32 hours a week. Click [here](#) for a description of the vacancy. Applicants are invited to apply up to 11 October 2020.

## BASIC RIGHTS

### Court of Justice: starting date of health insurance is also the starting date of the residence permit

This case is about health insurance after family reunification. The foreign partner in this case came into the country on a so-called *mvv* (temporary entry permit) and applied for a residence permit immediately after entry. She also applied for health insurance but, at the time, she did not yet have the residence permit card in her possession. Later she received this card which had the date of registration as the commencement date. The health insurance company only wanted to insure her from the date on which she received the physical residence permit card. The Court is of the opinion that the health insurance should take effect on the health insurance application date. See [here](#).

## ADMISSION POLICY

### Dutch Council of State: permit as caring parent of Dutch child does not entitle naturalisation after 5 years

Normally, after 5 years, migrants can apply for naturalisation, provided they have passed their citizenship course exam. This does not apply to migrants with any type of temporary permit.

According to the Council of State, the permit to stay as caring partner with the Dutch child (Chavez) has a temporary character, as the child will become an adult at a given point in time. This, therefore, will never lead to naturalisation, unless the parent is eligible as a family member of an EU citizen, i.e. if they have sufficient income. See [here](#).

### District Court: permit on humanitarian grounds still possible

Since January 2019, a permit application for 'reasons of distress' [schrijnend] can only be applied for with a first application for admission. The judge in this case made it clear that the Aliens Act also contains a possibility for a permit being granted on humanitarian grounds, as well as one on the 'right to private and family life' (i.e. Article 8 of the European Convention on Human Rights). For this case — which is about a man with serious psychological problems — the judge finds that the IND should consider whether a permit can be granted on one of these grounds. See [here](#).

## CHECK AND DETENTION

### Court of Justice of the European Union: criminalisation illegal stay

In the Netherlands, remaining in the country while have received an entry ban is punishable by law. Undocumented migrants may be subject to an entry ban if it is discovered that they have failed to comply with the return decision. Migrants who have a criminal record receive a 'heavy entry ban', for others, a 'light entry ban' is issued.

The Court of Justice of the European Union previously ruled that an entry ban takes effect only after the person concerned has left the country. This implies that Dutch law, which criminalises a stay in the Netherlands when the person has been issued with an entry ban, is in violation of EU law. Dutch judges asked for a further explanation.

In this case, the judge of the EU Court of Justice explained that the entry ban cannot be a reason for criminalisation. But Member States can adopt other laws that criminalise illegal stay, particularly in cases of a 'threat to public order'. The Netherlands, currently, does not have such a law. See [here](#).

## ACTIVITIES

Fairwork: Online information meetings: Exploitation of undocumented migrants in times of corona, 6 Oct. 10:00–12:00 hrs in The Hague, and 8 Oct. 10:00–12:00 hrs in Amsterdam

In October, FairWork is organising two online information meetings about labour exploitation in times of corona. These meetings are intended for **volunteers** from migrant and support organisations in Amsterdam or The Hague who also work with the target group of undocumented migrants, and who have not previously received training from FairWork. The meetings are **free of charge**. Registration for one of these meetings is possible until 3 October via [info@fairwork.nu](mailto:info@fairwork.nu), where the preferred language (Dutch or English) can also be indicated, after which participants will be emailed a link to the online session.

STUV-Leiden will cease its activities on 1 January 2021

The City Council of Leiden, last December, decided to no longer provide shelter to asylum seekers who have exhausted all legal procedures. As a result, the municipal funding of the STUV (the Foundation for asylum seekers who have exhausted all legal procedures, which provides the last period of shelter) will be cancelled as of 1 October 2020. At this moment, STUV still accommodates 5 people who are unable to look after themselves because of certain psychological and/or physical conditions. STUV will be able to provide these 5 persons with accommodation until 1 January 2021, with the help of external sponsorship.

The municipality's offer to provide a desk function (no shelter), together with the Dutch Council for Refugees (Vluchtelingenwerk), is not in line with STUV's vision and mission. Therefore, the STUV's board is forced to terminate the foundation's activities per 1 January 2021.

<https://www.stuv-leiden.nl/opheffen-stuv/>

The **Printrights** team is looking for cotton fabrics!

We receive many requests for face masks from undocumented people in Amsterdam who cannot afford to buy them. The PrintRights team is looking for any plain coloured or printed fabrics that are 100% cotton. Please contact [Printrights](#) if you are able to donate these types of fabrics. Thank you very much! If you have no fabrics to donate but would like to support this action, then you can contribute financially via this 'tikkie': <https://tikkie.me/pay/rsdo44fldts95n6dpoji>.