

NEWSLETTER, volume 11 no. 20 27 September 2021

## **CONTENTS**

Basic rights	2
Admission policy	2
Check and detention	
Activities	
, , , , , , , , , , , , , , , , , , , ,	

## **VACCINATION PASS FOR UNDOCUMENTED PEOPLE**

It is also possible for undocumented people with no DigiD to get a proof of vaccination.

With the person concerned, ring the GGD Back Office on 0800 – 5090 and give the name, date of birth, mobile number and email address.

The person concerned will get a proof of vaccination in their email and via SMS. They will also get a code to activate the app.

### **BASIC RIGHTS**

#### Court: bigamous marriage and children

Children from a marriage with at least one Dutch partner get NL nationality. But NL does not recognise bigamous marriages, and so does not recognise paternity within a bigamous marriage. Children who are born in such a marriage do not automatically get Dutch citizenship from their father, but they can apply for it. See here.

### **ADMISSION POLICY**

#### Council of State: residency permit for foreign mother and brothers/sisters of NL child

The care-giving non-Dutch parent of a Dutch child has the right to a residency permit in NL: the Chavez permit. Previously, judges decided that non-Dutch brothers and sisters may not come with this parent. But the Council of State has now adjudged this to be unfair. Hence, from now on, the non-NL brothers/sisters can come with the care-giving parent to NL. See here.

#### Court: identity of foreign father of Dutch child established by recognition by civil judge

For a residency permit as a care-giving parent of a Dutch child, the identity of the parent must be established. In this case, this happened during the recognition process: the civil judge established paternity and confirmed the identity. It was established that the aliens' judge cannot call this into question. See <a href="here">here</a>.

#### Court: no FACT care in Nigeria

The court established that this Nigerian woman needs interventionist care and treatment from a specialised multidisciplinary team to avoid an emergency medical situation. In NL, this interventionist care is given by the FACT (Flexible Assertive Community Treatment) team. In Nigeria, this sort of care does not exist. Therefore this woman cannot be deported to Nigeria. See here.

# **CHECK AND DETENTION**

### Council of State: no deportation to Algeria possible

Since the beginning of the corona crisis, the Algerian authorities have not issued any travel documents (laissez-passers). This means that deportations are not possible. The Council of State determined that Algerians should no longer be placed in alien detention. See <a href="here">here</a>.

#### Court: no deportation to Senegal possible

The Senegalese Embassy has also not issued any travel documents since the beginning of the corona crisis. Therefore Senegalese people should also not be put in alien detention, a judge has found. See <a href="here">here</a>.

# **ACTIVITIES**

ARQ Migration Knowledge Centre (Kenniscentrum Migratie): Updated national map of culturally sensitive care

ARQ has made a national overview of intercultural mental health care (GGZ) and social support. <a href="https://migratie.arq.org/sites/default/files/domain-">https://migratie.arq.org/sites/default/files/domain-</a>

51/documents/arg sociale kaart landelijk september 2021-51-16310940451540971444.pdf