

NEWSLETTER, edition 12 no. 12
07/06/2022

CONTENT

ADMISSIONS POLICY.....	2
WHAT'S ON.....	2

DEPENDENT RESIDENCE STATUS AND SELF-DETERMINATION 23 JUNE, ROTTERDAM

The Self-determination and Right of Residence Platform first presents its preliminary research results of Vu-research into dependent residence rights.

After the presentation, we will further discuss the practice of the policy with directly involved women, professionals, local and national policy officials and politicians: what does the dependent residence status mean for the emancipation, participation and safety of women, what are the biggest bottlenecks (both locally and in national legislation/regulations), where can the solutions be found.

The meeting takes place between 1:00 and 5:30 pm.

Registration at zelfbeschikking.verblijfsrecht@gmail.com

ADMISSIONS POLICY

Council of State: criteria for establishing identity when applying for a residence permit with an EU partner

The conditions for a residence permit with an EU citizen in the Netherlands are lower than in case of a residence permit with a Dutch national or a status holder. The main condition is that the EU citizen has income.

In this case regards the question how the partner in such a case can prove their identity. The Council of State concludes that all possible means may be used for this purpose and that a passport is not necessary. See [here](#).

Court: in case of an application for 'residence with Dutch child', the IND must also assess 8ECHR

In this case the father applied for a residence permit with his Dutch child. The question is whether the right of residence on the basis of family life (8ECHR) should also be assessed. The Court finds that the IND has to do this 'ex officio'. The fact that a separate 8ECHR application is much more expensive than an application for residence with a Dutch child does not matter. See [here](#).

WHAT'S ON

Webinar Women's Council Belgium and Progress Lawyers: "Women and Migration (Law)", June 9, 9:30 am -12:30 pm

Is the law neutral? Is gender neutral?

Is it okay that asylum cannot be obtained for gender-based persecution?

What is the impact on children when their parents are not recognised?

Who are the women without right of residence in Belgium? Why do they not go back? How do they survive? What rights do they have and how can we better protect them?

The webinar is aimed to non-lawyers, focusing on the concrete reality for those who come into contact with women within a migration context.

Registration by email to: herlindis.moestermans@vrouwenraad.be

Online conference: Beyond Silos: Amplifying Marginal Voices and Under-explored Methods in Human Trafficking Research, 16 – 17 June

'Nothing about us, without us.' Yet, non-profit organisations and policy-makers alike often make affected populations invisible for the sake of convenience. But without the voices and experiences of human trafficking survivors, research and policy can never be truly complete or helpful. Additionally, individuals affected by human trafficking policies may have useful and necessary criticism to give. By invalidating such individuals or making them invisible, we risk overlooking or undermining their contributions.

Mainstreaming myriad methodologies into research, advocacy, and policy making is necessary to truly eradicate the factors that make human trafficking and exclusionary policies resulting from a criminal law enforcement approach possible across so many industries.

[Register here](#).

Committee of Ministers Council of Europe: Recommendation to protect the rights of migrant, refugee and asylum-seeking women and girls

Acknowledging the risk of violence and barriers that migrant, refugee and asylum-seeking women face that are gender-specific, the Committee of Ministers called upon all Member states to take the necessary measures to work towards the elimination of any discrimination, the empowerment of migrant, refugee and asylum-seeking women and girls for their effective access to rights, and to ensure their protection from all forms of violence against women, including trafficking in human beings.

This guidance should be regarded at all stages of the migration process, not only during the reception, but also during residence, integration, and even return. See [here](#).

Human Rights Watch: [Combatting Domestic Violence in Turkey. The Deadly Impact of Failure to Protect](#)

This report reviews 18 cases of domestic violence during the 2019 - 2022 period, with one case from 2017 in which women filed complaints with the police and prosecutors concerning violence by current or former spouses and partners. It shows that while police and courts are issuing preventive and protective cautionary orders, failure to ensure they are observed leaves dangerous protection gaps for women or even render them meaningless. Courts often issue cautionary orders for far too short periods, and the authorities fail to make effective risk assessments or monitor the effectiveness of the orders, leaving survivors of domestic violence at risk of ongoing – and at times deadly – abuse. Some perpetrators breach the terms of preventive cautionary orders without penalty. For those who are subject to criminal prosecution and conviction, it often comes late, and the penalties are too slight to constitute an effective deterrent. In the most severe cases, six examples of which are included in the report, women have been murdered even though the risk they faced was known to the authorities and the perpetrators had been formally served with preventive orders.

Since 2003, the LOS Foundation (National Undocumented Migrants Support Centre Foundation) has been the knowledge centre for people and organisations who provide assistance to migrants without residence permits ('undocumented migrants'). The LOS Foundation is committed to the basic rights of these migrants and their children.