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## GIVE YOUR SIGNATURE FOR MIKAEL AND OTHER ASYLUM CHILDREN WHO HAVE BEEN WAITING FOR A LONG TIME

Mikael is an inhabitant of Amsterdam who was born in the Netherlands 11 years ago. He has finished the last year of primary school and has been admitted to a gymnasium for the next year. Mikael is and feels himself to be a Dutch child for 100%; he is a spontaneous, kind and intelligent boy, full of ambition and love of life. On the 31st of July the Council of State notified that they decided that Mikael and his mother Gohar have to return to Armenia.

Just like the mayor of Amsterdam, Femke Halsema, we now appeal to Minister Faber. Mikael, born and bred in Amsterdam, belongs here. Please appeal to Minister Faber to grant Mikael a residence permit in spite of her decision.

**We want:**

- the authorities to work towards a humane asylum policy which takes into account people and not just rules;
- Mikael and all the other children in similar situations to be issued residence permits;
- Minister Faber to issue Mikael and his mother a residence permit so that they will get some rest and security after 11 years of struggle.

<https://actie.degoedezaak.org/petitions/mikael-en-gohar-blijven-hier>

## ADMISSION POLICY

### Council of State: evaluation of interests required in cases where no original passport is available when applying for naturalisation

In most cases people with a residence permit who want to acquire the Dutch nationality have to hand in their passport from their country of origin.

This case concerned an Iraqi man who first had asylum status but later obtained a status for residence with his family. For his naturalisation application he handed in many documents but no Iraqi passport. This would require him to go to Iraq and he fears that he might have to stay there for a long time for everything to be arranged. At home he is in charge of the care for two handicapped children.

The Court are of the opinion that the IND in this case should take into account the personal situation of the applicant. You will find more information [here](#).

### Council of State: exemption possible for integration test abroad in case of verifiable efforts

People who want to stay with their partner in The Netherlands have to take an integration test.

Exemptions are possible but in these cases the applicants have to prove that they have done their best.

In this case the applicant followed many lessons since 2021, in The Netherlands as well as in Colombia.

On all these lessons and exams, she spent over 10,000 euro. She took the integration test three times but still has not passed two of the three components.

The IND has declined her request for applying the hardship clause but the Court are of the opinion that the IND has not sufficiently taken these efforts to pass the exam into account. You will find more information [here](#).

### Council of State: no right of residence with partner in the Netherlands, although they lived together illegally for 20 years

This case concerned a Mongolian woman who has been living with her Dutch husband since 2006. The man has psychological problems and the woman helps him to cope.

Officially an application for a residence permit with partner has to be submitted from the country of origin. The Court deems this a requirement in this case as well. The stay has always been illegal and the woman knew that she had to leave The Netherlands. With medical assistance the man can cope on his own. You will find more information [here](#).

### Council of State: Chavez status justifiably withdrawn after divorce

This man had a status because he had the care for four Dutch children (Chavez status). He is divorced and no longer lives with his children. Therefore, his care for the children has diminished significantly, which caused the IND to withdraw his permit. The Court agrees with this. You will find more information [here](#).

## CHECK AND DETENTION

### Council of State: house checks by police are allowed if previously people without residence permits lived in that house

This ruling by the Council of State shows that the police are allowed to enter a house where someone without a residence permit might reside. In these cases, the police are allowed to check the status of

everyone present in that house.

In this case the police justifiably checked all the inhabitants of the house where someone lived who had stopped complying with his reporting obligations. You will find more information [here](#).

## ACTIVITIES

### Webinar ECRE and WAVE: Empowering Women's Specialist Services through the Migration Pact, 10sept 14:30-16:30 CET

In light of the EU's new Migration Pact, which introduces a comprehensive legislative framework to manage migration through various strategies, directives, and regulations, it is crucial to understand its impact on migrant women. The Migration Pact will significantly influence the access to services and rights of refugee, asylum-seeking, and undocumented women, particularly in the context of GBV and institutional violence.

To address these critical issues, the 2024 WAVE Training Institute (WTI) will focus on a deep dive into the Migration Pact, exploring its context and impact on migrant women with a dual focus on gender-based and institutional violence.

Session 1 of the WTI 2024 will focus on:

- Analysing the implications of the new Pact on Migration and Asylum on the realisation of refugee women's and girls' rights
- Addressing barriers to access asylum, protection and rights for refugee and asylum-seeking women and girls
- Providing recommendations to NGOs and Member States for the transition of Pact legislations according to the highest international and EU standards

Register: [https://docs.google.com/forms/d/e/1FAIpQLSeZV2iLiX-](https://docs.google.com/forms/d/e/1FAIpQLSeZV2iLiX-ViFytLc1KN6FC9KVFHS0iKr92coCm104RztsIxQ/viewform)

[ViFytLc1KN6FC9KVFHS0iKr92coCm104RztsIxQ/viewform](https://docs.google.com/forms/d/e/1FAIpQLSeZV2iLiX-ViFytLc1KN6FC9KVFHS0iKr92coCm104RztsIxQ/viewform)