

NEWSLETTER, Volume 11, no. 14
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VACCINATIONS UNDOCUMENTED MIGRANTS

Migrants without a residence permit can also be vaccinated. The Dutch Community Health Services (GGD) has set up vaccination locations throughout the country; see [here](#) the list on our website.

The GGD will not share any information with either the police or the Immigration and Naturalisation Service (IND). Once vaccinated, you will receive a certificate.

You will receive the Janssen (or Johnson & Johnson) vaccine; however, pregnant women and people with medical problems may ask to be given a different vaccine.

BASIC RIGHTS

District Court: right to emergency shelter for mother of Dutch child

This Moroccan mother came to the Netherlands with her Dutch child. The mother applied for a permit as the custodial parent of her Dutch child. She receives a social welfare benefit, but the municipality has rejected her request for WMO shelter.

The judge agrees, but also thinks that the municipality should offer her emergency shelter on humanitarian grounds — as, without such emergency shelter, the woman and her Dutch child would not be able to stay in the Netherlands. See [here](#).

Government Gazette (Staatscourant): adjustment regulation Dutch citizenship child of bigamously married father

Following a ruling by the Dutch Council of State, an adjustment has been made to the policy on Dutch citizenship with respect to children of bigamously married fathers. This adjustment means that these children now can become Dutch citizens. See [here](#).

ADMISSION POLICY

District Court: returning to her home country is a risk for Nigerian victim of human trafficking, due to an unpaid debt to the human trafficker

This Nigerian woman is afraid to be sent back to her home country. The human trafficker has performed a voodoo ritual and, upon her return without her being able to pay her debt to this trafficker, both she and her family will be in danger. She has a number of Facebook messages that support this notion. The judge is of the opinion that her story is consistent and recognises that a return to her country is too dangerous for this woman. (District Court of Arnhem, NL21.2022, 21.5.21)

Court of Justice of the European Union (CJEU): EU citizen who has been declared an illegal migrant needs to officially change his/her country of residence

The Court of Justice of the European Union has ruled that EU citizens who lose their residence permit are not only required to return to their country of origin, but also need to officially establish themselves there, in order to be eligible again for a new residence permit in another EU Member State. See [here](#).

District Court: no residence permit for Mauritanian with Dutch partner, 20 years in the Netherlands

This case shows that a 20-year stay with a Dutch partner in the Netherlands is insufficient to be eligible for a residence permit. See [here](#).

CHECK AND DETENTION

Dutch Council of State: consideration needed in repatriation decisions that involve children in the Netherlands

The Dutch Council of State confirms that repatriation decisions always require individual consideration. When people indicate that they have a child in the Netherlands, further investigation is required to

determine whether they are the custodial parent or caregiver. This is only the case if there are actual care responsibilities. See [here](#) and [here](#).

Government Gazette (Staatscourant): providing entry ban intention at time of deportation

Immigrants who have received a repatriation decision, but who have subsequently remained in the Netherlands illegally, may receive an entry ban when they leave the country. In cases where there is too little time before departure, an 'intention' can now also be drawn up. This will then be published in the Staatscourant and sent to the person's last known postal address, or possibly an e-mail address. See [here](#).

ACTIVITIES

E-learning modules in EU Free Movement Guide

The EU Free Movement Guide contains four modules that provide information for non-legal professionals working with destitute mobile EU citizens. The material offers detailed explanations and concrete examples of how to protect the rights of EU citizens. See [here](#).

Webinar Social Security for EU citizens, 29 September, 10:00–11:30 hrs

During this webinar, Paul Minderhoud, Associate Professor of Sociology of Law and Migration Law at Radboud University (Nijmegen), will provide information about social security for EU citizens. The target audience consists of professionals who regularly deal with EU citizens who work in irregular jobs or receive a social welfare benefit and for whom the professionals are uncertain about how long those citizens are eligible to receive such a benefit and how they can best advise these people.

Participation requires registration, please send an email to rian.ederveen@stichtinglos.nl, and if you like, you can include an example of a case you have dealt with.

ILO: Making decent work a reality for domestic workers: Progress and prospects ten years after the adoption of the Domestic Workers Convention, 2011 (No. 189)

This new report by the International Labour Organization (ILO) finds significant challenges with respect to the rights of domestic workers, and highlights the particular vulnerabilities facing undocumented migrant workers. The report recommends granting special protections or temporary residence permits to undocumented migrants so that people can report exploitation or abuse without fear of being reported to immigration authorities. The report also calls for greater formalisation of domestic work, including through regularisation schemes, and for the enforcement of social and labour protection laws for all domestic workers. See [here](#).

CCV : Guide on the 'integrated approach to labour exploitation'

This guide is intended to effectively address labour exploitation and serious disadvantage to workers, in an integrated manner, using current legal instruments. Often, there are more options for doing so than initially assumed. See [here](#).

End FGM Network: The impact of asylum laws, policies and practices on FGM-affected women and girls in Europe

This paper explores laws, policies and practices, at the Member State level, around the handling of FGM-related international protection claims within the respective asylum systems. See [here](#).

Founded in 2003, the LOS national foundation for undocumented migrants (Landelijk Ongedocumenteerden Steunpunt) is the knowledge centre for people and organisations providing assistance to undocumented migrants. The LOS foundation is devoted to the basic rights of these migrants and their children.