

## NEWSLETTER, volume 7 no. 22

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### ALL SOULS' DAY-COMMEMORATING THE DEAD AT THE BORDERS OF EUROPE (5NOV)

In Amsterdam, the commemoration will be held 15-17u in the Mozes en Aaron-kerk. See [here](#)

In The Hague, the commemoration will be held 15.15-16.45 the the Hofvijver (Lange Vijverberg). See [here](#)

## 1. BASIC RIGHTS

Dutch Administrative High Court: assistance for undocumented mother of NL child from application date  
This mother applied for social assistance for herself and her Dutch child as early as 2010. The application was thrown out since she had no residence permit. However, since the decision in the Chavez case, it has become clear that she was entitled to a permit after all, and thus to social assistance. The assistance is paid with retrospective effect. See [here](#) (Dutch only).

## 2. ADMISSION POLICY

Court: no passport, no status for baby of legal Somali mother and illegal Ethiopian father  
According to the judge this father must do more to obtain a passport for himself, so that his son will be entitled to one as well as right of residence. The father has not proven that he is unable to obtain an identity document. See [here](#) (Dutch only).

Council of State: after ending relationship with EU citizen, third-country national has some time to find job  
This case concerns the EU route (Belgium route), as a result of which the partner of an EU citizen who uses the opportunity to settle in another EU country, can easily obtain a residence permit. After 5 years, both partners will be granted an indefinite residence permit. If the relationship is ended after 3 years, the dependent partner retains a status if (s)he can take care of him/herself.  
In this case, the Court of Higher Appeal has decided that the dependent partner has some time following the divorce to find work. See [here](#) (Dutch only).

Council of State: permit EU citizen's partner revoked retrospectively, as he has child with ex-partner  
This case concerns an EU citizen's partner who had settled in a different EU country. As a result, this partner was granted a permit. However, the permit was revoked as de partner had a child with his ex-partner, due to which doubts were raised as to the relationship with the EU citizen.  
The Court of Higher Appeal decided that the permit had been justly revoked. See [here](#) (Dutch only).

Court: admission to NL with Spanish permit EU long-term residence, as an associate  
It becomes clear from this case that aliens with Spanish residence permits EU long-term residence can settle in the Netherlands as self-employed workers. In this case, the alien became an associate in his brother's company. The judge decided that the alien did act as an associate and that the permit was justly granted. See [here](#) (Dutch).

### NRM: Victim monitor human trafficking 2012-2016

The monitor gives a figure-based insight into the nature and extent of human trafficking. This makes clear that:

- The use of the time to reflect and the number of applications for temporary and continued residence have decreased considerably. Practitioners note that victims of human trafficking rather opt for an asylum procedure, as it is said to provide more security than the human trafficking residence scheme.
- The percentage of men that make use of the residence scheme has increased. The number of under-age victims has decreased. The share of African victims being granted continued residence has been halved. The majority of African victims applying for continued residence are denied.

The Rapporteur is deeply concerned about the sharp decline in the use of the reflection period. It appears to indicate that investigation authorities find fewer indications of human trafficking. Additional study on this point is needed. The decrease in the number of applications for temporary and continued residence is likewise worrying. It appears to indicate that, following the reflection period, victims have come to find the use of the human trafficking residence scheme less appealing. It would be an improvement if victims could qualify for continued residence from the moment the prosecutor has made a prosecuting decision, rather than from the moment the suspect has been convicted.

[Victim monitor human trafficking 2012-2016](#) , 18.10.17 (Dutch only)

### 3. CHECK AND DETENTION

Court: eviction to Morocco is possible

The judge has applied for information on the numbers of Laissez-Passers issued by Moroccan consulates. Up to 5 October 2017, 5 people have been evicted, and since then, 12 Laissez-Passers have been granted. Thus the judge has decided there is scope for eviction to Morocco and that Moroccans may be put in alien detention. See [here](#) (Dutch only)

### 4. ACTIVITIES

Fairwork is looking for new co-worker policy and strategy development

Do you aim to contribute to fighting modern slavery in the Netherlands? Are you an allrounder with vast experience in the field of policy and strategy development and research with a social organisation? Do you also have knowledge regarding financial processes in a project organisation? Are you a strong and convincing communicator and are you enthused by the idea of working in a [self-managing team](#) (link Dutch only)? Then we are looking for you! Info: [https://www.fairwork.nu/wie\\_zijn\\_wij/vacature/ervaren\\_generalist.html](https://www.fairwork.nu/wie_zijn_wij/vacature/ervaren_generalist.html). (link Dutch only – applications no later than 1 Nov)

Conference 'Evicted: human rights in the context of return enforcement and departure', 9Nov 14-17 hrs  
Amnesty Amsterdam

During the past years, the political pressure to conduct a strict removal policy has increased. In July 2017, Amnesty International published the (Dutch-language) report 'Evicted: human rights in the context of return enforcement and departure'. During this meeting the report's topics are explored further.

Location: Amnesty-huis, Keizersgracht 177, 1016 DR, Amsterdam

Registering: [aanmelden-uitgezet@amnesty.nl](mailto:aanmelden-uitgezet@amnesty.nl)

Domestic Worker Photographer Network: 365 Days of Invisible Work

This is a compendium of political representations of domestic work collected by an online community of amateur photographers made up of migrant workers, gardeners, dishwashers, artists, teachers, and many more. Organized as a calendar, *365 Days of Invisible Work* is dedicated to making visible the myriad labours negated by oppressive capitalist structures by highlighting the daily work of cleaners, mothers, interns, caregivers, and many others! <http://casco.art/nl/node/1721>