



Stichting Landelijk  
Ongedocumenteerden  
Steunpunt

## NEWSLETTER, VOLUME 8 nr. 7

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## LABOUR LAW AND SELF PROTECTION MEETING 29 MARCH, 6 - 9 P.M. AMSTERDAM

This public meeting is about Labour rights and the rights to self-protection for undocumented people. Jille Belisario from [Fairwork](#) will speak on the connection between international, European and Dutch labour rights. Natalia Robledo Contreras, member of the [FNV vakbond Schoongenoeq](#) (FNV Cleaner’s Union) is active in the campaign group ‘[ILO C-189](#)’ (for a bettering of the legal position for household workers). She will speak, from of own experience, on how people without a residency permit can find self-protection and self-organization. The following questions are fundamental: How can you recognize human trafficking? And what can you do about it? How can people without a residency permit feel protected during informal work? What possibilities exist to organize and protect oneself?

Location: Wereldhuis basement, Amsterdam. Sign up: [pao@askv.nl](mailto:pao@askv.nl) Language: English  
 Facebook: <https://www.facebook.com/events/2079765768903068/>

**N.B:** In addition to this meeting, Fairwork and the ASKV *Project Activering Ongedocumenteerden (PAO)* is also organizing a course on Labour Rights on 25 April 2018 from 11.00-13.30.  
 Sign up or ask Marloes of Arja for more information. Tel.: [06 40 71 35 99](tel:0640713599) or [pao@askv.nl](mailto:pao@askv.nl).

## 1. BASIC RIGHTS

CRvB: withdraw AIO-supplement in relation to live-in Hungarian carer/ partner; withdrawal of residency rights.

The IND (Immigration and Naturalization Service) has decided that this live-in Hungarian has no residency rights because she has no independent income. The AOW supplement, which the main resident received for her live-in help who was considered his partner, was therefore unjustified and must be paid back. See [here](#)

## 2. ADMISSION

Court: No refusal of permit, 38 years of status in NL and private life, old offences.

This Vietnamese man has lived in the Netherlands since 1979 (when he was 6-years-old) and has had a Dutch residency permit since 1992. He has been charged with theft from a residence, fraud and embezzlement and sex offenses committed between 1993 and 2012. The heaviest charge was for sex offenses in 1999. Since 2012, he has not been found guilty of anything. The IND wants to withdraw his residency permit but the judge finds that his private life weighs more heavily. [See here](#)

Court: The asylum seeker went to Italy despite being a victim of human trafficking and sexual abuse.

This asylum seeker first went to Italy but became a victim of human trafficking and sexual abuse. He then continued on to the Netherlands. The Netherlands considers that Italy is responsible for handling the asylum request. After all, he has not yet made a statement of human trafficking, and in addition, Italy can also take a statement and research it. (Utrecht Court, NL18.3078, 12.3.18)

Court: Article 8 of the European Court of Human Rights for mother with adult children in the Netherlands; had a status before and delivers informal care to son

This case is about a mother, who had a residency permit in the Netherlands but then moved to the US with her husband and received residency rights there. Her children and grandchildren live in the Netherlands. Her husband died and is buried in the Netherlands. One of her sons has psychological problems stemming from the war and according to his psychiatrist, his mother's presence helps him. The mother is now requesting a residency permit again on the grounds of her private life. The judge finds that the interests of the mother and her children weigh more heavily than the interests of the Dutch State. See [here](#)

The Council of State: No Article 8 of the European Court of Human Rights permit for child under Supervision Order, possible temporary permit.

This case concerns a mother, who left behind her child in an Asylum Centre and went into hiding. The child was placed under Nidos Supervision and sent to a foster family. The juvenile court judge has decided that Supervision must remain in force for another year. The daughter may not go with her mother to Morocco. The mother is therefore requesting a residency permit to stay with her daughter.

The court has decided in this case that the mother must work together with Nidos on the recovery of the relationship with her daughter. No definitive permit needs to be given to the mother. She can receive a temporary permit for as long as the Supervision for the child remains. See [here](#)

### 3. CONTROL AND DETENTION

The Ministry for Migration: response to Amnesty reports on foreign detention

Amnesty : make meaningful use of time during the day possible

Ministry : Educational and creative activities are offered, but no real courses. The detention period is therefore too short and above all undocumented people may not follow a course.

Amnesty: Increase the possibility of contact with the outside world.

Ministry: In Rotterdam, there are telephones in the cell. In future, foreigners will be allowed to use mobile phones, as long as they do not use a camera, recording facilities or have Internet access. Internet is available for 'approved' sites. This will be extended in the future.

Parliamentary paper: 19637 nr. 2372, 20.3.18

<https://zoek.officielebekendmakingen.nl/kst-19637-2372.html>

### 4. WHAT CAN BE DONE?

IND Webinar 'Starting an business in the Netherlands' 29 maart 2018

Starting a business in the Netherlands is an attractive option for foreign entrepreneurs; especially for EU entrepreneurs, free movement and free trade make the move to the Netherlands an attractive and smooth one. But how do you go about setting up your business? What do you need to know, which permits do you need and what taxes can you expect to pay? The webinar 'Starting a business in the Netherlands' will answer all your questions.

Participation is possible at 10.00 or 20.00 hrs after [registration](#).

Pim Fischer lecture, 17 April 4 -6 p.m. Ondertussen, Amsterdam

The Council of State has, in the last six months trampled on the rights of vulnerable people in Amsterdam by putting in place evictions after a year. The municipality simply continues on the same path and does not adjust its policy. Pim Fischer explains the court case and raises the question of whether this should not be a reason to increase political pressure.

Place: Plantage Middenlaan 27 (above the Holocaust Museum), 2<sup>nd</sup> floor.

Organization: Amsterdam City Rights; [www.amsterdamcityrights.org](http://www.amsterdamcityrights.org); [mail@amsterdamcityrights.org](mailto:mail@amsterdamcityrights.org)

Great Migration and Refugee Debate, 18 April in Pakhuis De Zwijger, Amsterdam

Not only for war, conflict and human rights violations do people leave hearth and home. Poverty is also a reason to seek a better future elsewhere. But these days there is almost no debate on work and circular migration. Entry into Europe is impossible for most migrants from the South. In fact, the European Union is determined to halt African migration. Oxfam Novib and ViceVersa are looking for dream measures for just refugee and migration policy.

Since 2003, the LOS Foundation (the Dutch acronym for 'Landelijk Ongedocumenteerden Steunpunt') has been the knowledge centre for people and organizations providing assistance to undocumented migrants. LOS Foundation devotes itself to the basic rights of these migrants and their children.