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NVVB: CHECKING 'FAKE RECOGNITIONS' AT CITIZENS' AFFAIRS

The Dutch association of citizens' affairs (*Nederlandse Vereniging voor Burgerzaken* (NVVB)) warns local government officials to watch out for fake recognitions. This constitutes the recognition of a child — whether or not against payment — for the purpose of obtaining a residence permit for one of the perceived parents. Since 2017 (the Chavez judgement), the number of permit applications related to a Dutch child has increased to around 300 a month, according to the Dutch Immigration and Naturalisation Service (IND).

Indications of fake recognitions, according to the NVVB, for example are when father and mother do not live together, do not know certain personal information about each other, or do not speak each other's language. Meanwhile, a multi-disciplinary team has been installed (*Multidisciplinair Team Schijnerkenning*), in collaboration with the police, justice department, IND and NVVB, to raise awareness among civil servants and local government officials about this phenomenon.

How often such fake recognitions occur is unknown. The NVVB advises municipalities to have parents sign a statement when they recognise a child as their own, which states that the recognition is not solely for the purpose of obtaining a residence permit. If, in such cases, the recognition later appears to be fake, the Netherlands Public Prosecution Service (OM) is able to prosecute the parents for forgery. See [here](#)

BASIC RIGHTS

Benefit payments for EU victims of human trafficking

This regulation ensures that people with an EU nationality who are the victim of human trafficking, domestic violence or honour-related violence have the right to benefit payments during the first three months of their stay. This benefit falls under the Regulations for the provisions for particular categories of foreign nationals (RvB). See [here](#).

ADMISSION POLICY

ECHR: question for NL about Dublin handover of family with medical problems to Italy

The European Court of Human Rights (ECHR) has asked the Netherlands whether sufficient precautions have been taken in the care of this family with medical issues when they are handed over to Italy. The Netherlands is required to respond before 20 September. The question indicates a concern by the European Court about whether the situation of care in Italy would be suitable for vulnerable people (EHRM 46595/19, 6.9.19).

CJEU: when EU partner loses residence permit, the dependent partner also loses it

This case is about the residence permit of the partner of an EU citizen who has taken up residence in another EU Member State. This Portuguese man loses his residence permit in Ireland because he is going to serve a prison sentence in Portugal. According to the Court of Justice of the European Union, this means that his partner will also lose her residence permit, provided that she has not meanwhile obtained an independent residence permit. See [here](#).

District Court: right to residence as an independent cleaner in the Netherlands with an Italian EU long-term residence permit

This man obtained a residence permit in Italy as an EU long-term resident. This does not allow him to work in employment in the Netherlands, but it does allow him the right to start his own business. He registered at the Dutch Chamber of Commerce as an independent cleaner. According to the judge, he indeed has his own business and is earning sufficient money, which is why he was granted a residence permit in the Netherlands. (VK Rb Amsterdam, AWB 19/248, 19/249, 23.8.19)

CHECK AND DETENTION

State Secretary for Justice and Security: detention easier for alien minors at the national border

The State Secretary has eased the criteria for border detention of minors at their first encounter with the Immigration Police. They can now be taken into detention at the first contact with the Immigration Police and can be detained for four weeks. The Immigration Police encounters many minors from Albania who wish to travel to the United Kingdom. Before they can be detained, these minors must first be summoned to leave the Dutch territory. In this situation, they often escape at this point. The State

Secretary is of the opinion that the Dutch Repatriation and Departure Service (DT&V) should be given more opportunity to deport these minors.
(Parliamentary letter 13.9.19)

ACTIVITIES

René Schoonhoven: Undocumented, yet still able to attend school

In his article, Professor René van Schoonhoven describes the criteria for undocumented people over the age of 18 who would like to go to school. Read the article [here](#).

Netherlands' Ombudsman for Children: right to medical care for children

The Netherlands' Ombudsman for Children (*Kinderombudsman*) has investigated the government's obligation to allow a hearing aid to be fitted for a deaf underage asylum seeker who has exhausted all legal procedures. The Kinderombudsman emphasises in its report that, on the basis of the Convention on the Rights of the Child (CRC), all children have equal rights to development and the highest possible level of health and health care. There can be no distinction based on residence permit status. See [here](#).

Inaugural address Betty de Hart, 20 Sept. 15:45 hrs VU Amsterdam

De Hart will discuss the legal work on race and mixture of three Dutch legal scholars: L.W.C. van den Berg (1845–1927), a colonial legislator who wrote the Mixed Marriages Act for the Dutch East Indies; W.F. Wertheim (1907–1998), Professor of Colonial Law, who later distanced himself from the Dutch colonial system of which he had been part, and H. de Bie (1879–1955) who, as the first children's judge in Rotterdam, worried about Dutch girls and their intimate relationships with Chinese men. See [here](#).

Information meeting on the future of migration and development in the Netherlands (De Toekomst van Migratie en Ontwikkeling in Nederland), 24 Sept., The Hague

This meeting is intended to share knowledge, to inspire and to elaborate on new possible directions for the future of migration and the role of development cooperation. For more information, see [here](#).

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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.