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PETITION: TAKE ACTION FOR AFGHAN REFUGEES

By means of this petition, seven organisations are calling on the Dutch cabinet to give Afghan refugees the protection they are in dire need of.

What needs to be achieved?

1. A new asylum policy for Afghanistan
2. Evacuate Afghan co-workers
3. Support the neighbouring countries
4. Make joint European arrangements

<https://actie.vluchtelingenwerk.nl/petitie-vluchtelingen-afghanistan>

BASIC RIGHTS

Court: labour market entry for parent of Dutch child

An undocumented parent of a Dutch child can apply for a residence permit with that child ('Chavez procedure'). At the moment of application, the Immigration and Naturalisation Service (IND) will judge whether it is favourable or not. If it is, the applicant receives a sticker in their passport with an entry that they can freely enter the labour market.

In this case, the mother is taking legal action about the fact that she received a sticker without the entry. The judge finds in her favour. See [here](#) (Dutch only).

ADMISSION POLICY

Moratorium on decisions and departures for aliens from Afghanistan

Since 26 August, the Afghanistan moratorium on decisions and departures applies. Since that date, Afghan people without shelter can present themselves in Ter Apel. This does not apply to Afghan people who have been granted 1F, who are suspected of committing serious crimes, and who have a status or must apply for asylum in another country (Dublin claimants). See [here](#) (Dutch only).

Court: visa facilitation for residence with EU partner in spite of no cohabitation

This case concerns a partner of a Romanian person residing in the Netherlands. The foreign partner aims to come to the Netherlands and has applied for visa facilitation, a special visa for residence as a family member of an EU citizen. The IND has turned down the application since Dutch policy states that the partners must have lived together for six months in order for a relationship to count as 'lasting'. The judge holds that the six-month criterion has not been adopted in the EU guidelines, that it concerns an individual consideration in which all the facts and circumstances that have been presented must be weighed. Therefore, the judge finds that the IND must reconsider. Appeal upheld. (Zwolle regional court, NL21.3605, 5.8.21)

CHECKS AND DETENTION

Court: alien detention unlawful if return country is not mentioned

Recently, the EU Court of Justice stipulated that a return decision must make clear to which country an alien is to return. They may also be multiple countries if the alien is using aliases.

In this case, the return decision did not state a return country. The alien was using various aliases relating to various return countries. The judge finds that it was not clear to which country the alien was to return. Therefore, the detention is unlawful, and he is to be released. See [here](#) (Dutch only).

ACTIVITIES

Dutch Red Cross / Fairwork workshop offer: Know your rights at work

The Dutch Red Cross and FairWork are providing an informative and participative workshop free of charge for anybody who is working with undocumented migrants. During the workshop, participants will learn what their (labour) rights are in the Netherlands, about the risks of human trafficking and about how they can protect themselves from this.

Contact Maité Theze-Lassus via mtheze-lassus@redcross.nl for a tailor-made free session.

Dutch Red Cross / Fairwork training offer: Human trafficking / exploitation among undocumented people

The Dutch Red Cross and FairWork are providing a training in signalling human trafficking and the subsequent steps to take. During this training, we'll discuss three types of human trafficking: sexual. Criminal and labour exploitation. Aid workers who have attended the training will be able to recognise the signals of human trafficking, take adequate action and to preventatively discuss both rights and risks with undocumented people to enable them to protect themselves better from exploitation.

Contact Maité Theze-Lassus via mtheze-lassus@redcross.nl.