



NEWSLETTER, Volume 12 no. 14
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BOOK: NIGERIA'S CAMPAIGN TO END HUMAN TRAFFICKING

Over the past fifteen years, antitrafficking personnel have stopped thousands of women from travelling out of Nigeria and, instead, have sent them to the federal counter-trafficking agency for investigation, protection and rehabilitation. Government officials defend this form of intervention as preemptive, having intercepted the women before any abuse can take place. Yet, many of the women protest their detention, insist they were not being trafficked and demand to be released.

This book shows how well-intentioned efforts to help women often do not address their real needs, at all. <https://www.cornellpress.cornell.edu/book/9781501763533/unmaking-migrants/>, 15.6.22

BASIC RIGHTS

District Court: standard social welfare benefit for married couples for family with Dutch child

This case is about a Dutch man with a Lebanese wife and a Dutch child. The municipality had given the family half of the benefit for married couples because the mother did not yet have a residence permit. The municipality had also applied the means test for unmarried persons.

The court ruled that a residence permit with a Dutch child is 'declaratory', and therefore already existed before the IND confirmed it. The municipality should therefore have provided a married couples benefit from the outset. Also, they should have applied a means test for married couples. See [here](#).

ADMISSION POLICY

District Court, two cases: after change in personal data in the GBA, naturalisation period continues

The first case is about an Iraqi who requested asylum in the Netherlands using false personal data. He later received a residence permit as the partner of a Dutch citizen, and corrected his identity. After staying three years as the partner of a Dutch citizen, the Dutch nationality can be applied for. The judge is of the opinion that the correction of identity does not mean that the three-year period needs to start from zero again. See [here](#).

The second case is about a Yemeni woman who applied for asylum as a Sudanese and changed her identity. After five years of legal residency, she applied for naturalisation. Here too, the court finds that the term for naturalisation has run its course, despite the change in identity. See [here](#).

Amendment to the Aliens Act 2000 Implementation Guidelines (WBV) 2022/14: new policy on assessment of relationship with EU citizen

According to this new instruction, a relationship with an EU citizen cannot only be proven by them living together for six months. There may be reasons why cohabitation was not possible while they were in a lasting relationship. On the other hand, having a child together is not sufficient proof of such a relationship. See the new policy [here](#).

District Court: 8EVRM Brazilian children, father meanwhile has permanent residence as a Portuguese

These Brazilian children were born in the Netherlands between 2000 and 2008. They have legal residence as children of an EU citizen. In this case, the question is whether they also are entitled to 8EVRM. The court finds that the children have built up independent private lives. This is confirmed by a report from the University of Groningen. The IND must make a new decision. See [here](#).

CHECK AND DETENTION

District Court: in case parents refuse their child to be COVID tested, the child can stay in detention for more than 14 days

Normally, children are only allowed to stay in detention for a maximum of 14 days. However, if a family resists deportation, this term can be extended. The judge rules that a COVID-test refusal is a form of resistance. Therefore, in such a case, the children may stay in detention for more than 14 days. See [here](#).

ACTIVITIES

Wonda Collective: solidarity with Domestic Workers

Domestic workers in the Netherlands are often underpaid and excluded from regular labour protection laws and their labour rights are often denied by their employers.

Domestic work deserves appreciation and respect, don't you agree?

[Please sign the petition that calls for action](#)

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.