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SECRETARY OF STATE: REDUCTION ADMINISTRATIVE FEES

In the context of the human dimension the Secretary of State has adjusted some administrative fees. Administrative fees are the costs to be paid in order to submit an application for a residence permit.

The most important change is the reduction of the fees for all 'humanitarian permits', including applications on the basis of domestic violence; these are reduced from € 1109.- to € 210.-. The administrative fees for applications made by victims of human trafficking are reduced from € 410.- to € 210.-.

You will find more information [here](#).

BASIC RIGHTS

[Act: authority over child will automatically be passed on to the parent who has acknowledged the child](#)

As of 1 January, the law has changed and parents no longer need to submit separate applications for authority over their child after they have acknowledged the child. Married parents always automatically had shared authority but for unmarried parents an application for parental authority had to be submitted at the subdistrict court [kantonrechter]. This is no longer necessary.

[Central Court of Appeal: as long as Chavez right of residence has not been confirmed, legal father will receive limited assistance benefit](#)

This case concerned the assistance benefit of the legal father of a Dutch child. When the mother of the child took up residence with him without having a residence permit, his allowance was cut to 50% of the family allowance. However, the father wanted to keep his single person allowance.

The Central Court of Appeal are of the opinion that the municipal authorities have taken all circumstances sufficiently into account. The municipal authorities do not need to make further adjustments to the amount.

ADMISSION POLICY

[Council of State: no permit Brazilian mother of Dutch children, no care duties and no authority](#)

An undocumented parent who cares for a Dutch child can be granted a so-called Chavez permit. In order to be eligible for such a permit it has to be proven that the presence of that parent is indispensable for the stay of the child in the Netherlands. In most cases for the mother this is not difficult, whereas the IND and the court often have doubts whether the stay of the father is equally important for the child's development.

In this case the mother stayed behind in Brazil when after the divorce the Dutch father returned to the Netherlands with their Dutch children. The father has sole authority. In this case the IND and the Council of State do not deem it necessary for the mother to stay in the Netherlands to participate in the care of the children.

[Court of Appeal: no permit as victim of domestic violence, man](#)

This man claimed that the break-up of his relationship was the consequence of domestic violence. In order to be eligible for such a permit the victim needs to have reported a criminal offence and needs to submit evidence of the violence. The husband had notified the police but had not reported a criminal offence. The medical evidence dated from too late after the violence. Therefore, the court are of the opinion that it was justifiable to deny the application.

[Court of Appeal: expert should assess the extent to which children who applied for the Childrens Regularisation, are 'rooted'](#)

The application for the Childrens-Regularisation [Kinderpardon] for children for this Armenian family has been denied. The lawyer has asked to provide a ruling about the question whether the child is rooted in the Netherlands to such an extent that return would jeopardise its development. The court has ruled that an expert has to be appointed to assess this.

CHECK AND DETENTION

[Court of Appeal: detention unlawful if there is no prospect of eviction](#)

This ruling concerned an Azerbaijani man who has lived in the Netherlands for 25 years, ever since he was eleven years of age. The Dutch authorities assumed he has the Azerbaijani nationality but the Azerbaijani embassy does not know him and therefore will not issue a Laissez-Passer for his eviction. Therefore, the court are of the opinion that there is no prospect of eviction and thus he cannot be placed in detention of aliens.

ACTIVITIES

[Presentation study 'Heb geduld. De betekenis van het afhankelijk verblijfsrecht in het dagelijks leven van huwelijksmigranten en hun partners'](#) [Be patient. The meaning of the dependent right of residence in the daily life of marriage migrants and their partners], 26 January, 14.00 VU Amsterdam.

During the presentation we will debate the results of the study with the audience. Possible solutions and recommendations will be addressed as well.

Contact: zelfbeschikking.verblijfsrecht@gmail.com or 06-52114475.

[Petition DCI: They are home already](#)

Hundreds of refugee children have been living in the Netherlands for over five years. They are our neighbours, our classmates, our teammates and our friends. They belong to us. But however Dutch these children feel rationally and emotionally - they still have no permit to stay here. Each and every day they live in fear of being evicted to a country they hardly know. This is harmful for vulnerable children and it threatens their development.

We are of the opinion that it is time for a permanent solution. Because children need security, safety and guidance in order to develop normally and to grow up healthily. The interest of the child should be central.

Join us. Sign the petition. Share the message. Together we can convince the government of what everyone who knows these children, has known for a long time: they are home already.