

NEWSLETTER, volume 10 no. 24  
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## STUDY ON UNDOCUMENTED WORKERS IN AMSTERDAM

De Balie/ AT5 are conducting a study on labour conditions of undocumented workers in Amsterdam. Thus, the researchers hope to chart further malpractices. They will use the results for publications and debates. The next debate is scheduled for 15 December.

For this study, they have developed a brief survey for undocumented workers. The study results are to be anonymised. The reason why they still ask the respondents to fill in their first name, surname and contact details is for the responses to be verifiable. It gives them the opportunity to make contact if they have any further questions.

English survey: Working conditions for undocumented workers

[https://docs.google.com/forms/d/e/1FAIpQLScqmdSz3IWT\\_Q8Sr6u037Fo1WxiQzqMlrhwVAYW5\\_13OVKNgw/viewform?usp=sf\\_link](https://docs.google.com/forms/d/e/1FAIpQLScqmdSz3IWT_Q8Sr6u037Fo1WxiQzqMlrhwVAYW5_13OVKNgw/viewform?usp=sf_link)

Pesquisa: Condições de trabalho para trabalhadores sem documentos

<https://forms.gle/4Sv9x1XrgJwcijNd9>.

Contact: Mandy Fit via [mandy.fit@debalie.nl](mailto:mandy.fit@debalie.nl) / [livejournalism@debalie.nl](mailto:livejournalism@debalie.nl), tel .[+31 \(0\)6-23587695](tel:+3120623587695)

## BASIC RIGHTS

### Court: No right to social assistance for father of NLS kind, insufficient evidence of care

In an earlier procedure, the Immigration and Naturalisation Service (IND) judged that this father was not taking sufficient care of his daughter. In this procedure, the father has submitted a parenting plan and a decision by the family court. In spite of this, social services hold that this demonstrates insufficiently that the daughter should accompany her father if he were to return to his country of origin. On that grounds, social services hold that the father has no right of residence and thus is not entitled to social assistance. See [here](#) (Dutch only).

PS: Normally a custodial parent of a Dutch child is granted a residence permit and right to social assistance, on the basis of the Chavez judgment. However, the implementation is getting increasingly strict, as this case exemplifies.

## ADMISSION POLICY

### Court: In case of domestic violence in Gambia ask for government protection first

This woman has applied for asylum as a victim of domestic violence, stating that the Gambian government fails to provide her with protection. The IND holds that the Gambian civil code grants equal rights to men and women and protects victims of domestic violence. According to the woman, this code has no practical significance and the police will not act on it. Still, the judge finds that the woman should have tried to find support from the authorities first. See [here](#) (Dutch only).

### Court: permit of au pair justly revoked due to lack of cultural programme

This case concerns an au pair who was mainly at work in the host family. The IND has decided to revoke her permit, because not enough has been undertaken regarding cultural exchange, which is how the au pair status has been set up. See [here](#) (Dutch only).

### Court: permit as victim of domestic violence only if violence also threatens in country of origin

This Moroccan woman has applied for a permit as a victim of domestic violence in the Netherlands. This application is conditional to the woman being unable to duck out of the violence by returning to Morocco. In this case, the woman has not been able to demonstrate this. According to the IND, she can lead an independent life in Morocco. See [here](#) (Dutch only).

## ACTIVITIES

### FNV 'Migrant day', 10 Dec 19.30-20.30 hrs

During this gathering, migrants talk about the circumstances under which they are working and living in the Netherlands. Which are the problems these strong people face every day? But also: What are they proud of and what opportunities do they see?

<https://www.fnv.nl/nieuwsbericht/algemeen-nieuws/2020/11/save-the-date-10-december-migrantendag>

De Balie: 'Struggling in the shadows', 15Dec 20 hrs

Amsterdam. The city where anyone can participate, even without documents. Where big money is being made in the shadows, without permits, residence documents or contracts. The city turns a blind eye, for undocumented workers are resident, too. Thousands, maybe tens of thousands of cleaners hairdressers, babysitters, dishwashers and builders work without documents, in legal sectors.

This goes well, as long as we take the risks for granted. Struggling full-time for five euros an hour, failing to receive thousands of euros in wages, or paying far too much rent for your illegal flat. It could be the harsh reality for your cleaner, for the cook at your local restaurant, the lady who does your nails or that man who is painting your house.

<https://debalie.nl/programma/zwoegen-in-de-schaduw-theater-slotstuk-15-12-2020/>

UNHCR Nederland: petition for speedy family reunion refugees

At the moment, refugee families are often split up for an unnecessarily long time. They often need to wait for month or even years for an answer by the Dutch government about when they may be reunited once more. While there is no need for that! Sign the petition and ask the government to reunite refugee families more quickly.

[Sign the petition](#) (Dutch only).

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.