



Stichting Landelijk
Ongedocumenteerden
Steunpunt

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DOMESTIC WORKERS' HOLIDAY ENTITLEMENTS

The COVID-19 crisis has caused great financial difficulties for many domestic workers because employers stayed at home and they suddenly did not receive any wages any longer. Even when this situation has not been completely resolved yet, many now face the annual holiday crisis: employers go on holiday and do not continue to pay.

That is why we are asking you to help spread the appeal: respect [the holiday entitlements of domestic workers](#); four weeks paid holidays and 8% holiday allowance. That has been laid down by law and also applies in the absence of any written contract and/or when the worker is undocumented.

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BASIC RIGHTS

Entitlements medical treatment residence permit

If a foreigner is ill and the necessary treatment cannot take place in the country of origin, this person may obtain a medical treatment residence permit. If the situation has not changed after 3 years, the permit may be converted into a non-temporary permit. Family members of the main individual receive the same permit.

The Hague Court recently decided that a residence permit for medical treatment does not include any rights to work, including for the family members. NL wants to prevent integration, after all. See [here](#). In a different case, the Central Appeals Tribunal decided that after 3 years, once the permit has become non-temporary, the right to student grants and loans does exist. Denying any student grants and loans would result in discrimination. This right also applies to the family members. See [here](#).

Court: acknowledgement of a child by married Dutch father

In this case the biological, Dutch father wants to acknowledge the child he fathered in a Nigerian woman without a residence permit. He was already married and did not want a relationship with the mother, but wanted to make himself known to the child and care for the child. The municipal official refused the acknowledgement, since he considered it a false acknowledgement. According to him, its sole purpose was to provide the mother with a residence permit.

The Court did not consider it a false acknowledgement because of the father's wish to care for his child. As a result, the father may acknowledge his child. (Rb Amsterdam (civiel), C/13/695290 / FA RK 20-8732, 7.7.21)

ADMISSIONS POLICY

Minister of Migration: temporary stop on departures to Afghanistan

Because of the situation in Afghanistan, the Minister decided on 11 August that no decision will be taken on asylum applications by Afghans during the coming 6 months. Afghans who have exhausted all appeals may come forward and will obtain shelter. However, that does not apply to Afghans who have been denied asylum due to a grave crime (1F), or Afghans who have to apply for asylum in a different EU country ('Dublin-cases'). The temporary stop applies as from the publication in the Netherlands Government Gazette. See [here](#).

Court: possibly sufficient income for self-employed worker without employees ('zpp'er') in the Netherlands, with long-term residence status in Italy

If someone has a 'long-term residence' status in a different EU country, they are allowed to work in the Netherlands as a *zpp'er*. In this case, the woman worked in the Netherlands as a carer for holders of a personal care budget. The IND had not given her a residence permit in the NL, because according to the IND, her income was insufficient. The woman has now provided proof. The Court finds that the IND has to reconsider this. See [here](#).

INSPECTION AND DETENTION

Court: deportation to Algeria possible

Despite the fact that no deportations have taken place lately, the judge finds that there is a prospect of deportation. The new consul would be willing to cooperate with the enforced deportations by the Repatriation and Departure Service. This is why Algerians may remain in immigration detention. See [here](#)

WHAT'S ON

Sign for a generous admissions policy for Afghan staff members

Signatories wish a generous admissions policy for each Afghan who has worked with and for Dutch military staff and NGOs, from interpreters to guides, drivers, other supporting and managing Afghan colleagues such as journalists, lawyers, judges and women and human rights activists, and an evacuation from Afghanistan for these people in the shortest possible term. See [here](#).

Since 2003, the LOS Foundation (National Undocumented Migrants Support Centre Foundation) has been the knowledge centre for people and organisations who provide assistance to migrants without residence permits ('undocumented migrants'). The LOS Foundation is committed to the basic rights of these migrants and their children.