



Stichting Landelijk
Ongedocumenteerden
Steunpunt

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CENTRAL APPEALS TRIBUNAL: NO OBLIGATION TO INFORM SOCIAL SERVICES ABOUT GIRLFRIEND

The municipal social services department had asked a client for information about his social environment. He has a girlfriend who has no residence permit and who sometimes spends the night. The social services department wanted information as to where she lives and her date of birth, in order to interview her.

According to the Central Appeals Tribunal the client has to co-operate, but the girlfriend is allowed to refuse to provide the information and therefore the allowance cannot be cut for this reason. You will find more information [here](#).

1. BASIC RIGHTS

Court of Appeal: Dutch citizenship confirmed after finding Moroccan birth certificate was forged

After his birth this man was reported as a Moroccan family's own child while his biological mother was Dutch. Currently it was proven who his real mother was by means of a DNA test.

The Court of Appeal have decided that the Moroccan birth certificate does not constitute a representation of the actual situation and has drawn up a new birth certificate for legal reasons. The man is to become Dutch as of the determination date of his new birth certificate.

Altering the Moroccan birth certificate would lead to prosecution of the foster parents and has therefore not been demanded. (Court of Appeal The Hague (civil), C/09/505797, 26.7.16).

2. ADMISSION POLICY

Court of Appeal: no independent right of residence for dependent woman if she had had no right of residence for five consecutive years

Previously this Thai woman had a permit as a partner for almost 5 years and after the relationship had ended she lived for another two years with another partner. These two time stretches were interrupted by 2 months during which she had no right of residence.

After five years of residence she would have been entitled to independent right of residence. The Court have decided that it is not allowed to add up these two time stretches. The fact that she worked and that she was a victim of domestic violence during the second relationship do not constitute special circumstances either, which would make it necessary to make an exception. You will find more information [here](#).

Court of Appeal: income requirement for admitting partner requires individual assessment

This woman has a 0-hours contract at Burger King, but in actual practice always works for more than 40 hours and her income well exceeds the income requirement. Very rarely are permanent contracts issued in the catering industry.

The Court are of the opinion that her actual situation is important to determine whether she meets the income requirement to have her partner come to The Netherlands (VK Court of Appeal Haarlem, AWB 16/9206, 9.8.16).

3. ACTIVITIES

Informative afternoon Pim Fischer about the meaning of the ruling of the European Court of Human Rights, Wereldhuis Amsterdam, 26 August 16.00 hr

Two weeks ago the European Court ruled that refusing sheltered accommodation to undocumented migrants does not constitute inhumane treatment. This is a considerable disappointment. But there is more to be said about this. Pim Fischer will elucidate the ruling and explain which other options will still be open. The meeting is intended for supporters of *we are here* but others are welcome too.

Support the *Centrum Kinderhandel Mensenhandel* [Centre Child Trafficking Human Trafficking] by voting for the NRC Charity Award

Let your VOICE be heard for better detection of the victims of human trafficking! The *Centrum Kinderhandel Mensenhandel* has been selected for the NRC Charity Awards 2016! Students at the Willem de Kooning Academy have designed a beautiful campaign site at which you can vote NOW through this [link](#).

National Ombudsman has opened an investigation into migrants who made use of the General Amnesty Scheme in case of naturalisation

The National Ombudsman has started an investigation into the way in which the IND addresses the lack of documentary evidence in case of naturalisation requests of migrants who have utilised the General Amnesty Scheme. He has received several signals from migrants who cannot submit the required documents when they apply for naturalisation, such as a valid foreign passport and a legalised foreign birth certificate. You will find more information [here](#).

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.