

NEWSLETTER, volume 7 no. 23

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HVO-QUERIDO / CoMENSHA: EXPERT MEETING HUMAN TRAFFICKING, 4 DEC

On 4 December, HVO-Querido and Comensha will jointly hold an expert meeting on recognising and supporting victims of human trafficking.

It is not always easy to recognise signals of victimhood. How can this be improved? And where can you go once you have come into contact with a potential victim? How can victims receive the help they are entitled to? And how do you discuss the future with your clients, especially if the chances of a permanent residence permit look slim? How do you enter the discussion in such a way that the client's rights and interests come first? And how can you do so in time, so that all options are still open for discussion?

On December 4, these and other questions will be discussed. The starting point of the meeting is the participants' expertise and their willingness to actively enter discussion about the above-mentioned questions. In the afternoon, there is ample opportunity to find out more about the training programme that has been developed regarding these topics.

Participating is free. You can register through the CoMensha secretariat: A.vanderHoeven@comensha.nl

1. BASIC RIGHTS

Dutch GP Association: from 1 January 2018 more hospitals contracted to help uninsurable aliens

From 1 January 2018, new hospitals can enter into an agreement with CAK for the funding of care given to uninsurable aliens. The list is likely to be extended.

Court: Children of Surinamese Dutch nationals born between 1975-1980 are Dutch

By means of the State Ordinance for the Regulation of the Surinamese Nationality and Residence agreed between the Netherlands and Suriname it was established who was granted Surinamese nationality. Children are given their father's nationality. However, this does not include children who were born after the state ordinance came into force in 1975. If the child was born after 1975 and before the father was given Surinamese nationality, it has Dutch nationality. See [here](#) (Dutch only).

Court: Revoking Dutch nationality correct, since Ghanaian nationality was not given up

Upon becoming a Dutch citizen, this Ghanaian man promised to give up his Ghanaian nationality. However, despite judicial demands, he turns out not to have done so. That is why Dutch nationality is revoked. The judge is in agreement. See [here](#) (Dutch only).

2. ADMISSION POLICY

IND: online application for residence permit for child of legal parents

Parents can now apply for a residence permit for their child on the IND website, see [here](#) (Dutch only).

Court: examine domestic violence and daughter's needs prior to continued residence decision

This case concerns the application for continued residence on account of domestic violence. De Immigration and Naturalisation Service (IND) had doubts about the domestic violence. The applicant submitted a 'Veilig Thuis' report as evidence. This report states that a consultation took place in the town hall, involving various social institutions, including the police, to talk about the unstable domestic situation. During the consultation, the police affirmed that there is domestic violence in the form of verbal violence. Moreover, a statement by acquaintances was submitted in which they state that they witnessed verbally aggressive behaviour by the husband. Lastly, various institutions are involved assistance to the daughter, which is also documented. On account of all this information the judge finds that rejection of the application for continued residence is insufficiently motivated. See [here](#) (Dutch only).

Court: individual income assessment obligatory/interest NL child pertinent if application made abroad

This case makes clear that for each application for residence with partner, an individual income assessment is obligatory. Moreover, it becomes clear that the right of a Dutch child to the care of a parent is pertinent to the application for a provisional residence permit (mrv) if one of the parents is still abroad. See [here](#) (Dutch only).

Court: status 'humanitarian' following 3-yr status as victim of human trafficking

It becomes clear from this case that, following a three-year permit as a victim of human trafficking, the right to a permit for continued residence is upheld. The three-year period does not need to be continuous. See [here](#) (Dutch only).

3. CHECK AND DETENTION

Court: punishment for helping undocumented resident

This case concerns an agricultural company, where an undocumented Moroccan man lodged and worked for (low) wages. The situation came to light following an accident. The works manager was condemned to 2 months' detention and a € 20,000 fine. The employee is still due back pay amounting to more than € 11,000. The judge acknowledges the situation was meant to help out, but also wants to make an example. See [here](#) (Dutch only).

Court: Possibly scope to renewed deportations to China

Since 2015, it is assumed that China does not participate in deportations. The Repatriation and Departure Service (DT&V) has stated that a Chinese delegation recently visited the Netherlands to discuss issuing Laissez-Passers (replacement travel documents) for deportations. That is why this Chinese woman has been allowed to remain in alien detention. If the delegation proves unsuccessful, she must be released. See [here](#) (Dutch only).

4. WAT IS ER TE DOEN?

Demonstration and petition: Stop deportations to Afghanistan, 19 Nov 2 p.m. Vrijthof Maastricht

Last week, Haroon and his family were told by the government that they will be deported to Afghanistan. The family exemplifies what is currently happening to many Afghan families.

It is time for action. Let your voice be heard and call on our government to take responsibility for Haroon's family and the many other Afghans who are being sent back to a war zone.

<https://www.facebook.com/events/143240892973366/>

Symposium on rights of female asylum seekers, 23 Nov 2.30-5 p.m. Utrecht

How are women in asylum reception in the Netherlands? In this symposium, the Vereniging voor Vrouw en Recht (VVR) again assesses the situation, especially from a legal perspective. The results will provide scope for political lobbying and legal actions. Further info [here](#) (Dutch only).

Location: De Kargadoor, Oude Gracht 36, Utrecht. Admission: € 30, students € 10.

[Graduate Scholarships at Central European University, Budapest](#)

Applications are now being accepted for master's and doctoral scholarships at Central European University. Graduate students and faculty from around the world come together in Budapest to engage in interdisciplinary education, pursue advanced scholarship, and address some of society's most vexing problems.

Central European University in Budapest is an internationally recognized institution of postgraduate education established by George Soros and supported by the Open Society Foundations. It is accredited in the United States and Hungary..

[Learn more and apply online.](#)

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.