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CORDAID: DEVELOPMENT AND MIGRATION

We see migration first and foremost as an opportunity that can benefit the migrant, the country of destination, as well as the country of origin. This global campaign promotes and inspires societies and communities to welcome, protect, promote, and integrate migrants and refugees.

This research paper provides an understanding of the conditions and issues that migrants and refugees face, and how these relate to migration and development policies in the Netherlands. It includes concrete recommendations on how to enable positive participation of migrants and their contribution to sustainable development, how to positively link migration to sustainable development, and on advocacy strategies particular to the Netherlands.

You can download the research paper [here](#), and the brochure about refugees [here](#) (May 19)

1. BASIC RIGHTS

UN Human Rights Committee: stateless mother with child has right to child benefit

This case is about an Uzbek mother with a child who has unsuccessfully gone through many procedures for legalisation in NL. In 2009, Uzbekistan stripped her of her nationality. The mother survives on charity. Her lawyer submitted a complaint to the UN Committee on the Rights of the Child, as this situation is detrimental to the health of the child. The Committee upheld this complaint. See [here](#).

Advisory committee for cases related to civil register and nationality: birth certificates

In a letter to registrars, this advisory committee has advised registrars to make no changes to birth certificates (for example, changes to the name of the father or mother) outside of a court of law, even if the municipality has already approved the change of name. See [here](#).

Association for Civil Servants of Civil Affairs (Vereniging Ambtenaren Burgerzaken): act in cases of recognitions that can lead to status

If a child is recognised as theirs by a Dutch parent, and so receives Dutch nationality, the child's other parent can receive a residence permit as he/she is looking after a Dutch child. To prevent recognitions only happening for that reason, municipalities can ask the Dutch parent for a declaration stating that this recognition is not being done purely to gain a residence permit. See [here](#).

2. ADMISSION POLICY

Court: individual consideration necessary for income requirements around partner visa

In two cases, judges have decided that the visa for a foreign partner may not automatically be rejected if the Dutch partner does not earn enough. What must also be taken into consideration is whether there is a real chance that the Dutch partner will earn enough in future.

One case is about a young woman receiving incapacity insurance (WAJONG uitkering). The UWV wants to keep giving her guidance, and has therefore not decided that she is 'long-term unable to work'. What has been determined is that she will never be able to earn enough. See [here](#).

The other case is about an older man receiving benefit payments on the grounds of the IOAW (Law on Income Provision for Unemployed People who are Older or Temporarily Unable to Work). Although not formally established, he will not be able to work again. (VK Court Rotterdam, AWB 18/6420, 3.4.19)

Court: admission of sick parents to stay with adult children in NL

This ruling has revealed that there is a 'strategy and implementation recommendation paper' to advise the government about the admission of parents who require care to stay with their adult children in the Netherlands. In this paper, the starting point is as follows: *"the alien is very old. As guidance, this means in principle at least 80 years old. However, the decisive factor is that the alien is in the final phase of their life. It is therefore possible that the case of an alien of a lower age who is in the last phase of their life may be presented to the CSZ (Commission for Extreme Cases/Commissie Schrijvende Zaken)"*.

The parent that this case is about is 78 years old and has various diseases related to old age. The judge asserts that the IND must better justify why this parent does not fall under the aforementioned criterion. See [here](#).

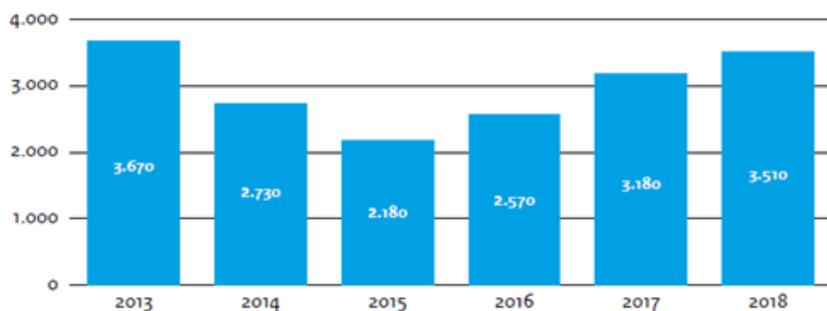
Court: au-pair visa can be converted into partnership visa

One of the reasons that this au pair came to the Netherlands was that her boyfriend lived here. She is halfway through her stay and wants to convert her au pair visa into a residency permit to stay with her partner. The question was if she lied about her reason for wanting a visa in the Netherlands and therefore was incorrectly granted the au pair visa. The judge found that she had not lied: she was honest about her boyfriend but also wanted to get to know the Netherlands better. The IND must make a new decision. See [here](#).

3. CHECK AND DETENTION

Alien detention

Since 2015, the number of people in alien detention has gradually increased—see graph below. In detention there are many Albanians (approx. 20%), Moroccans and Algerians (together also approx. 20%). In 2018, 74% of people in detention were deported, often within Europe. The rest were released.



Figuur 5.2 Instrom vreemdelingenbewaring per jaar 2013-2018 (Bron: DJI)

Appendix to parliamentary paper (kamerstuk) 19637 no. 2493, 15.5.19

<https://zoek.officielebekendmakingen.nl/blg-882930>

4. ACTIVITIES

Crowdfunding for accommodation for Dublin claimants in Amsterdam

Here you can watch a short video that gives a good illustration of what life is like for a group of Dublin claimants in Amsterdam-Noord who are not given accommodation by the municipality:

<https://vimeo.com/337936403>.

Contribute to the crowdfunding efforts to support their living costs via this website:

<https://www.geef.nl/nl/actie/noodopvang-50-ongedocumenteerde-amsterdammers>

New applications to Fonds Franciscus

Open houses, neighbourhood pastoral care and street pastoral care can make an application to Fonds Franciscus before 1 July (unlike what is stated on the website). In this phase, Fonds Franciscus is offering, alongside financial support, a programme for strengthening organisations. See [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.