

NEWSLETTER, VOLUME 14 no.22  
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## REPORTING DISCRIMINATION OF UNDOCUMENTED CHILDREN

Undocumented children often face unequal treatment and discrimination, which impedes their chances of an equal future. By reporting discrimination, you contribute to bringing the problem out in the open and help to improve policy and legislation.

Discrimination.nl offers support and advice to help you do this, also if you want to report it to the police. You can always report, even anonymously. Remember: not reported, not seen!

Download the poster:

[20240531-meldroutes-art1-discriminatie-nl-ongedocumenteerde-kinderenDownloaden](#)

## ADMISSIONS POLICY

### CJEU: Afghan women are refugees

According to the CJEU, Afghan women's freedom is so restricted that any Afghan woman can be considered a refugee. See [here](#).

### CoS: A 2 months' disqualification from driving is no reason to refuse naturalization

This case shows that not every criminal record may be used to refuse naturalization. This is only allowed if the person in question poses a danger to public order. Disqualification from driving is not included in the law as a reason to refuse naturalization, even though it is a very common punishment. Therefore, it may not be used for that purpose in this case either. See [here](#).

### Court: father's visiting rights of once every two weekends suffice for a residence permit with Dutch child

This case is about a man who requested a status as a caring parent of Dutch children. He handed over a lot of evidence of his care duties, but the IND rejected his application because he received his children at home only once every two weeks. The judge found that this frequency is a normal visitation arrangement and that no higher demands should be placed on this father than on other divorced fathers. See [here](#).

### IND Information Memorandum 2024/57: admission dependent parents, left behind on their own

In this Information Notice, the IND explains the conditions under which adult children can apply for family reunification for their single elderly dependent mothers. In particular, this involves the explanation of the so-called 'additional elements of dependency'. See [here](#).

### Court: on status in case of domestic violence

This woman had status with her partner, but it was revoked when she left there because of domestic violence. She now asks for an independent status as a victim of domestic violence. The IND eventually grants this status but uses as the effective date not the date of departure but the moment when sufficient evidence of the violence was available. The woman presented a letter from her ex admitting the violence. But because the letter was not issued until several months later, her new residence permit also takes effect later. See [here](#).

## INSPECTION AND DETENTION

### Rb: call data is illegally requested in immigration detention

Ms Van Lokven LL M of the Roermond District Court is a critical judge. She believes in general that the complaint system for immigrants in detention is inadequate, because the Complaints Committee is only allowed to pay a small compensation in cases of wrongdoing and is not allowed to decide on release or improvement of detention conditions. Therefore, she decides these conditions herself.

In this case, an immigrant complained about the request for his call records to find out which country he came from. The judge found that there was no legal basis to request these call records. The complainant is therefore awarded damages. Unfortunately, the judge does not consider this situation serious enough to release him. See [here](#).

## WHAT'S ON

Protest march against the termination of the National Immigration Facilities (LNV) in Rotterdam, 10 November at 13.00 hrs at Stationsplein

Minister Faber ends the LNV: shelter and counselling for undocumented people.

As the only major city, the municipality of Rotterdam does not want to take its responsibility. There must always be a safety net for the most vulnerable group of citizens of Rotterdam! 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