

NEWSLETTER, volume 14 no.26
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Please note: all web links are Dutch only.

HUSHU HOUSE OPENED IN AMSTERDAM-ZUIDOOST

The motto of Hushu House is: help us help you. It is a partnership consisting of key figures, NGOs, (grass roots) organisations and local authorities.

Our mission is to be a centre that undocumented Amsterdam residents, their family members, local residents and sympathetic locals may turn to during the day for information, advice and support. Thus, we can improve how the people involved are being referred to the right organisations, while they know where to find the support they need, both in our borough and beyond.

Apart from consultations, the location provides basic facilities, such as hot showers and a washing machine. Moreover, among others, workshops and courses are being organised.

Feel welcome at 119b Harriet Freezerstraat. You can find us on the third floor.

<https://hushuhouse.org/welkom/>

BASIC RIGHTS

Court: [no right to reception in AZC for mother with Dutch child](#)

This case concerns a homeless mother who has given birth to a Dutch child. Due to her confinement, she was granted a right to reception, but six weeks after the birth, she had to leave the AZC. The judge finds the right to reception in an AZC does not apply; the mother does not meet the criteria due to her Dutch child.

Council of State: [apply Ghanaian law of descent](#)

This case concerns a Ghanaian-Dutch father who is applying for a Dutch passport for the child of a Ghanaian mother living in Ghana. To this end it must be established whether a parental relationship has arisen according to Ghanaian customary law. In this decision, the Council of State explains how Ghanaian customary law must be applied in NL, concluding that the relationship between father and child is consistent to this. The key argument is that the father has always manifested as such to the outside world.

ADMISSION POLICY

ECHR: [family life intellectually disabled Peruvian man with sisters in NL](#)

This case concerns an intellectually disabled Peruvian male in his forties, who needs care on a daily basis. After their parents died in 2014, one of his sisters brought him to NL. He is applying for right of residence here. His four sisters all live in NL, and there is one brother in Peru. However, he is abroad a lot and cannot care for him.

The Immigration and Naturalisation Service (IND) and the most senior judges have turned down the application for residence with his sister, as the sister did not provide day-to-day care for her brother before their parents died.

The European Court of Human Rights rules that an individual assessment must always be made and that the mere fact that the sister did not look after her brother when their parents were live should not be conclusive. Moreover, it is important that in Peru, this type of care is always provided within the family and that non-relatives have trouble understanding what the man says. That is why 'additional elements of dependency' apply and sending the man back would infringe on his right to a family life.

Court: [weighing admission Malian children to Ivorian father in NL, income check and bond with NL](#)

This father from Ivory Coast who is living in NL wishes to bring his children from Mali to NL. He has been a courier for UberEats for twenty months, but his income does not meet requirements and is not durable enough.

The judge does find, however, that the IND should take this father's Dutch children into account more. One of those children is living with him and the other part of the week. The IND has not sufficiently weighed this in.

Court: [24/7 informal care not available in Nigeria](#)

This case concerns a Nigerian woman who needs care 24/7. Her husband in NL is providing this. The IND had decided that a type of home care is indeed available in Nigeria and thus, that the woman could go

back to Nigeria. However, the judge finds that the IND has not sufficiently taken into account that homecare is not available 24/7, while the woman really needs around-the-clock care.

ACTIVITIES

CAK scheme: GPs can now claim costs digitally

Medics who provide care to people without residence permits can claim costs with the CAK. Until recently, they had to fill in a printed form, which was very elaborate. As from 4 December, GPs can claim costs digitally. In 2025, this facility will be gradually extended to other care providers.

Right to Rest action 18 December Rotterdam

Right to Rest is a temporary shelter in solidarity with homeless Rotterdam residents. You are most welcome to visit, warm up by the fire, have a bite to eat, share food, sleep, make music or voice your opinions from the soapbox.

We urgently call on the town council to resume responsibility by: opening a permanent shelter that is accessible to anyone, offering bed, bath, bread, support and privacy. Consider homelessness chiefly as a housing problem. Commit to affordable and sufficient homes for everyone. Shift the focus from repression to prevention!

Human trafficking Monitor 2019 - 2023

At CoMensha, the National Coordination Centre against Human Trafficking, the victims of human trafficking are becoming increasingly visible. The number of reported victims rose from 814 in 2022 to 868 in 2023. Still, in combating human trafficking, several problems persist. For instance, only 52 minor victims came into view in 2023. Moreover, the visibility of sexual exploitation within NL has decreased further. About 600 victims were reported who could not be registered for privacy reasons. Furthermore, between 2020 and 2023, the number of human trafficking reports has decreased by 34%, while the criminal prosecution of international sexual exploitation and labour exploitation is lagging behind.

Since 2003, the LOS Foundation (the Dutch acronym for 'Landelijk Ongedocumenteerden Steunpunt') has been the knowledge centre for people and organisations providing assistance to undocumented migrants. LOS Foundation devotes itself to the basic rights of these migrants and their children