

NEWSLETTER, volume 12 no. 13
20 June 2022

CONTENTS

BASIC RIGHTS.....	2
ADMISSION POLICY	2
ACTIVITIES.....	2

PAPER ON FILIPINO DOMESTIC WORKERS IN NL

The struggle for recognition of undocumented migrants is usually portrayed as a public affair involving the contestation of legal status. We advance a broader conceptualization that demands paying attention to the more intimate sphere where relational processes of recognition take place in interactions with significant others.

Based on 70 in-depth interviews, we identify four recognition strategies adopted by Filipino undocumented migrant domestic workers in the Netherlands: being the breadwinner, taking pride in work, creating a sense of belonging, and being civically engaged. By illustrating the importance of personal recognition, this paper contributes to ongoing debates on recognition and migrant agency.

<https://doi.org/10.1080/15562948.2022.2077503>, 10.6.22

BASIC RIGHTS

Court: reducing benefits due to illegal partner only allowed after thorough investigation

This case concerns a Dutch woman who is living with a man without a residence permit. The municipality has reduced her social assistance (50% of benefits for two people) when they found out about this. The man is buying and selling used cars.

The judge finds that the municipality has failed to investigate the man's income or whether the woman can still get by on reduced benefits. Please, see [here](#) (Dutch only).

State secretary Justice and Security: right to housing benefit in case of live-in child without permit and to income-related child benefit in case of undocumented partner

On 1 January 2022, the Supplementary Benefits Act ('Toeslagenwet') has been amended. Since then, housing benefit is not reduced if a child without a permit is living in. Moreover, income-related child benefit is not reduced if an undocumented partner is living with their partner and child who do have residence permits. Study is still being performed on the possibility of putting a stop to retroactive withdrawal of supplementary benefits in case of retroactively revoking a permit. See [here](#) (Dutch only).

ADMISSION POLICY

Court: no residence with partner, relationship insufficiently proven, for only 3 weeks together due to Corona

This woman is applying for a residence permit with her partner in the Netherlands. They have been in a relationship for 2 years, but during this period, they have only been together for 3 weeks due to Corona restrictions. However, there are many WhatsApp messages and there was daily contact by phone. The judge finds that this documentation is not proof of a lasting relationship and finds that the Immigration and Naturalisation Service (IND) has justly turned down the application. See [here](#) (Dutch only).

WAT IS ER TE DOEN

Online Conference: Access to rights by undocumented women in Europe, 23 June 14h-16h30

ENoMW conducted a legal mapping on undocumented migrant women's access to fundamental rights in nine European countries (Belgium, France, Germany, Italy, Portugal, Hungary, Spain, Sweden, and Greece) as well as on EU level. The report examines access to rights of four groups at risk of losing documented status (women asylum seekers, migrant women victims of domestic violence, women victims of trafficking and sexual exploitation and female domestic workers). We would like to share results of this study in the seminar. See [here](#).

Session for professionals: 'Human trafficking, in Gelderland too!' 30 June, 15-18h Arnhem

In the Gelderland region, Moviera intends to consult about what it takes to make the assistance to victims of human trafficking more effective. Only together, we can achieve a more effective approach to regional human trafficking. Register at: Linda van Kooij through l.vankooij@moviera.nl.

Book: 'Vechten met het leven' ('Struggling with life'), A qualitative study among undocumented elderly migrants in the Netherlands

The (Dutch-language) book describes the day-to-day problems in the areas of housing, income, health, and social networking experienced by elderly undocumented migrants who are residing in the Netherlands long-term. The book makes clear how these elderly people live their lives on the margins of Dutch society.

By means of this study, Regenboog Groep aims to incite a national discussion about the untenability of the restrictive alien policy for the group of elderly undocumented migrants residing in our country long-term, and the need to achieve a sustainable solution. See [here](#) (Dutch only).

PICUM: Guide to Undocumented Workers' Rights at Work under International and EU Law

Undocumented workers have rights and protections under various legal frameworks at international, regional, and national level. This guide provides an overview of EU directives applicable to undocumented workers, including EU employment laws; the application of Article 4 of the European Convention on Human Rights; important case law from the European Court of Justice and the European Court on Human Rights; and UN Human Rights Treaties and International labour standards relevant to migrant workers. While recognising the barriers undocumented migrants face in claiming these rights, the guide seeks to support and promote increased use of the existing legal frameworks, as well as work to reform problematic laws and gaps in implementation. See [here](#).

Amsterdam Salvation Army study: Exploited in Europe, no protection anywhere - A study on the protection of human trafficking victims with a Dublin claim

Since 2019, the Netherlands has effectively ruled out human trafficking victims who have entered another EU country (Dublin claimants) from protection. Instead, the Netherlands refers them back to the country where they have been exploited. Reporting in the Netherlands yields little, either for the victims or for combating human trafficking.

On the basis of our clients' stories, there appears to be a clear connection between (international) drug trade and exploitation in the sex industry. Too little is known about Nigerian human trafficking in the Netherlands and the victims fail to receive the protection they are entitled to. See [here](#) (Dutch only).

Sign the Dreamersnl manifest

DreamersNL is a campaign to provide a future for undocumented youngster who have grown up in the Netherlands through study or work. On the site, you will find a manifest explaining the campaign. You can sign the manifest to take the campaign forward in the direction of politics. 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.