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IND steps into the shoes of the Foreign Police

A while back you wrote a column about the leges, or fees for residence permits, and the huge increases over the last two years. We were wondering if you had an update on the lawsuit against the Dutch government? Furthermore, we just found out that the Dutch Immigration and Naturalisation Service (IND) is taking over the activities of the local Foreign Police, Vreemdelingenpolitie, Departments. The IND was heavily criticized by the Dutch Ombudsman, and is now offered even more responsibilities? This is strange, isn't it?

In one of my previous columns, I informed you about the leges issue and the recent increases regarding the residence permit applications and extension requests. A number of Dutch organizations who work with immigrants and asylum seekers decided that these increases are unlawful and started legal action against the Dutch government.

The current status is as follows: the Dutch organizations and the government sent their initial documents to the court.

The court then decided that a second round of documents exchange is needed, and the Dutch organizations are scheduled to present their documents to the court in January 2004. The Dutch government will follow in February or March of 2004. Both parties may then be invited to enter their pleas. With a little luck, the court will reach a final decision in April or May of 2004. I will keep you posted.

As far as the IND taking over from the Foreign Police is concerned, yes, this is a fact of life. Starting in December 2003, the IND will assume control over all Dutch admission procedures, and the Foreign Police will focus on duties and responsibilities concerning surveillance and inspection.

The IND is now responsible for all Dutch residence permit applications, the residence permit extension requests and the Mvv applications. I am not sure what the consequences of this take over will be.

It may be that the IND is more efficient than the Foreign Police, and is able



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to keep handling and processing times to a minimum. On the other hand, according to the law, the IND can take up to six months to process a residence permit application.

Six months can be extremely long for an applicant, especially when this applicant entered the Netherlands on an Mvv and wants to travel abroad. He/she will have to wait until the actual residence permit is issued, or secure a return-visa before travelling abroad.

The IND is also responsible for issuance of these return-visas, the extension requests and corrections concerning visas, spoed, or emergency, visa issues, and the issuance of certain residence related stickers. The regular visa applications for a short-term stay in the Netherlands will continue to be handled by the Dutch diplomatic posts in the country of origin or abode.

The IND has set up two special offices to handle the visas/stickers procedures, known as Visumloketten. One office is located in Rijswijk (Winston Churchillaan 293), the other in Zwolle (Zuiderzeelaan 43-51).

You can contact the IND on 0900 1234561, or through 0031 20 889 30 45 if you are calling from outside the Netherlands. You can set up an appointment that will allow you entry into the Visumloketten. No appointment, no service. Do not forget to bring your passport!

This column is for informative purposes only, is general in nature, and is not intended to be a substitute for competent legal and professional advice. Dutch rules and regulations regarding foreigners, policy, procedures, work permits, visas, and residence permits are continuously subject to change.

Patrick R. Rovers,
lawyer with Van Velzen CS

10 December 2003

[Patrick Rovers and Hans van Velzen](#)



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