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Making sense of Dutch immigration policy

We moved from Quebec to the Netherlands a few years ago and we enjoy living here immensely. What amazes us, however, is the way Dutch policy towards foreigners seems to change all the time. Take the 'leges' matter and the huge increases over the last two years. Or the way asylum seekers are processed and have to wait for ages before a final decision concerning their status is taken. And now we hear that thousands of asylum seekers have been given a residence permit due to so-called inactivity of the government? And the Foreign Police are going out of business? Can you make heads or tails of current Dutch policy?



No, not really,,,and luckily I do not have to either. It seems that the Dutch government, its policymakers and departments are mainly focussed on regulating and administrating the number of foreigners within the Dutch borders. Furthermore, economizing and cost cutting are here to stay due to the bad economic situation, resulting in higher 'leges' and the sizing down of residence and asylum related operations and facilities where possible.

To try and give an accurate picture of the situation, here let me give you a rundown on the most recent developments in the Netherlands:

Deal for 2200 asylum seekers:

On the 30 September 2003, the Lower House of Parliament, or Tweede Kamer, approved a one-time deal for a limited number of asylum seekers. If an application for asylum was made in the Netherlands before 28 May 1998 and the final decision was still pending on the 27 May 2003, then a five year residence status can be issued if and when a number of stringent conditions are met. It is expected that some 2200 asylum seekers may benefit from this special arrangement. More details can be found on www.ind.nl

IND takes over from the Foreign Police:

Starting the beginning of 2004, the Dutch Immigration and Naturalisation Service (IND) will assume control over all Dutch admission procedures. Foreign Police will focus on duties and responsibilities concerning surveillance and inspection. Since April of this year IND has already assumed responsibility for all MVV work permit application procedures.

Higher 'leges':

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In 2004 the Dutch 'leges' fees for residence permits will (probably) be increased again. This time a moderate increase is scheduled. The aim is to raise the 'leges' to a point where government funding is no longer required. It is expected that this is attainable in 2006.

In one of my previous columns, I informed you of the huge increase of 'leges' (fees) with regard to regular Dutch residence permit applications. In May 2002 a "modest" increase was introduced, EUR 56.72 to EUR 258. On 1 January 2003 the leges were catapulted and reached the dizzying heights of EUR 430 per application. It would not surprise me in the least if another increase were introduced in the near future.

Increased clamp down on illegal aliens, employers of illegal aliens and more.

The Vreemdelingenpolitie, or Foreign Police, will intensify the search for illegal aliens and intends to make use of biometrics/scans and modern equipment to detect forged documents. Employers and landlords of illegal aliens can expect more and heavier fines and also deportation costs may be charged.

Patrick R. Rovers,
Lawyer with Van Velzen CS

22 October 2003

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, government or EU policy, work permits, visas and residence permits are continuously subject to change.

[Patrick Rovers and Hans van Velzen](#)



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