

The family reunification procedure for holders of an asylum residence permit

You have an asylum residence permit and you wish to apply for family reunification.

You have been granted a temporary asylum residence permit. You now want your family members to come to the Netherlands from abroad. You are the sponsor. This means that you submit an application on behalf of your family members. The purpose of the application is the issue of a Dutch asylum residence permit. This application is free of charge.

The family reunification procedure consists of two parts:

- Part 1 deals with the application for a 'Regular Provisional Residence Permit (mvv) – for persons making a journey in connection with family reunification with an asylum seeker'. An mvv is a visa for long-term stay. Your family members may use it to travel to the Netherlands.
- Part 2 deals with the issue of an asylum residence permit after the arrival of your family members in the Netherlands. Your family members will be granted a dependent asylum residence permit: their stay depends on your asylum residence permit.

This brochure explains step by step how your family member can get a dependent asylum residence permit.

A dependent asylum residence permit: family members and conditions

A dependent asylum residence permit allows your family member to live with you in the Netherlands. Your family members and you will have to meet the conditions set out in the Aliens Act.

Family members who can get a dependent asylum residence permit:

1. Your partner in a legal marriage or in a comparable relationship;
2. Your minor child or your partner's minor child if it belongs to your family. This applies to biological children but also to adoptive or foster children.
3. Your young adult child that actually belongs to your family. The family ties with your child have not been broken. This applies to biological children but also to adoptive or foster children. If your child is over 25 years old, more than normal emotional ties must also exist.
4. Your biological father or mother, if you are unaccompanied, minor, and unmarried.

Conditions for a dependent asylum residence permit

- Your family members must enter the Netherlands in time. In time means within a period of 3 months. This is called the journey in connection with family reunification period. This period starts the day after you have received the asylum residence permit. Your family members can enter the Netherlands in two ways:
 1. Your family members actually enter the Netherlands within the journey in connection with family reunification period or sooner.
 2. Your family members submit an application for an mvr - persons making a journey in connection with family reunification with an asylum seeker within the period set.
- Your family members already belonged to your family abroad. This is called 'family ties'. These family ties must still exist when your family members enter the Netherlands.
- Your family members must be able to submit documents to prove their identity and the family ties with you. Read more on documents below.
- On applying, your family members who are 12 or older must sign a declaration that they do not have a criminal record. This is called an Antecedents Declaration.
- Your family members who are 15 or older, must sign a certificate of marital status on applying.
- You hold an independent asylum residence permit.
- You must sign a declaration that you are the sponsor of your family members.
- You have mentioned your family members during the asylum procedure.
- Both you and your partner are 18 years of age or older.
- Does your minor child submit an application or do you submit an application on behalf of your minor child, and is the other biological parent staying behind? In that case the parent staying

behind must have given permission for your child's departure to the Netherlands.

Do you have more than one spouse or partner? In that case, you will be allowed to bring only one partner together with the children you have with this partner. Dutch law states that a citizen is permitted only one marriage partner.

Not complying with the conditions for a dependent asylum residence permit

In the following cases, your family members do not meet the conditions:

- The journey in connection with family reunification period has lapsed. In that case, the IND will assess whether the late submission can be excused;
- You want to have other family members coming over than those mentioned above.
- You have received a dependent asylum residence permit yourself. Do you still want to apply for family reunification in those situations? In that case, you will have to follow the regular procedure for residence as a family member or relative. This application will cost money and the rules are stricter. Please use the application form 'Application for the purpose of residence of family members and relatives (sponsor)'. You will find this form at <https://ind.nl/en/forms/7518.pdf>.

You are an unaccompanied minor sponsor

In that case, you can only submit an application for family reunification for your biological parents. If you want to have minor or adult brothers or sisters come over, you will also have to follow the regular procedure for residence as a family member or relative. This application costs money.

Organisations that may be involved with you and your family member



Ministerie van Buitenlandse Zaken

The **Ministry of Foreign Affairs (BZ)** represents the Dutch government abroad. BZ has embassies in different countries in the world. The Dutch embassies can assist your family members with their application for family reunification. The embassies can make an appointment to collect DNA material from your family members and interview them. This is always done at the IND's request. Does the IND agree that your family members get an mvv? In that case, your family members must go to the embassy by appointment to arrange the issue of the mvv. (www.rijksoverheid.nl)



Immigratie- en Naturalisatiedienst
Ministerie van Justitie en Veiligheid

The **Immigration and Naturalisation Service (IND)** is part of the Dutch Ministry of Justice and Security. The staff members of the IND assess whether your family members meet the conditions for family reunification. They examine the documents for authenticity. They can also start a follow-up examination abroad. These are DNA tests and interviews with your family members. IND staff members may also ask you questions in the Netherlands. After that, they decide whether your family members will be permitted to travel to the Netherlands. www.ind.nl



GezondheidsZorg Asielzoekers (GZA) (Healthcare for Asylum Seekers) is the organisation where your family members in the reception centre can go to when they are ill or when they have medical questions. There is a GZA at or near every Central Agency for the Reception of Asylum Seekers (COA) reception centre. GZA makes appointments for them with a doctor's assistant, nurse, POH-GGZ (Mental Healthcare Nurse Practitioner) or general practitioner. For medical questions, they can call the medical contact centre 'the *Praktijklijn*' (GZA Hotline) day and night at +31 (0)88 112 21 12. They can also call this number for other medical questions from Monday up to and including Friday, for example for a referral to a specialist.



Dutch Council for Refugees is an independent human rights organisation that protects the interests of asylum seekers and refugees. Staff members of the Dutch Council for Refugees give you information about the family reunification procedure. They can help you fill out the application form for family reunification. They will guide you and your family members during the entire family reunification procedure. They will also help you if you have problems with other organisations. The Dutch Council for Refugees does not decide on applications for family reunification. (www.vluchtelingenwerk.nl)



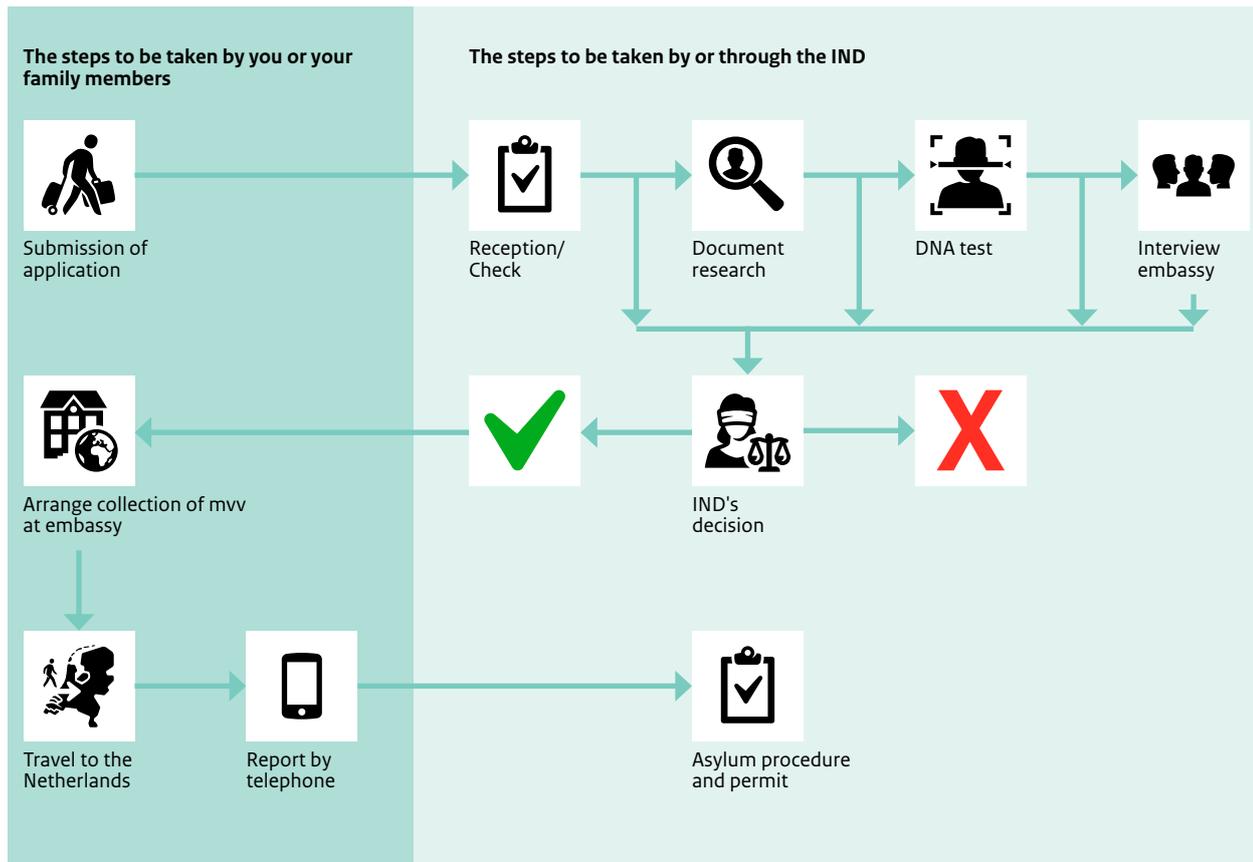
COA Centraal Orgaan opvang asielzoekers

The **Central Agency for the Reception of Asylum Seekers (COA)** is responsible for the reception and guidance of asylum seekers in the asylum procedure. This also applies to family members who are permitted to travel to the Netherlands to join family members in connection with family reunification. The COA arranges accommodation, meals, and a temporary health insurance, where necessary. The COA can also help you if you need a doctor while you are staying in the reception centre. The COA is an independent organisation and it does not decide on applications for family reunification. (www.coa.nl)



The **International Organisation for Migration (IOM)** assists migrants all over the world from offices in more than 100 countries. Among other things with the coming of family members of holders of an asylum residence permit. IOM provides this assistance against payment as a consultation service or as a complete travel assistance service. You can request a cost estimate by filling in the application form on its website. IOM cannot provide financial support for family reunification. (www.iom-nederland.nl)

Family reunification procedure for holders of an asylum residence permit



Part 1: The application for a Regular Provisional Residence Permit (mvv) - persons making a journey in connection with family reunification with an asylum seeker in 8 steps.



Step 1: Submit the application

Fill out a (digital) application form. You can find this form on IND's website: www.ind.nl/asiel (choose: Family member of refugee). You will have to use a separate form for each family member. You will find an English application form on this page of IND's website.

Staff members of the Dutch Council for Refugees give information about the family reunification procedure. They can help you fill out the application form. They also guide you through the entire procedure for the journey in connection with family reunification. Are you a minor? Your guardian from NIDOS can also help you with the application.

Read all instructions on the application form and follow them. Fill out the personal details of your family members as they appear in official documents. The details here are name, date of birth, nationality, and civil status. Don't forget to enclose a clear and recent passport photo of each family member. If you submit the application in writing, please stick the passport photo of your family member on an empty A4 sheet of paper. Write the personal details beside the photo.

The IND expects your family members to be able to prove their identity and family ties with you by original documents. These are official documents issued by the authorities of the country of origin. But also unofficial, supporting documents. This usually means that your family members will have to send original documents to the Netherlands. The IND will state which documents must be sent. In this context, the IND will take into account the documents you will need yourself. An official identity document must show a place and date of birth and a passport photo.

All documents must be written in or translated into Dutch, English, French, or German. The translator must be sworn in at a Dutch court.

Collect as many documents required for the application as soon as possible. By doing so, you will speed up the procedure.

Documents

Not all countries of origin have the same type of documents. It is therefore not possible to list which documents are required for the application by country. In a general sense, the IND accepts the following **official** documents:

- *Identity*: passport, identity card, declaration of nationality, or military booklet (*with name, birth details, passport photo*);
- *Family ties*: marriage certificate, birth certificate, family booklet or a family extract from the the register of births, deaths, marriages and registered partnerships.

Unofficial, supporting documents include:

- school cards, diplomas, vaccination booklets;
- documents and declarations from a village chief, church, mosque, civil-law notary or a bank;
- visual material.

You will have to send copies of all documents with the application forms filled out for all family members to the IND. Please keep the original documents, for they may be needed later on.

Send the complete application form, filled out with enclosures and passport photo to the IND. You will find the IND address on the application form.



Step 2: Receipt and check application

As soon as the IND has received the application, you will receive a letter. This letter states the name of the family member for whom you have submitted the application. It also states the date on which the IND has received the application and when the IND will make a decision.

If the application is accepted for processing, the IND will check whether the application is complete. An application is complete when you have filled out all details. And if you have enclosed the correct enclosures and documents. Is the application complete? The

IND will then assess whether your family members meet the conditions for getting a dependent asylum residence permit. The IND will reject the application if it is immediately clear that your family members do not meet the conditions.

Are you moving? Avoid a delay in the procedure and notify the IND of your change of address as soon as possible. Also notify the IND if you get a different counsellor at the Dutch Council for Refugees. Please communicate any changes by letter.

Is the application not complete? Then, the procedure will take more time. In that case, you will get a letter. This letter explains how you can complete the application. And before which date you will have to do this. Quickly go to your counsellor of the Dutch Council for Refugees with the letter. Do you need more time? Please call the IND staff member who is handling your application or have your counsellor of the Dutch Council for Refugees call the IND for you. The IND staff member's telephone number is mentioned in the letter.



Step 3: Document Research

All your family members will have to prove their identities by means of documents. And what their relationship is with you in the Netherlands. The IND will usually examine whether these documents are authentic. If the IND wants to examine the original documents, you will receive a letter about this giving an explanation. The examination of documents may take a few months.

What if your family members do not have any official documents? The IND will then assess whether you are unable to provide evidence. This is the case when your family members cannot submit any documents through no fault of their own. So, it is very important that you explain clearly to the IND why your family members do not have any official documents. But also that your family members are able to substantiate their identity and relationship with you by other non-official documents.



Step 4: DNA test

Sometimes, the documents submitted by your family members are not sufficient. Or your family members do not have the documents. In that case, the IND may offer you a follow-up examination. This only happens if the IND establishes that this is a case in which the family member is unable to prove evidence. A DNA test is an example of a follow-up examination. Is your family member your biological child or your biological parent if you yourself are a minor? You will then receive a letter from the IND. In this letter, the IND will invite your family members to cooperate in a DNA test. With this test, your family members can prove that you are their parent or child. The IND cooperates with Dutch embassies for this purpose. The letter will tell you and your family members what to do.

Your family members first make an appointment with the nearest Dutch embassy. They go to the embassy building on the day agreed. There, a doctor, nurse or somebody else will take mucus from the inside of the cheeks of your family members. This is done with a special swab.

Taking a mouth swab does not hurt and is not harmful to your health. The DNA material is sent to the IND in the Netherlands. Your family members must inform you immediately after they have given their DNA at the embassy. The following day, you can make an appointment online to give a DNA sample at the IND Desk in Utrecht; you can do this online at www.ind.nl. You do this for yourself and any other biological family members in the Netherlands, if necessary.

The DNA test may take a few months. As soon as the result is known,

Your family members go for a follow-up examination to the nearest Dutch embassy. Also for arranging the collection of the mvv. Sometimes, your family members must cross the national border for this purpose. As a result of this, returning to the country of origin may be difficult. The responsibility for this lies with your family members. Discuss the possibilities to cross the border with your family members in good time. And discuss the rules that apply to entry, stay, and exit in the country where the Dutch embassy is located. Arrange these matters before you make an appointment with the Dutch embassy.

the IND will give you information about it.



Step 5: Interview at the Dutch embassy

Is a DNA test is not possible or does the IND have questions after a DNA test? In that case, the IND may invite your family members for an interview. The interview will be held at a Dutch embassy abroad. During the interview, your family members can explain who they are and what their relationship with you is. The IND may also invite you for an interview in the Netherlands. Arranging an interview at the embassy may take some months.



Step 6: Decision

The IND waits until the results of all the tests and examinations are known. It will then check whether your family members meet all the conditions. You will receive a decision on the applications of your family members. By law, this decision must be taken within three to six months after the application has been submitted but it can take longer at busy times.

- Positive decision: If your family members meet all conditions, the IND will approve all applications. The IND will send this decision to you and to the Dutch embassy. You inform your family members about the decisions the IND has made.
- Negative decision: If your family members do not meet all the conditions, the IND will reject the application. Your family members can object to this decision (through you). You or your

counsellor of the Dutch Council for Refugees may seek a lawyer to help you with this.



Step 7: Arrange collection of mvv after positive decision

Appointment

Your family members must collect the mvv within 3 months after the positive decision. They must make an appointment with the Dutch embassy to arrange this. This must be the embassy mentioned on the application form. Or the embassy where your family members went to for a follow-up examination.

Embassy: mvv form, fingerprints, signature, and submission of passport.

Your family members must bring their passport photos. This passport photo must meet certain conditions. To arrange the mvv, your family members must first fill out an mvv-issuance form at the embassy. A staff member will then take the fingerprints from your family members. Your family members will also place their signatures. The Dutch embassy will collect the family members' passports. This is necessary to issue the mvv.

The passport must be valid for another 6 months or longer.

Do your family members not have passports? They will usually be able to get a Dutch laissez passer (LP). An LP is a travel document for a one-way journey. Each family member must submit 2 additional passport photos for this purpose. The IND notifies the embassy if your family members will be able to get LPs.

Making the mvv and placing it in the passport

The embassy makes the mvv. This will take a maximum period of 2 weeks. If everything is ready, the mvv (sticker) will be placed in the passport. The embassy then invites your family members to come and collect the passports with the mvv.

Embassy: Collect mvv and information

Your family members go back to the embassy. Your family members get back their passports with mvv. Or they receive an LP with mvv. They will also receive written information about what to do once they have entered the Netherlands.

Only Dutch embassies outside your family members' country of origin can issue LPs.



Step 8: Travel to the Netherlands

Once your family members have collected their mvv, they can travel to the Netherlands. Sometimes there are special exit regulations for your family members outside the Netherlands. The Dutch Council for Refugees can help you make arrangements in this respect. The mvv is valid for 90 days. The validity is printed on the mvv sticker. There are two dates on the sticker.

- Effective date (the mvv is valid as from this date)
- Expiry date (the mvv is valid until this date)

Your family members must buy an airline ticket themselves to travel to the Netherlands. The IND recommends not doing this until after your family members have collected the mvv. Does the Dutch Council for Refugees provide guidance? Sometimes, part of the travel expenses are refunded. Ask your counsellor for the possibilities.

Part 2: The Dutch asylum procedure of your family members in 2 steps



Step 1: Report by telephone after entry

Your family members must travel to the Netherlands and report by telephone within 90 days.

On the day your family members enter the Netherlands, they or you call IND's mvv-line. In that way, it is certain that the mvv is still valid. The telephone number of the mvv-line is given in the letter with the positive decision.

The staff member of the mvv-line tells your family members when to report and at which reception centre of the Central Agency for the Reception of Asylum Seekers (COA).

The COA arranges accommodation and assistance during the procedure. The IND and the Dutch Council for Refugees are also present at the reception centre.



Step 2: Asylum procedure and permits for your family members

Your family members go to the reception centre on the date agreed. The asylum procedure will take at least 4 days and 3 nights. Your family members will be staying at the reception centre. You will be sleeping at home.

Usually, the procedure takes 4 days. Sometimes, there are doubts or there is lack of clarity. In that case, the IND will deal with your family members in the general asylum procedure. This procedure takes longer.

During your family members' procedure at the reception centre, the following will happen:

- An IND staff member checks their identity and fingerprints. The IND makes a digital face photo and takes fingerprints if these are not right or not known.
- Your family members may have to undergo a TB test. Whether this happens depends on the country your family members travelled from.
- The Dutch Council for Refugees will explain the procedure to your family members.
- Your family members will have a short interview with the IND. The IND will give a decision to your family members. This is a

letter which states that they will get a dependent asylum residence permit. And the IND will give your family members their residence permits. If this is not possible, the IND will explain the rest of the procedure.

- Your family members will also have a short interview with a staff member of the COA.
- Your family members will also have an interview with a municipal officer. The municipality registers the details of your family members in the register of births, deaths, marriages and registered partnerships.
- Your family members will leave the reception centre on the last day. They will go to your house. If this is not possible (or not possible yet), the COA and the municipality will arrange accommodation for them.

Submit an independent asylum application

Your family members will get a dependent asylum residence permit in the Netherlands. This is a temporary permit that depends on your own asylum residence permit. Does the IND decide to withdraw your asylum residence permit or not to renew it? The IND will also withdraw the permits of your family members. In that case, the IND will assess if they can get an independent asylum residence permit. The IND may also withdraw their residence permits if the family ties with you cease to exist. This may be the case if your family members no longer have a relationship with you. Or if your family member is a child that goes and lives on his or her own within one year.

Do your family members wish to submit an independent asylum application to ask for asylum for their own reasons? They can indicate this in the interview with the IND at the reception centre. The IND staff member will explain this. If your family members submit an independent asylum application, they follow the general asylum procedure. The general asylum procedure takes longer. The IND will examine whether your family members have a personal need for protection from the Dutch government. If this is the case, they will get a temporary independent asylum residence permit. It is possible that your family members submit an independent asylum application later on.

If your family member belongs to your family, he or she may travel to the Netherlands for family reunification. Someone can have a family relationship with his (marriage) partner and their (biological) children. A child can have a biological relationship with both biological parents. Usually a family member only belongs to one family. For example, a young adult cannot belong to the family of his parents and also have his family with a (marriage) partner. In these and other cases, the family member who is making the journey in connection with family reunification may not be a sponsor for other family members. Not even if he or she has an independent asylum permit.

Withdrawal of the application

Your family members can decide to withdraw their application at any given time. In that case, inform the IND through your counsellor at the Dutch Council for Refugees. You can also notify this directly to the IND. Are your family members withdrawing their application and are they applying for family reunification later on? In that case, they will usually no longer meet all the conditions.

Processing your personal data

Personal data is all kinds of information about you. The organisations that have cooperated in this leaflet are listed below. These organisations handle personal data during the processing of your application, notification or request. They ask you for your details and also ask other organisations or people for these, if necessary. These organisations use and store your details and pass them on to other organisations if that is required by law. The privacy legislation contains obligations for organisations that process your data. For example, they must handle your data safely and with due care. The privacy laws also set out your rights, for example:

- to consult the data held by organisations;
- to know what the organisations do with your data and why;
- to know to which organisations your data has been passed on.

Do you want to know more about the processing of your personal data and your rights? Check the websites of the organisations. You can find the web addresses below.

FAQs

Can you submit an application for a Regular Provisional Residence Permit for persons making a journey in connection with family reunification with an asylum seeker if your family members have gone missing.

Yes. If you have lost contact with your family members, you can still submit an application. You will only secure the journey in connection with family reunification period by submitting an application. In some cases, the Red Cross may help you find your family members. This is called 'tracing'. Your counsellor at the Dutch Council for Refugees can help you with this.

Is it possible for your family members to sign the Antecedents Declaration at the Dutch embassy?

No, that is not possible. Do you encounter problems sending the signed Antecedents Declaration to the Netherlands? Please discuss with the IND what you can do best.

Where will you be living with your family members if you yourself are still staying in a COA location?

The municipality and the COA cooperate in this. Ask your COA counsellor at the reception centre for the possibilities.

Do you still have questions after reading this brochure?

You can put these questions to your counsellor of the Dutch Council for Refugees.

Do you have a complaint?

All organisations involved in the procedure for family reunification work professionally and carefully. Are you not satisfied with the way in which an organisation has treated family members? You can submit a complaint. Your counsellor at the Dutch Council for Refugees can help you with this.

This is a joint publication of:

Central Agency for the Reception of Asylum Seekers (COA) | www.coa.nl

Repatriation and Departure Service | www.dienstterugkeerenvertrek.nl

Immigration and Naturalisation Service (IND) | www.ind.nl

Legal Aid Council (RvR) | www.rvr.org

Dutch Council for Refugees | www.vluchtelingenwerk.nl

Commissioned by:

Ministry Of Justice and Security, Directorate-General for Migration
www.rijksoverheid.nl

No rights can be derived from the content of this publication. If the translation causes difference of interpretation, the Dutch version prevails.