Privacy Statement IND
The Immigration and Naturalisation Service (IND) respects your privacy. We consider it important that our processes are transparent, clear and reliable. Therefore, we carefully manage each person's personal data and we ensure that all processing thereof complies with the legislation and regulations applicable.

This Privacy Statement explains how we manage your personal data. This statement may be modified from time to time if new developments give cause to do so. The most recent version is always available at our website.

It is to be recommended to consult this Privacy Statement on a regular basis, so that you are informed about any changes. In this Privacy Statement you read when it has been modified last. This Privacy Statement was drawn up on 24 May 2018.

When does this Privacy Statement apply?
This Privacy Statement applies to all personal data we collect, and use, related to the performance of our duties in implementing the Policy in respect of Aliens. This policy is set out in the Aliens Act 2000 and the legal conditions attached thereto, and the Netherlands Nationality Act. In addition to this, rules ensue from international treaties.

Who is responsible for your personal data?
As an executive agency the IND is a division of the Ministry of Justice and Security. The State Secretary of Justice and Security is the responsible minister for the IND’s work.

At the Ministry of Justice and Security, the Data Protection Officer monitors the application of, and compliance with, the General Data Protection Regulation. Formally, this officer is the first point of contact for the processing of personal data. The contact details of the Data Protection Officer are the following: Mr. P.J. (Pieter) de Groot.

For the supervision of, and compliance with, the General Data Protection Regulation within the IND a Privacy Officer has been appointed. For questions about the processing of personal data by the IND you may send a letter for the attention of the Privacy Officer to the IND, PO box 17, 9560 AA TER APEL [the Netherlands], or an e-mail to: AVG@ind.minvenj.nl.

The IND, with its offices at Rijnstraat 8, 2515 XP in The Hague, accounts for the processing of personal data in a manner as described in this Privacy Statement.

Pursuant to Article 30 of the General Data Protection Regulation, the IND maintains a record of the processing activities. This record contains the following information:

- The name and contact details of the IND and
- The purposes of processing personal data;
- The kind of categories of persons whose personal data are processed;
- A description of the categories of personal data that are processed;
- The recipients of the data;
- The retention period of the personal data;
- A general description of the security measures;

This Privacy Statement describes what kind of personal data we process when assessing applications from foreign nationals who want to reside in the Netherlands or become Dutch citizens. The following topics are explained:

1. The kind of personal data we process and the way we gain access to these personal data;
2. Use of cookies;
3. Purpose of and statutory basis for the processing of personal data;
4. Retention period of personal data;
5. Third parties' access to your personal data;
6. The security of your personal details;  
7. Automated decision-making;  
8. Questions and requests regarding exercising your privacy rights.

1. The kind of personal data we process and the way we gain access to these personal data.

Personal data are all data containing information on an identified individual or that may be linked to an identified individual.

By processing personal data, we mean all actions performed on these data. These include collecting, adjusting, consulting, supplying, receiving and removing.

The IND processes personal data of the applicants for a residence permit in the Netherlands or for obtaining Dutch citizenship. Personal data of other persons are also processed, e.g. of sponsors, family members, interpreters, authorised persons, the own employees and the employees of the bodies we work with. All these personal data are treated in a confidential manner. This involves the personal data you, as a data subject, provided us with. When implementing the Policy in respect of Aliens we also obtain personal data by other means. To this end all employees of the IND work in accordance with the established Privacy Policy.

Besides name and address details, the IND also processes details as: e-mail address, telephone number, nationality and passport number, date and place of birth, gender, civil status, spoken language, and the personal identification numbers required by law, such as the alien registration number and the Citizen Service Number.

Where necessary for the implementation of the Policy in respect of Aliens, the IND, in some cases, also processes special personal data in addition to these general personal data. These are data showing racial or ethnic origin, political opinions, religion or beliefs or trade union membership, but also genetic data, biometric data, data concerning health, data concerning sex behaviour or sexual orientation and data relating to criminal convictions and offences.

The IND obtains personal data in different ways:

- The applicant provides the personal data relating to him or her, him- or herself in relation to the submitted application or possibly via an authorised person.
- The sponsor of the individual who wants to reside in the Netherlands provides the personal data concerning him or her.
- The applicant provides the personal data of third parties, e.g. of family members.
- The personal data originate from other public services and bodies.

Public services and civil society organisations that may be involved are:

- Repatriation and Departure Service (DT&V);
- Central Agency for the Reception of Asylum Seekers (COA);
- National Police;
- Royal Netherlands Military Constabulary;
- International Organization for Migration (IOM);
- Municipalities;
- NIDOS Foundation;
- Ministry of Foreign Affairs;
- Inspection services, e.g. Inspectorate SZW;
- Education Executive Agency (DUO);
- Tax Administration;
- European counterparts and non-governmental organisations (NGOs);
- Judicial Information Service;
2 Use of cookies
A cookie is a small text file that is stored on your computer, tablet or smart phone when you first visit this website. This enables the website to recognise your computer each time you visit. The IND only uses technical and functional cookies for the website to work properly. The cookies we use do not contain any personal data. Placing these cookies does not require prior consent on your behalf, since these cookies do not affect your privacy. You can find further information on cookies at the bottom of the homepage of our website under cookies.

3 Purpose of and statutory basis for the processing of personal data
The Privacy Legislation requires that we only process personal data for clearly defined purposes. The purposes for which we process your data are set out in Article 107 of the Aliens Act 2000.

This then pertains to the implementation of the Policy in respect of Aliens. This policy is set out in the Aliens Act 2000, and the legal conditions attached thereto, and the Netherlands Nationality Act. In addition to this, rules ensue from international treaties.

The purpose of the processing of special categories of personal data is set out in Article 107a of the Aliens Act 2000. We process the special categories of personal data in so far as these data are necessary for the efficient and effective implementation for issuing of visas, border control, admission, stay and removal of aliens and the supervision of aliens pursuant to this Act or to the Schengen Borders Code. It is specified in Article 7.1a of the Aliens Regulations 2000 [Voorschrift Vreemdelingen 2000] when the processing of the special categories of personal data will be necessary.

Additionally, personal data are processed for accountability and control reports. This way the IND aims to gain insight in the implementation of the Policy in respect of Aliens and to improve this policy where possible. Personal data are not processed in reports made available to the public.

4 Retention periods of personal data
The retention periods applied by the IND have been laid down in the archive policy. Personal data the IND obtains will not be kept longer than necessary to accomplish their purpose. Thereafter the data will be destroyed. The archive policy consists of three phases:

- The first phase is the period in which it is of importance, from the perspective of the performance of tasks, that the person-related files are always, directly, and ethically available (three years).
- The second phase is the period in which we have to be able to answer civil society’s questions and in which we will be accountable for the policy and its implementation (one to fifteen years).
- The third phase is motivated by historical importance.

It is determined of personal files older than fifteen years which data must be kept. Result thereof is that a part of the personal file will be destructed, and another part will be transferred to the [Dutch] National Archives for preservation. So-called selection lists (a Fundamental Selection instrument) apply to this:

- BSD Toelating Vreemdelingen actualisatie Justitie 1945
- BSD Nationaliteiten 1945 – heden
Facial images and finger prints may not be stored for more than five years:

- after the application for a temporary residence authorisation has been denied;
- after the legal residence has ended and after the person has demonstrably left the Netherlands;
- after the expiry of the validity period of an entry ban has been issued or an order declaring a person an undesirable foreign national imposed.

Click here for more information about the retention periods applied by the IND and Principles accompanying this list.

5 Third parties’ access to your data
Pursuant to the Aliens Act 2000, the IND is qualified, and sometimes obliged, to provide to other public-sector organisations data and information they need for the performance of their task. This is done upon request or upon demand. There are situations where the IND passes on personal data to countries or to (international) organisations outside the European Union. In such cases, appropriate measures are taken to protect your personal data.

The IND assesses whether it is necessary to provide your personal data and whether your privacy does not suffer needlessly. In doing so, the IND takes into consideration whether the purpose for sharing your personal data may also be achieved with less or no personal data.

6 The security of your personal details
We have implemented appropriate measures to protect your personal data and to avoid abuses. Those individuals who may access data, are obliged to observe secrecy thereof.

7 Automated decision-making
All decisions made by the IND when implementing the Policy in respect of Aliens come about via employees. The IND does use automated decision-making without human intervention.

8 Questions and requests regarding exercising your privacy rights
If you would like to know what information we have on you or whether this information is correct, you may request this data from us. At the latest within one month you will receive an overview of your personal data. If necessary, this period may be extended for a further two months. In the event the registered data contain inaccuracies, you may ask us to complete, correct or remove the latter.

If your request concerns a cookie, we kindly request to send along a copy of the cookie. This file can be retrieved via the settings of your browser.

You may also object to the processing of your personal data.

These requests oy may send, duly motivated, in writing by a letter or an e-mail to the IND, for the attention of the Privacy Officer, PO box 17, NL 9560 AA TER APEL, or AVG@ind.minvenj.nl. Please quote as the subject: GDPR [AGV]

Your request must contain the following information:

- A description of the data you wish to receive or wish to have completed, corrected or removed or to which you want to object.
- The full personal data of the person making the request.
- The signature of the person making the request.
- A copy of the pages with the identity information of a valid passport or copy of the front and back of a valid ID card or Dutch residence permit. You can choose to cover your passport.
photo and your citizen service number (BSN) or personal ID-number. Click on how do I make a safe copy of my identity card for more information.

- Are you making this request on behalf of another person? You must be authorised by the person on whose behalf you make the request. Send along a signed authorisation with a copy of the passport of the authorised person. An attorney-at-law is always authorised to make a request.
- If applicable: a copy of a death certificate of the data subject.

Request file documents from prior to 1986
IND’s complete archive (and that of its predecessors) over the period end 19th century until 1986 has been transferred to the National Archives (NA). Documents from this period may be requested by sending your request per mail to info@nationaalarchief.nl. In this request a file number must be stated.

Finally, you may always file a complaint, duly motivated, about the way in which we process your personal data. You may file this complaint at the:

Dutch Data Protection Authority [Autoriteit Persoonsgegevens]
PO box 93374
2509 AJ The Hague [Netherlands].

Privacy statement IND, Version 1.1, June 12th, 2018