



Immigration and Naturalisation
Service
Ministry of Justice

A focus on the IND

Annual results 2009

Foreword

In 2009, the IND again further improved its services, timeliness and quality. Productivity increased, processing times were shortened and the service standards - as communicated to the clients - were achieved. In addition, major steps forward were made in 2009 in the progress of the new INDiGO information system, the implementation of the Modern Migration Policy and the Programme for Introduction of the Improved Asylum Procedure (PIVA), which was approved by the Lower House towards the end of 2009.

In this booklet you will find - in addition to a brief review of the main developments of 2009 - an overview of, inter alia, completed procedures, residence permits issued, requests for naturalisation granted and objection and appeal procedures. The large numbers have, for the most part, been rounded down to the nearest fifty. An overview of all annual results (figures) can also be found on our website: www.ind.nl

In the centre of the booklet you will find a “concise immigration chart”, in which you will be able to see at a glance what the main countries of origin were for the immigrants registered in 2009, divided by the various purposes of stay (students, highly skilled migrants, labour migrants, family formation/reunification, asylum).

I hope you will enjoy reading this booklet.

R.J.T. van Lint (*General Director of the IND*)

Important steps in implementing the Modern Migration Policy

The IND carried out an *Ex Ante Implementation Test (EAUT)* of the draft texts of the *Modern Migration Policy* at the start of 2009. The IND also set up the Modern Migration Policy Implementation Programme (IMoMi) for the implementation of the new policy. And the number of *pilots* that are used to gain experience has been increased. For example, a ‘Study’ pilot was started in the spring, which concerns an experiment - which is being conducted together with ten educational institutions - with an integrated procedure for Regular Provisional Residence Permits and residence permits. As regards the ‘Au Pair’ pilot, ten au pair agencies signed a covenant with the IND in November that regulates the rights and duties of the au pair agency - such as the duty of care, the duty to provide information and the duty to keep records - in order to be eligible for an accelerated procedure.

Ex Ante Implementation Test (EAUT) | *An EAUT is used to determine the implementation-technical consequences of new policy.*

Modern Migration Policy | *The Cabinet wants to drastically revise current admissions policy in order to be able to deal decisively with the needs of society and the labour market, and to make optimal use of the possibilities offered by migration. The Lower House has since approved the legislative proposal.*

Pilot | *Pilot in which the IND gains experience with the implementation of the Modern Migration Policy.*

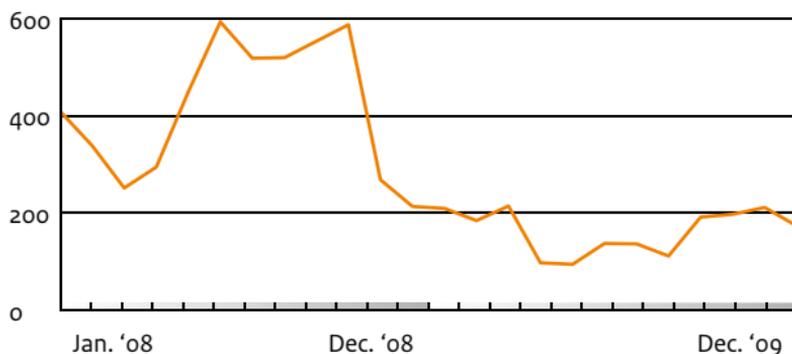
Joint approach to Somalia successful

In 2009, many foreign nationals - mainly Somalis - who came to the Netherlands had intentionally damaged their fingertips in order to prevent identification. This was the reason to choose, in close cooperation with the *cooperating organisations*, a project-based approach to this group of foreign nationals. This approach has been successful. Hardly any foreign nationals with damaged fingers now report in to the authorities for the purpose of submitting an asylum application. With respect to asylum seekers from whom useable finger prints could still be taken, it turned out that asylum had already been applied for earlier, in another EU country. These cases were transferred to the relevant countries on the basis of the Dublin Convention.

Cooperating organisation | *The IND cooperates closely with various organisations, such as the Aliens Police (VP), the Royal Netherlands Marechaussee (KMar), the Repatriation and Departure Service (DT&V), the Central Agency for the Reception of Asylum Seekers (COA) and the International Organisation for Migration (IOM). Each cooperating organisation has its own responsibility in aliens policy. You can find more information on these cooperating organisations at www.ind.nl.*

No categorical protection policy for Iraq any longer

The *categorical protection policy* for Iraq did not apply anymore in 2009. The IND therefore decided to reassess residence permits granted on that ground. The number of applications also decreased.



Categorical protection policy | Policy on the basis of which asylum seekers from a certain country or part of a country are eligible for temporary stay as a result of the overall unsafe situation in that country or part of that country.

Processing times shortened

The IND aims for timeliness. This creates shorter processing times for all work processes. The backlog decreased all across the board in 2009.

Timeliness	2009	
• Total number of decisions	272,600	
- of which with a statutory term	264,400	
• Number of decisions within the statutory term	240,600	(91%)

Application centres are able to process more asylum applications. This strongly reduced the size of the *Temporary Emergency Facility for Foreign Nationals (TNV)*. The time foreign nationals had to spend on average in the TNV before they are able to submit an asylum application has clearly decreased.

Municipalities provide the IND with files and advice on naturalisation. Some of those are of such high quality that the IND no longer needs to check all of them. A random sample proves to be sufficient in these cases. The released capacity has been deployed for other cases. Partly as a result of this

reallocation, the handling of requests for naturalisation within the statutory term has increased from 87% to 95%.

The IND steered strongly towards reaching decisions within the statutory term of one year in respect of requests for naturalisation. This term was achieved, with some exceptions, for requests from the Netherlands. The IND is able to do so increasingly often in respect of requests from abroad and from the Netherlands Antilles and Aruba.

One of the priorities for 2009 was to eliminate the backlog in applications for review pertaining to naturalisation. This concerned in particular backlogs in the Netherlands Antilles and Aruba. This endeavour was largely successful as a result of physical support from the Netherlands in hearing applications for review. The supply of applications for review has dropped substantially, by 44%.

Application centre (AC) | Foreign asylum seekers register at an application centre to formally apply for asylum. At the application centre an assessment is made, to determine whether the asylum seeker's application will be handled at the AC within the term of 48 hours, or whether the asylum seeker will be included in the follow-up procedure and placed in an asylum seekers' residence centre focused on Orientation & Integration (O&I). The IND has three application centres: AC Ter Apel, AC Zevenaar and AC Schiphol.

Temporary Emergency Facility for Foreign Nationals (TNV) | Residence facility for asylum seekers awaiting inclusion in the asylum procedure.

Client contacts

Services

The provision of services at the desks and the telephone lines has been further improved. The IND has proved itself well able to realise the *service standards*, standards for the provision of services at the desks, appointments line and the Central Complaints Registration Office, as promised to clients.

In 2009, on the instructions of the IND, TNS NIPO performed a quantitative customer satisfaction survey and a complainant satisfaction survey. When compared with the score of the previous survey conducted in 2007, the mark received for services has risen. Foreign nationals give the IND a 7.3 (6.8 in 2007), cooperating organisations a 7.2 (7.1 in 2007) and educational institutions and companies a 6.9 (6.2 in 2007). In the complainant satisfaction survey, lawyers award the IND a 6.3. This was a 6.2 in 2007. Private complainants award the IND a lower mark in 2009: 5.2 (5.8 in 2007).

A possible explanation for the above is that in 2009 a relatively large number of complaints were declared 'unfounded'.

The survey provides the IND with sufficient starting points to further improve the process of complaints handling, which was, after all, its objective.

Service standard | *Promise to the IND client concerning services.*

Accessibility

	2009	2008
• Total number of telephone questions	1.33 mil.	896,850
• Average telephone accessibility	88%	91%
• Visits to the desk (= number of appointments made)	94,400	102,300
• Unique visitors to www.ind.nl	1.3 mil.	1.2 mil.
- of which visits to www.ind.nl	2.2 mil.	3 mil.

Telephone accessibility decreased somewhat in 2009. The IND is making every effort to achieve at least the previous level once again.

Customer Service Information

On 23 June 2009, the *Customer Service Information*, the first part of the new *INDiGO* information system, was officially taken into use. This *Customer Service Information* replaces the *Residence Wizard* on the IND website. The *Customer Service Information* provides clients with information on residence in the Netherlands and on residence permits. Clients will therefore know exactly what is required, in their specific cases, to submit an application to the IND. They can also use the *Customer Service Information* to create custom application sets (an application form and relevant annexes). In that custom application set only the data that are required in that specific case have to be filled in. This is a new step in the further improvement of services.

Customer Service Information | *A simple way of finding information on residence in the Netherlands and residence permits via the Internet.*

INDiGO | *IND information system, based on the new working processes.*

Fewer complaints

Complaints	2009	2008
• Number of complaints	2,974*	3,221
• Complaints when compared with procedures	0.9%*	0.8%
• Timely settlement of complaints	91%	94%

* 9% of the total number of complaints submitted in 2009 concerned a notice of default.

In 2009, the IND received over 10% fewer complaints than it did in 2008. Of those complaints, 49% concerned the period for making a decision, 41% concerned services, 6% concerned policy and 4% concerned the way in which the person involved had been treated. The Incremental Penalty Payments and Appeal in the Event of Late Decision Act entered into effect on 1 October 2009. Written complaints about the period for making a decision are registered by the IND as a complaint and as a *notice of default*.

Whereas the IND handled 94% of all complaints within the statutory term of six weeks in 2008, this percentage dropped in 2009 to 91%. This is a point for attention in 2010.

Notice of default | *Written declaration made by an applicant (not an email) which to the effect that the period for making a decision has been exceeded.*

Appeal and application for review

Rulings from the Council of State

A large number of procedures arose from rulings from the Council of State. The Council of State, for example, rendered important rulings in Dublin cases in which Greece is responsible for handling the asylum application. Due to the circumstances of asylum seekers in Greece, there is changing case law about the question of whether the Netherlands can transfer asylum applications to Greece or whether it has to handle the applications substantively itself.

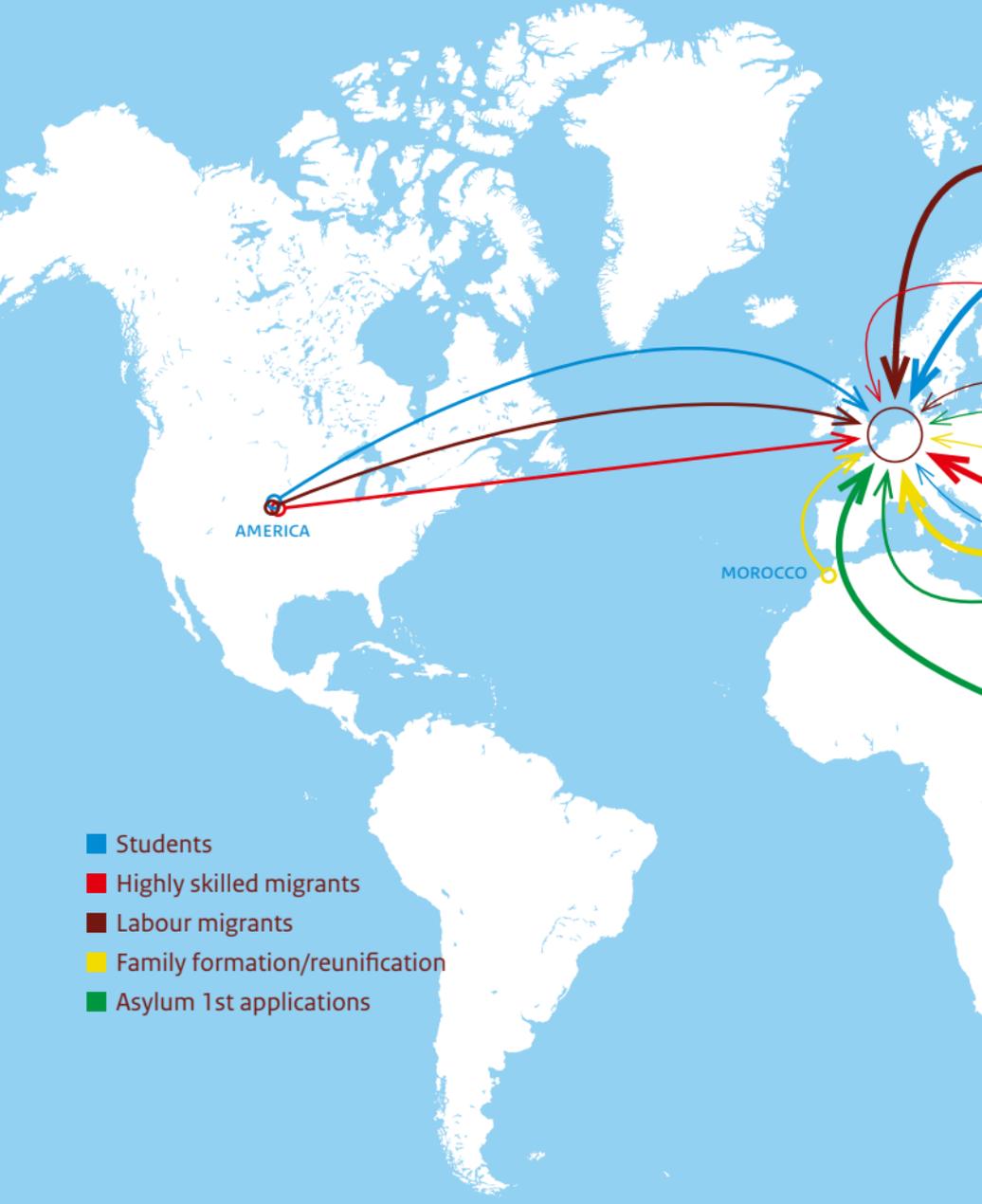
The Council of State also rendered an important ruling on the General Amnesty: Foreign nationals can initiate legal proceedings if they are not eligible for a residence permit pursuant to this scheme. The General Amnesty was intended to settle the estate of the old Aliens Act.

Mediation

In 2009, Legal Representation for the first time applied *mediation* nationally as alternative form of dispute settlement in aliens affairs. Mediation has advantages for both the clients and the IND, for example because fewer legal proceedings have to be conducted.

Mediation | *The parties jointly resolve their dispute independently, by means of mediation by an independent third party, the mediator.*

Image of the Top 3 Inflow



- Students
- Highly skilled migrants
- Labour migrants
- Family formation/reunification
- Asylum 1st applications



TURKEY

IRAQ

AFGHANISTAN

INDIA

SOMALIA

CHINA

JAPAN

PHILIPPINES

The combating of fraud works

Employees submitted requests for investigation to the Aliens Police via the Local Fraud Coordinators. Partly as a result of these investigations, dozens of residence permits that were incorrectly issued were revoked, and fraudulent applications were rejected. Several instances of fraud or forgery of documents were reported to the police.

Documents

In 2009, similarly to 2008, the Documents Office received over 10,000 requests to check the authenticity of documents. Whereas in 2008, only one out of ten investigated documents was false or forged, this number rose to one in eight in 2009.

Exclusion order | *The decision of the Minister of Justice to deny a foreign national entry to the Netherlands. This occurs when a foreign national has committed a serious crime. If a foreign national subject to an exclusion order is found in the Netherlands, he will be liable to punishment (Article 197 of the Dutch Criminal Code).*

W-document | *Identity document for asylum seekers during their procedure.*

Documents	2009	2008
• Temporary regular residence permit	118,850	148,600
• Permanent regular residence permit	23,400	35,250
• Temporary asylum residence permit	10,450	7,700
• Permanent asylum residence permit	3,250	3,550
• Residence permit for EU citizens	3,150	5,050
• W-document	19,500	15,300
• <i>Total</i>	<i>178,600</i>	<i>215,450</i>
Exclusion orders	2009	2008
• Number of decisions	2,300	2,100
• Number of exclusion orders (of the number of decisions)	1,650	1,500*

* Corrected from 1,550 to 1,500.

Results in figures

Students	2009	2008
• Number of MVV applications	8,500	8,300
• Number of MVV decisions	8,550	8,050
• Number of MVV applications granted	98%	96%
• Number of VVR applications	10,150	9,300
• Number of VVR decisions	10,050	9,100
• Number of VVR applications granted	99%	97%

Top 3 nationalities number of regular

residence permits granted in 1st instance

	number	percentage
1. Chinese	2,250	23%
2. American	1,300	13%
3. Turkish	650	7%
Other	5,750	58%
Total	9,950	

Regular permits | A Regular Provisional Residence Permit (MVV) is an entry visa for inhabitants of most countries outside the European Union who wish to reside in the Netherlands for more than three months. Residence shorter than three months requires that a visa is applied for. Companies and educational institutions that submit more than ten MVV applications a year for foreign employees and students can make use of an accelerated application procedure (accelerated MVV). As soon as the foreign national has entered the Netherlands on the basis of an MVV, he will have to apply for a Regular Residence Permit (VVR). The VVR will have to be extended periodically (extensions).

Highly skilled migrants	2009	2008
• Number of MVV applications	4,450	6,850
• Number of MVV decisions	4,300	6,800
• Number of MVV applications granted	97%	96%
• Number of VVR applications	5,400	7,200
• Number of VVR decisions	5,150	6,800
• Number of VVR applications granted	98%	98%

Top 3 nationalities number of regular residence permits granted in 1st instance	number	percentage
1. Indian	1,600	31%
2. American	700	14%
3. Japan	300	6%
Other	2,450	48%
<i>Total</i>	5,050	

Labour migrants	2009	2008
• Number of MVV applications	2,900	3,450
• Number of MVV decisions	2,650	3,600
• Number of MVV applications granted	84%	81%
• Number of VVR applications	3,500	4,750
• Number of VVR decisions	3,800	4,000
• Number of VVR applications granted	82%	87%

Top 3 nationalities number of regular residence permits granted in 1st instance	number	percentage
1. Chinese	1,100	35%
2. American	300	10%
3. Philippine	200	7%
Other	1,550	49%
<i>Total</i>	3,150	

Family formation/reunification	2009	2008
• Number of MVV applications	29,050	26,850
• Number of MVV decisions	27,100	23,750
• Number of MVV applications granted	58%	64%
• Number of VVR applications	22,000	21,950
• Number of VVR decisions	21,250	22,350
• Number of VVR applications granted	93%	93%

Top 3 nationalities number of regular residence permits granted in 1st instance	number	percentage
1. Turkish	2,750	14%
2. Moroccan	1,800	9%
3. Indian	1,300	7%
Other	13,850	70%
<i>Total</i>	19,700	

Other regular purposes of stay	2009	2008
• Number of MVV applications	5,750	3,950
• Number of MVV decisions	5,000	3,700
• Number of MVV applications granted	67%	74%
• Number of VVR applications	17,050	17,200
• Number of VVR decisions	16,000	15,950
• Number of VVR applications granted	72%	79%

Top 3 nationalities number of regular residence permits granted in 1st instance	number	percentage
1. Bulgarian	1,950	17%
2. Rumanian	850	7%
3. American	650	6%
Other	8,100	70%
<i>Total</i>	11,550	

Total overview Regular	2009	2008
• Total number of MVV applications	50,700	49,400
• Total number of MVV decisions	47,650	45,900
• Total number of regular residence permit applications	58,100	60,400
• Total number of regular residence permit decisions	56,250	58,200
• Total number of applications for extension*	95,700	95,800
• Total number of decisions on extension*	92,300	98,450
• Total number of applications for review submitted (MVV + VVR)	12,500	13,050
• Total number of decisions on applications for review (MVV + VVR)	13,200	12,950
• Total number of applications for a visa for short stay	5,050	7,950
• Total number of decisions on applications for a visa for short stay	5,200	8,050
• Total number of applications for review in respect of a visa for short stay	4,900	5,500
• Total number of decisions on applications for review in respect of a visa for short stay	5,100	5,200

* Total number of applications for extension contains the following procedures: permanent VVR, VVR extension and amendment of the purpose of stay.

Inflow of asylum seekers	2009	2008
• Inflow at the AC's, 1st applications	13,900	12,600
• Inflow at AC 2nd or subsequent application	1,200	1,700
• Other inflow asylum	1,100	1,000
<i>Total</i>	<i>16,200</i>	<i>15,300</i>
• Unaccompanied Minor Asylum Seeker/ Unaccompanied Minor Foreign National	7%	5%
• Number of applications granted at an AC	14%	10%
• Number of applications rejected at an AC	12%	11%
Decisions		
• Total supply of decisions to be taken	24,300	20,650
• Number of decisions	22,700	15,700
• Total number of applications for review submitted	800	700
• Number of decisions on applications for review	700	1,350
• Number granted (percentage of the total number of decisions including applications for review)	41%	43%

Top 3 nationalities asylum 1st applications	number	percentage
1. Somali	6,000	37%
2. Iraqi	2,200	13%
3. Afghan	1,400	9%
Other	6,600	41%
<i>Total</i>	16,200	

Top 3 nationalities granted asylum applications

1. Somali	3,900	46%
2. Iraqi	1,900	22%
3. Afghan	300	4%
Other	2,400	28%
<i>Total</i>	8,500	

Legal Representation	2009	2008
• Number of appeal procedures	13,400	13,300
• Percentage of appeal declared well-founded by the courts	20%	18%
• Number of Provisional Rulings	11,000	10,850
• Number of appeals to the Council of State	2,800	2,450
• Number of Habeas Corpus procedures	19,000	22,150
• Number of appeals to the Council of State concerning Habeas Corpus	1,500	1,650

Activities of Legal Representation

Appeal: if an application for admission to the Netherlands has been rejected, the foreign national can submit an appeal against this decision to the Aliens Chamber.

Provisional Ruling: a foreign national can request a Provisional Ruling if he wants to await the decision on his appeal or application for review in the Netherlands.

Appeal to the Council of State: if an asylum seeker does not agree with the court's decision, he can, in most cases, submit an appeal to the Council of State. The IND can also submit an appeal to the Council of State against a court decision.

Habeas Corpus (detention): foreign nationals residing illegally in the Netherlands, or foreign nationals that are refused entry at the Dutch border, are placed in detention. The courts have to decide after several weeks whether the detention is lawful. This is the Habeas Corpus procedure.

Naturalisation	2009	2008
• Number of applications	25,000	24,500
• Number of decisions	25,600	26,200
• Total number of applications for review submitted	1,000	1,550
• Number of decisions on applications for review	1,600	1,700
• Number granted (percentage of the total number of decisions including applications for review)	89%	85%



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