What does a pronouncement of undesirability as a foreign national mean for you?

You have received a pronouncement of undesirability from the Immigration and Naturalisation Service (IND). The decision you received explains why you have been declared an undesirable foreign national. In this brochure you can find out what the pronouncement of undesirability means for you.

1. What is a pronouncement of undesirability?
2. How long will the pronouncement of undesirability last?
3. Why is it important to report your departure to the IND and how do you do this?
4. How is your pronouncement of undesirability checked?
5. When will your data be deleted from E&S and SIS?
6. What happens if you are in the Netherlands?
7. What can you do if you do not agree with the pronouncement of undesirability?
8. When can you travel to the Netherlands again?
9. How can you ask for the pronouncement of undesirability to be lifted?
10. What should you do if you have any questions?

1. What is a pronouncement of undesirability and which countries does it cover?
You are not allowed to stay in the Netherlands because you are a danger to the Netherlands. You may have the nationality of a European Union (EU) country, the European Economic Area (EEA) or Switzerland. If you are not a citizen of these countries, you are a third-country citizen. Find out which are the EU/EEA countries on www.ind.nl.eueer and www.ind.nl/en/eueea.

- Are you a citizen of an EU/EEA country or Switzerland? Or are you a relative of an EU/EEA citizen or of a Swiss? As an undesirable foreign national, you are not allowed to stay in the Netherlands. That is why you have to leave the Netherlands immediately. Afterwards, you can no longer enter the Netherlands.
- Are you a third-country national? As an undesirable foreign national, you are not allowed to stay in the Netherlands. You can no longer enter the Netherlands. It is also possible that you may not enter other EU/EEA countries or Switzerland.

2. How long will the pronouncement of undesirability last and when does it start?
The pronouncement of undesirability has no expiry date and will not end until the IND decides to lift it. This is possible if you ask for it to be lifted. Lifting the pronouncement means cancelling it. Find out how to ask to have the pronouncement of undesirability lifted under 9. below.

3. Why is it important to report your departure to the IND and how do you do this?
If you do not report your departure to the IND, the IND cannot check on which day you left. The IND needs this date to be able to assess applications to have a pronouncement of undesirability lifted.

Send proof of your departure and entire journey to:
IND
P.O. Box 10
9560 AA Ter Apel

Examples of proof include: all entry and exit stamps in your passport, tickets and other travel documents.
4. **How is your pronouncement of undesirability checked?**
The Dutch government registers the pronouncement of undesirability and your personal details in an information system. The decision states in which system. There are two systems:
- **Executie & Signalering (E&S)**
  This is an information system used by the Dutch police. Only the Dutch police and the Royal Netherlands Marechaussee (KMar) can check your pronouncement of undesirability. You are not allowed to enter the Netherlands.
- **Schengen Information System (SIS)**
  Governments of all the EU/EEA countries and Switzerland are affiliated to the SIS. Border guards can check your pronouncement of undesirability. After checking, they can detain you: you are not allowed to enter the country.

5. **When will your details be deleted from E&S and SIS?**
Your details will be deleted if you have asked for the pronouncement of undesirability to be lifted and this application has been approved.

6. **What happens if you are in the Netherlands?**
Then you can be prosecuted. This is the result:
- You are not allowed to be here. You can be sentenced to 6 months in prison. Or you have to pay a fine of around €9,000. This is provided by Article 197 of the Dutch criminal code (Wetboek van Strafrecht). The amount of fines provided by the law changes every few years.

7. **What can you do if you do not agree with the pronouncement of undesirability?**
You can apply for review to the IND. The decision you received states how to do this.

8. **When can you travel to the Netherlands again?**
You can travel to the Netherlands again if the IND cancels the pronouncement of undesirability. This only happens if you ask the IND and the IND approves your application. Do you have to come to the Netherlands for important events? Then you can ask for your pronouncement of undesirability to be temporarily lifted.

9. **How can you ask for the pronouncement of undesirability to be lifted?**
Send a letter to the IND, ask for it to be lifted and explain why. Someone else can do this for you. Then you must give that person official permission to take action on your behalf. Put this in writing with your signature. This is called an authorisation.

   Send the letter to:
   IND
   P.O. Box 10
   9560 AA Ter Apel

   Have you authorised someone to act for you? Send the authorisation with the letter.

10. **What should you do if you have any questions?**
- Call your contact at the IND. The phone number is in the decision under the heading 'contact' on the right.
- Visit our website [www.ind.nl](http://www.ind.nl) (search for 'pronouncement of undesirability').
- Call the IND's information line on +31 88 043 04 30. This number is available from Mondays to Fridays from 9.00 to 17.00.

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