



What does an entry ban or decision to alert mean for you?

In this folder you will find out what the entry ban or decision to alert is and what it means for you.

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1. What is an entry ban?

For a certain period you will not be allowed to travel to or be in the countries of the European Union (EU), the European Economic Area (EEA) and Switzerland. Find out what the EU/EEA countries are on www.ind.nl/eueer and www.ind.nl/en/eueea. We refer to these countries henceforth as EU. The entry ban does not apply to Ireland.

You will get an entry ban only after a return decision. That is a decision that says you are not allowed to be in the Netherlands and you must depart from the EU. And you must return to the country specified in the return decision, or to a different country outside the EU (without Ireland) where you are allowed to stay.

2. What is a decision to alert?

A decision to alert looks like an entry ban. If you have received a decision to alert, you are not allowed to travel to or stay in the EU. In your situation the decision to alert may apply only to the Netherlands. You will get a decision to alert if you pose a danger to public order or national security.

3. What is the duration of the entry ban or decision to alert?

How many years an entry ban or decision to alert lasts depends on your situation.

The duration of your entry ban or decision to alert starts on the date that you depart from the EU. Does your decision to alert only apply to the Netherlands? Then the duration starts on the day that you depart from the Netherlands. Does the IND know that you have left the EU or the Netherlands? Then your entry ban or decision to alert will stop after the period has expired. In that case the alert will be removed from the information system. Afterwards you will again be allowed to travel to the EU or the Netherlands. The IND will only know that you have departed from the Netherlands if you show this in your request for lifting of the decision to alert. Find out under question 4 what an alert in an information system is.

4. What does an alert in an information system mean?

An alert will be entered for you for the entry ban or decision to alert. Being alerted or alert means that the government will enter your personal details in an information system. By way of your alert in the information system, border guards and the police can see that you have an entry ban or a decision to alert. After being checked, they can stop you at the border. In that case you may not enter the country. The decision says in which system you are alerted.

There are 2 systems:

- Implementation & Detection (in Dutch: *Executie & Signalering*, or E&S): this is an information system of the Dutch Police and Royal Netherlands (*Koninklijke*) Marechaussee.
- Schengen Information System (SIS): this is a European system that border guards and the police of Schengen countries can check. Find out which countries are Schengen countries on www.ind.nl/schengengebied or www.ind.nl/schengenarea.

An alert for you can only be entered in 1 system. An alert in the SIS for an entry ban or for a return decision and entry ban comes before an alert for a decision to alert.

First an alert for a return decision

An alert for the entry ban is not entered immediately. You are actually alerted in the SIS first for the return decision. Are you departing from the EU and does the IND know that? Then your alert for the entry ban will change into an alert for the entry ban. You will not be allowed to travel to or be in the EU any more. Find out more about alerts and return decisions on www.ind.nl/nl/terugkeerbesluit or www.ind.nl/en/return-decision.

Decision to alert and entry ban

The decision can only contain a decision to alert. A decision containing a decision to alert and entry ban is also possible.

Right of residency in the EU and an entry ban with a decision to alert

Do you have a right of residency in an EU country? And has the Dutch government given you an entry ban for more than 2 years and a decision to alert? Then the Netherlands will ask the EU Member State to withdraw your right of residency. Has the EU country withdrawn your right of residence? Then an alert for you will only be entered in the SIS for the return decision and entry ban. If you maintain the right of residence then the IND will lift your entry ban and enter an alert for you in E&S for the decision to alert. If the EU country will nevertheless withdraw your right of residency later, then the IND will enter the decision to alert in the SIS.

5. When will your details be removed from the SIS or E&S?

- When it is certain that the duration of the entry ban or decision to alert has expired. And you have stayed away since your departure.
- When the IND knows that after your entry ban you have obtained a right of residency in an EU country. Then the IND will lift your entry ban and delete your alert from the SIS. In case you pose a danger to public order or national security, the government can enter an alert for you in E&S for the decision to alert.
- You have requested to have your entry ban or decision to alert lifted, and this request has been approved. You can find out how to request lifting under question 9. Have you been granted temporary lifting of your entry ban or decision to alert? Then your alert will remain in the SIS or E&S.

6. What happens if you are nevertheless in the Netherlands with an entry ban

Travelling to and being in the Netherlands is a punishable offence. You can get a prison sentence of 6 months at most or a fine of a few thousand euros. This is laid down in Section 197 of the Dutch Penal Code (*WvSr*) and Section 108 of the Aliens Act (*Vw*).

7. What can you do if you disagree with the entry ban or decision to alert?

This depends on your situation. You can object to the IND or appeal against it in court. The decision says how to do this.

8. When will you be allowed to travel to the Netherlands again?

- When it is certain that the duration of the entry ban or decision to alert has expired.
- You have requested to have your entry ban or decision to alert lifted and this request has been approved.

9. How do you request (temporary) lifting of the entry ban or decision to alert?

You can request to have the entry ban or decision to alert lifted. For example if you have to be in the Netherlands when your entry ban or decision to alert has not yet expired. You can request temporary lifting in very special and urgent situations.

For example because the period of the entry ban or decision to alert has already expired. And the IND does not know that you have departed from the Netherlands if an alert has been entered for you in E&S. Or if the IND does not know that you have departed from the EU if an alert has been entered for you in SIS.

To request lifting you use the form *Request for lifting of a pronouncement of undesirability, entry ban or decision to alert* (9004 in Dutch or 9504 in English) on the website. Fill it in and send it to the IND. Someone else can also request lifting for you. Then you must officially give that person permission to take action on your behalf. You state this in the form with your signature. This is called an authorisation.

10. What should you do if you have questions?

- Visit our website on www.ind.nl/inreisverbod or www.ind.nl/en/entry-ban.
- Call the information line of the IND via +31 88 043 04 30. This number can be reached from Monday to Friday from 09.00 to 17.00 hours.

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