

## Questionnaire on the use of article 1F of the Convention

1. Do your (im)migration services actively rely on Article 1F in asylum cases? If so, how often and what is the court's assessment? Do you usually continue to rely on Article 1F before the court?
2. Is it a standard procedure to declare those falling under 1F (1Fs) undesirable aliens?<sup>1</sup>
3. Do you remove 1Fs to certain countries of origin?
4. Do you reason in line with other aliens' law procedures? In short, may an alien who, for example, wishes to reside in your country for reasons of work or family formation be rejected on account of suspicions as listed in Article 1F?
5. Do your implementing (im)migration services maintain contact with your national police and judicial authorities?
6. Is it standard procedure to transfer 1F files to the Public Prosecution Service for a criminal investigation?

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<sup>1</sup> 1. An alien may be declared by Our Minister to be an undesirable alien:

- (a) if he is not lawfully resident in the Netherlands and has repeatedly committed an act that constitutes an offence under this Act;
  - (b) if he has been convicted by final judgment of a court for an indictable offence that carries a term of imprisonment of three or more years or has been given a non-punitive order within the meaning of article 37a of the Criminal Code for such an offence;
  - (c) if he is resident in the Netherlands other than on the grounds of section 8,(a) to (e) or (l), and he constitutes a threat to public police (*ordre public*) or national security;
  - (d) pursuant to a treaty, or
  - (e) in the interests of the international relations of the Netherlands.
2. If the decision in which the alien is declared to be an undesirable alien is to be communicated by post, notice of the decision shall be given in the Government Gazette.
3. Notwithstanding section 8, a person who has been declared an undesirable alien may not be lawfully resident.