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PETITION FOR REINSTATEMENT DISCRETIONARY POWER

Layan (13) and Karam (12) fled from Syria over five years ago together with their mother. The IND wants to evict them to Morocco because their grandfather has a Moroccan passport. We want Layan and Karam, who have been living in The Netherlands for over five years, to be granted a residence permit.

Moreover we are of the opinion that the discretionary power should be reinstated. This would enable the Secretary of State to make exceptions for situations similar to Layan's and Karam's. [SIGN THE PETITION](#).

ADMISSION POLICY

Court of Appeal: individual assessment required concerning exemption mvv [visa for permanent stay] with ill partner in The Netherlands

This case concerns a Dutch-Indonesian couple who have been married since 2014 and who lived in Indonesia. In 2017 the husband came to The Netherlands for medical reasons; later his wife entered The Netherlands on a visa. The husband is visually impaired and in need of help.

According to the Court the necessary medical care is not available in Indonesia and the Dutch husband needs his wife for informal care. This has to be taken into consideration when deciding whether the wife has to return to Indonesia in order to apply for a mvv. The IND has to make a new assessment. You will find more information [here](#).

Council of State: right of residence Spanish mother and Spanish children of school age

This Spanish mother worked for a while in The Netherlands which entitled her to right of residence. Her Spanish children visit school in The Netherlands and on this basis they have right of residence in The Netherlands. The Council of State concluded that the mother, as a caregiver of EU children of school age has right of residence as well, even if she doesn't work any more. The IND cannot impose a requirement as to the minimum number of months that the mother should have worked. You will find more information [here](#).

Court of Appeal: admission elderly mother of Moroccan man in The Netherlands

This case concerns a Moroccan mother in need of care whose only son has been living in The Netherlands since 1994. There is a close emotional relationship because the father is out of view since he was 2 years old. Through Western Union transfers the son can prove that he has frequently been sending money to his mother since 2006. The mother has no other source of income and is financially entirely dependent on him.

Now that she has health problems (diabetes and severe visual impairment) the son wants to have his mother with him in The Netherlands in order to be able to take care of her. The IND rejected this application but the Court is of the opinion that insufficient consideration has been given to the interests of the mother and the son. You will find more information [here](#).