

**3. a) RESIDENCE CARD FOR THE NETHERLANDS (“DUTCH ID”)
FOR HOUSEHOLD MEMBERS OF DEFENCE TEAMS DURING TRIAL**

The issuance of a “Dutch ID” to household members of defence teams during their prolonged stay in The Hague due to trial obligations is an extraordinary service agreed upon with the Host Country, provided to facilitate the stay of spouses in the Netherlands going beyond a three month visa or beyond the visa waiver period (90 days stay in the Schengen area in any 6 month period).

The standard 90-day visa waiver regime still applies and should be used as a preferred choice whenever possible. Nationals of Bosnia-Herzegovina, Croatia, former Yugoslav Republic of Macedonia, Montenegro and Serbia (excluding Kosovo Directorate passport holders) who hold a biometric passport are eligible for the 90 day visa waiver regime. In addition, other nationals, such as nationals from Canada and the USA, are eligible for the 90 day visa waiver regime. To check eligibility for a visa-waiver, you may consult the website of the Netherlands Ministry of Foreign Affairs: www.minbuza.nl >> Services >> Visas.

Please note that this ICTY service does not extend to household members who are citizens of the Netherlands or the European Union.

Please consult with OLAD Defence Liaison staff for advice on when and how to request this “Dutch ID” for members of your household.

Please keep in mind that you will be responsible for the safe and timely return of the ID issued to your household member, and should request this only if and when necessary.

Please be reminded that it is the responsibility of each individual to make sure his/her stay in the Netherlands is legal, and to initiate the appropriate procedure for obtaining a “Dutch ID” (or alternatively, a visa) in a timely manner.

Persons requiring a visa for the Netherlands (i.e., not eligible for the visa waiver regime) are advised to apply for a special (1-month multiple-entry) visa if they intend to request the “Dutch ID” upon their arrival to the Netherlands. (Please note that the standard procedure to obtain a “Dutch ID” takes about 4-5 weeks and that the applicant’s travel during that time will be limited by the entry visa restrictions).

In order to apply for a “Dutch ID” for your household member, you as the defence team member shall provide:

- 1) a letter requesting the “Dutch ID” for your family/household member, stating clearly your relationship with the applicant (see attached);
- 2) original passport of the applicant;
- 3) two colour passport-size photos (taken according to Dutch standards);
- 4) a duly completed electronic version of the MFA Request Form (obtainable through OLAD);
- 5) a duly signed special cover page of the MFA Request form (hard-copy obtainable through OLAD Defence Liaisons);

During the first application the ICTY and the Dutch authorities will hold the applicant’s passport for 4-5 days. During this period, the applicant not be able to leave the Netherlands, unless he or she has another valid travel document.

IMPORTANT: It is the responsibility of the applicant and the defence team member requesting their “Dutch ID” to ensure the “Dutch ID” is returned or renewed under the conditions specified in the attached Undertaking.

N.B. When collecting the ID, both the applicant and the defence team members need to sign the relevant Undertaking (DC/U3-a) and return it to the ICTY Visa and Entitlements Unit before collecting the ID for their household member.

I understand and agree to the above: Date:.....
(signature of the defence team member)

Letter requesting “Dutch ID” for family/household member of defence team staff
(Please use a separate letter for each member of the household)

I, , defence.....
(name) (function – e.g. counsel, case manager, etc.)

am engaged in the case which is currently in trial.
(name and case number)

Therefore, I request the issuance of a “Dutch ID” for the following member of my household:

Name: Relationship*: Date:.....

* when entering the “Relationship” you should answer the question: The applicant is my..... (son/daughter/wife/husband)

Signature of defence team member:

Date and place: The Hague,

.....
For official use only:

Approved by OLAD: Date:
(name/signature)

Application received by VEU: Date:
(name/signature)

“Dutch ID” issued to: Date:
(name of applicant)

“Dutch ID” number: Expiry Date:

“Dutch ID” returned to: Date:
(name/signature of VEU staff)

**ICTY UNDERTAKING
FOR THE NETHERLANDS IDENTITY CARD
OF HOUSEHOLD MEMBERS OF DEFENCE TEAMS IN TRIAL**

I _____, as the _____ of
(full name) (e.g. son/daughter/husband/wife)
 _____ who is currently engaged as _____
(name of defence team member) (e.g. counsel, case manager, legal assistant, etc.)
 in case no. _____ (Prosecutor v. _____) acknowledge the receipt
 of my Identity Card, no. _____ valid until _____.

I understand and agree that this Identity Card is provided to me as member of the same household of the defence team member who is currently engaged in an ongoing trial before the ICTY, as per the *Note Verbale* of the Ministry of Foreign Affairs of the Kingdom of the Netherlands, Protocol Department, DKP/DIO – 2009/057, dated 23 April 2009.

I understand and agree that this Identity Card is issued to me for the sole purpose of facilitating my travel and stay in the Netherlands during the prolonged period of time during which my spouse/parent is performing his/her duties in the above-mentioned case.

I understand and agree that the expiry date of my Identity Card is linked to and can never exceed the expiry date of the Identity Card of the above-mentioned defence team member with whom I share the household, and his/her active engagement in trial before the ICTY.

I understand and agree that this Identity Card is not a valid travel document, but is to be used as proof of authorised entry to Schengen countries (equivalent to a valid visa), and for certifying registered temporary residence in the Netherlands.

I understand and agree that this Identity Card is an official document issued by the Kingdom of the Netherlands and I hereby undertake to safeguard this Identity Card to the best of my ability. Should my Identity Card get stolen or lost, I shall immediately report this to the nearest Police station and the *ICTY Visa and Entitlements Unit*, located at Churchillplein 1, 2517JW The Hague.

I understand and agree that it is my responsibility to request for an extension of my Identity Card via the *ICTY Visa and Entitlements Unit* minimum five (5) weeks in advance to its expiry.

I understand and agree to inform the *ICTY Visa and Entitlements Unit* if I separate from the common household of the above-mentioned defence team member, or permanently leave the Netherlands before the expiry of my Identity Card and shall return my Identity Card to them at least three (3) weeks in advance.

I understand and agree to return this Identity Card to the *ICTY Visa and Entitlements Unit* immediately upon its expiry, or upon termination of trial proceedings in the above-mentioned case.

I understand and agree that upon returning my Identity Card the *ICTY Visa and Entitlements Unit* will provide me with the necessary replacement documentation to travel back to my country.

I understand and agree that the above-mentioned defence team member is counter-signing this undertaking to vouch for my compliance with the above.

Signature card holder:

Signature defence team member:

Place and date: The Hague, _____