

Anonymous Objection to the Proposed 10-Year Naturalisation Requirement

We are a family of Highly Skilled Migrants who have legally and continuously resided in the Netherlands since late 2022 and mid-2024, respectively. Since our arrival, we have actively contributed to Dutch society through full-time employment, civic integration, language acquisition, and community participation. We have completed the civic integration exam at A2 level and are currently preparing for the B1-level Staatsexamen. We have purchased a home, established permanent residence, started a family, and are raising a child in the Netherlands. We have invested significant time and energy in learning Dutch and integrating into society, and have built careers in skilled sectors that contribute to the Dutch economy. The proposed extension of the naturalisation residency requirement from 5 to 10 years introduces significant emotional, legal, and financial distress. It disrupts our long-term plans to settle permanently in the Netherlands and creates uncertainty about our future, including visa renewals, citizenship eligibility, and family stability.

Legal and Policy-Based Grounds for Objection

1. Violation of Legitimate Expectation

Under Dutch administrative law, the principle of *gerechtvaardigd vertrouwen* (legitimate expectation) protects individuals who have made life decisions based on existing legal frameworks. Migrants who entered under the 5-year rule and began integrating should not be penalized retroactively. The Dutch Supreme Court has recognized this principle in multiple rulings, including HR 1 November 2002, NJ 2003/110, where the court emphasized the importance of legal certainty and predictability in administrative decisions. Applying the 10-year rule to individuals who have already commenced their integration journey under the 5-year framework undermines this principle and violates the trust placed in the Dutch legal system.

2. Disproportionate Impact on Migrant Families

The proposed rule does not account for the integration efforts of spouses and children, nor the unique challenges faced by families raising young children while contributing economically. It disproportionately affects caregivers and women who may take time off for childbirth and childcare. The European Court of Human Rights (ECtHR) has consistently held that immigration policies must be proportionate and consider the impact on family life, as seen in cases such as *Rodrigues da Silva and Hoogkamer v. Netherlands* (2006). The proposed rule risks violating Article 8 of the European Convention on Human Rights, which guarantees the right to respect for private and family life.

3. Contradiction with EU Integration Principles

The European Union promotes inclusive integration policies and recognizes the importance of family reunification and stability. Extending the naturalisation period without transitional measures may violate the EU Charter of Fundamental Rights, particularly Article 7 (Respect for private and family life) and Article 21 (Non-discrimination). The European Commission's Common Basic Principles for Immigrant Integration Policy in the EU emphasize the importance of granting immigrants rights and responsibilities that foster

integration. The proposed rule contradicts these principles and risks isolating well-integrated families who have already demonstrated commitment to Dutch society.

4. Mental Health and Social Well-being

Legal uncertainty and prolonged residency requirements can lead to mental health strain, especially for families with young children. The Dutch government has a duty under Article 10 of the Dutch Constitution to respect personal integrity and well-being. The World Health Organization (WHO) recognizes legal insecurity as a social determinant of mental health. The proposed rule exacerbates stress and anxiety among migrant families, undermining their ability to integrate and contribute effectively to society.

5. Economic and Social Contribution

Highly Skilled Migrants are exempt from the civic integration duty under the Civic Integration Act 2021, yet voluntarily integrate and contribute to society. Applying the 10-year rule uniformly disregards their unique status and undermines the Netherlands' attractiveness to global talent. The OECD's International Migration Outlook (2022) highlights that countries with streamlined naturalisation pathways for skilled migrants benefit from higher retention rates and economic growth. The proposed rule risks reversing these gains and sending a discouraging message to future talent.

Request for Transitional Provisions or Exemptions

We respectfully request that the government consider:

1. A transitional provision allowing those who arrived before the law's enactment to apply under the current 5-year rule.
 2. An exemption for Highly Skilled Migrants and their spouses and children, recognizing their economic and social contributions.
 3. A grace period for families who are close to eligibility under the current framework.
- These measures would uphold the principles of fairness, legal certainty, and proportionality, and would align with both Dutch constitutional values and EU integration standards.

Final Remarks

The Netherlands has long been a beacon for skilled professionals and their families seeking a stable, inclusive, and forward-thinking society. This bill, in its current form, risks sending the opposite message. We urge the government to adopt a balanced, humane, and legally sound approach that supports integration and family stability. We submit this objection anonymously to protect our privacy and respectfully request that our concerns be considered in the final drafting of the legislation.

We reiterate that the proposed extension of the naturalisation period must be evaluated not only through the lens of administrative efficiency but also through the broader context of human rights, constitutional protections, and international obligations. The Dutch legal system has historically upheld the principles of proportionality, equality, and legal certainty. These principles must guide the implementation of any changes to naturalisation

policy. Migrant families who have demonstrated commitment to Dutch society through employment, integration, and civic participation deserve a fair and transparent pathway to citizenship. The absence of transitional provisions or exemptions for Highly Skilled Migrants undermines the credibility of the integration framework and risks alienating a vital segment of the population. We urge lawmakers to consider the long-term implications of this policy and to ensure that the final legislation reflects the values of inclusivity, justice, and respect for human dignity.