Dutch Aliens Act 2000, Articles 28-32  
(Verblijfsvergunning asiel voor bepaalde tijd  
(*Residence permit asylum for restricted period of time))

More specific: Art. 29, first sub, under a and b, Aliens Act 2000 can be applied.

Asylum Provisions

Definition of 'refugee' in asylum law

Refugees are foreigners who meet the description of Art 1A of the Refugee Convention. It concerns foreigners coming from a country where they have a grounded fear for persecution for their religious or political conviction or persecution based on their nationality or for belonging to a specific race of social group.

Definition of 'particular social group' and type(s) of persecution addressed

In the Netherlands, most women in FGM asylum cases do not qualify in the ‘particular social group’ category (article 29, first sub, under a, Aliens Act 2000), because these women are in most cases not categorized as ‘treaty refugee’. Instead, FGM is often being classified as a violation of art. 3 ECHR: “No one shall be subjected to torture or to inhuman or degrading treatment or punishment.” and then, these women are being categorized in the category of article 29, first sub, under b, Aliens Act 2000)"die aannemelijk heeft gemaakt dat hij gegronde redenen heeft om aan te nemen dat hij bij uitzetting een reëel risico loopt om te worden onderworpen aan: 1°. doodstraf of executie; 2°. folteringen, onmenselijke of vernederende behandelingen of bestraffingen; of 3°. ernstige en individuele bedreiging van het leven of de persoon van een burger als gevolg van willekeurig
geweld in het kader van een internationaal of binnenlands gewapend conflict.” As far as I could see (in the cases I have studied), only asylum has been granted in the Netherlands in case of future persecution: women who fear that she (or her daughters) will be subjected to FGM when she has to return to her home country. The Netherlands did not grant asylum in cases with regard to women who have already undergo FGM (past persecution).

**Number of asylum cases requested on the ground of FGM**

at least 30?

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**Source**


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**Metadata**

**TYPE:** Policy / Legislation  
**LANGUAGE:** Dutch  
**TYPES OF GBV:** Female Genital Mutilation  
**KEYWORDS:** female genital mutilation, gender-based violence, legislation, asylum seekers, asylum provisions