

One

in a

million

Eleven stories  
about the  
people behind  
the asylum  
application



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## **Acknowledgements**

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Immigratie- en Naturalisatiedienst  
Ministerie van Veiligheid en Justitie



COA Centraal Orgaan opvang asielzoekers



Dienst Terugkeer en Vertrek  
Ministerie van Veiligheid en Justitie

**N**obody is unaffected by the asylum policy. And understandably: its impact is large; both for an individual human life and for society at large. Almost daily we read about the many conflict areas in the world, the many displaced people. And about the upsetting conditions of migrants coming to Europe in search of a better life. Sometimes asylum seekers are presented in the media as masses of people invading our country, other times an individual asylum seeker tells his story.

For the employees of the asylum organisations asylum seekers are both a group and an individual. A group when it comes to arranging facilities and processing thousands of applications or departure procedures in times of high asylum influx. But also an individual, a person who needs shelter, who is heard, or who is assisted on his way back, if necessary. All this is carried out in careful procedures, and through laws and regulations that have developed democratically.

The Dutch asylum policy is carried out by three organizations. The Immigration and Naturalization Service (IND) decides on the admission of asylum seekers. The Central Agency for the Reception of Asylum Seekers (COA) is responsible for the accommodation and support of asylum seekers. The Repatriation and Departure Service (DT&V), directs the return of rejected asylum seekers. Together we carry out the Dutch asylum policy, as fairly and as justly as possible.

Before you lies our collection of short stories: one in a million. Eleven stories of employees from the asylum organisations talking about their daily work, and its extraordinary stories. For the employees of IND, COA and DT&V each asylum seeker is one in a million.

*Rob van Lint, General Director IND*

*Gerard Bakker, CEO COA*

*Rhodia Maas, General Director DT&V*

A woman is shown from the side, sitting on a white ceramic stool. She is wearing a black long-sleeved top, a brown braided headband, and a colorful patterned wrap around her waist. Her legs are covered in striped leggings. She is holding a long wooden stick vertically, stirring a large black pot that sits on a traditional wood-burning stove. The stove is built into a wall and has a fire burning inside. Steam is rising from the pot. The background shows a rustic wooden structure with various items hanging on the walls. The overall scene is one of traditional cooking in a rural or semi-rural setting.

“Fitting in is a continuous process”

“zi ni gnitti”  
2000nitno 6  
“22901q

Sandy,  
*COA, residential supervisor*

A few years back Tisa came to our location as a so-called invited refugee. Today invited refugees like her would no longer stay at our centre, but at that time they did. Tisa was a mother of four. She spent her entire life in a refugee camp in Tanzania, where her parents settled as refugees from Rwanda. Tisa was born in the refugee camp, as were her four children. They knew no other life than life in the camp.

Tisa came to us during the wintertime, and stood shivering in the yard in her African clothes. She dressed like she was used to in Tanzania, but this was clearly not warm enough in the cold, dark December days. I hurried to find her some clothes from our collection. Shortly thereafter Tisa came to me asking for charcoal. ‘Charcoal?’, I asked. I couldn’t think of a reason anyone could need charcoal for. Tisa showed me a small stone oven she had built in the yard. She wanted to light a fire in it. At that moment I realized that Tisa needed a little extra attention.

To most of the newcomers in our asylum seekers’ centre you don’t have to explain much. Syrians, for example, are used to a life similar to ours. Upon arrival I show them around, tell them: this is your room, your bathroom, the bedroom. I show



them their kitchen and say: 'It is a gas stove, please be careful!' And then all is fine. Tisa however needed more explanation. She had never heard of a stove before, or of gas. The first days her children did their needs in the yard. I remember explaining them -without the interpreter present- how a toilet works. Tisa and her children were standing around me, giggling. I could almost hear them thinking: 'Please stop talking about this!' But they really needed to start using that toilet. The other residents started complaining about the smell.

Invited refugees, like Tisa, follow a course before they come to the Netherlands. One of our colleagues travelled all the way to Tanzania to prepare them in two weeks for their life in the Netherlands. But you could tell that not much of it stuck with Tisa. Perhaps it is too much to ask from a woman who never had any schooling, to suddenly learn something about a society far beyond her imagination in a course.

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### **Resettled refugees**

Each year, around 500 refugees are invited to the Netherlands. During visits to refugee camps, refugees are selected who are eligible for resettlement. This job is done by the IOM in close cooperation with IND and UNHCR. All selected refugees receive training before leaving for the Netherlands. The COA provides them with the course Cultural Orientation, which prepares them for their migration.

Tisa was always cheerful. She smiled a lot, walked around humming, and sang songs to her children. She seemed a loving mother to me. Her two oldest children could almost immediately enrol in a primary school nearby. The other two were too young and stayed with her at the asylum seekers' centre. But soon problems arose. The school called because the children were not picked up from school, and didn't bring any lunch with them. A couple of times the children were sent home after they hadn't been washed for days. It didn't take long before the school contacted the Youth Care Agency. An inspector came to our location to talk to Tisa. As Tisa's residential supervisor I was present at their talk, with an interpreter.

'Picking up the children from school, why?', Tisa said. That was obviously not the answer the inspector wanted to hear. 'Because it's normal', he explained to her, and: 'it's safer. Not in the last place because of a dangerous train crossing the children have to cross on their way home.' Meanwhile Tisa kept gazing confusedly. I started realizing that this was not going the right way. So I did my very best to convince the inspector that it was a matter of getting used. That I would coach Tisa personally, and that all he had to do was give her some time.

Afterwards I spent much time explaining to her how everything works over here. Tisa could not cook, did not speak English, could not read, and kept forgetting how the stove worked. Still, it was obvious to me that she was smart enough to learn. Over and over again I explained to her that she has to bathe her children every day. That she has to dress them in clean clothes, including clean underwear and socks every day. That she has to make her children sandwiches to bring to school. Yet sometimes it seemed as if she had no clue as to what had happened to her. 'You're no longer in the camp', I kept telling her. She was used to a completely different life, without food, at least not more than a little porridge that was handed out every day. And she was used to her children wandering around in the camp during daytime, and returning home on their own at night.

One afternoon she came to me saying she was not feeling well. She seemed to be in a lot of pain, so we hurried to go to the medics. The doctor reported to everyone's surprise that Tisa was about to give birth. When this was explained to her by the interpreter, she looked astonished. 'How do you know that?', she asked. In retrospect it seems strange to me that we didn't notice this before. I guess we simply didn't know her long enough to know that she was usually slimmer. She just seemed a full-figured lady to us, and she was always wearing thick layers of fabric.

After giving birth, there was much uncertainty. The baby was not doing well. A worried period started for Tisa, going back and forth between the asylum seekers' centre and the hospital. The Youth Care Agency was onto her children, and almost instantly placed her two school-age children in foster homes. You could tell Tisa was hurt. In this strange new country her new-born was not doing well, and two of her children were taken away from her. She seemed worried and sombre. I could do nothing for her but explain that she had to give her other two children the best of care.

Everyone can imagine it is difficult to go from a good to a bad situation. But it is just as difficult to go from a bad to a good situation. I sometimes hear people say: 'These asylum seekers are lucky. They come from a poor country where you have to wash your clothes by hand, and now they have a washing machine. Good for them!' But it is not that simple. It takes time to adjust. I experienced this myself, when I came from Eritrea to the Netherlands as a child. My parents applied for asylum here. Like Tisa we came from a different culture that seemed completely normal to us. And we had to adjust to the new situation. Sometimes I felt ashamed to be a child of a refugee family, and lied at school that I was the child of an ambassador. I felt different from the other kids. My brother watched over me closely. He sometimes gave me a small physical punishment for coming home five minutes late. A friend at school once told me that I shouldn't accept this and that I could call the children's helpline if he ever did that again. At dinner I mentioned this to my

brother. I will never forget the astonished look in his eyes.

When I see children here in the centre, I think to myself: I know what it's like. Fitting in is a continuous process. You lead two lives: your life at school, where you try to fit in. And your life at home, where adjustment is expected just as much. I sometimes try to be an example for the asylum seekers here. In their eyes I have made it: me, an ex-asylum seeker, working for the Dutch government.

I remember Tisa calling me one morning. She showed me her baby, who was now also staying in the asylum seekers' centre. She had firmly wrapped it in a clean cloth. Her other children were all ready to go to school, neatly dressed and with a filled backpack on their backs. She wanted to show me she could do it herself now. And more importantly: she laughed again. She felt proud, and that touched me. I gave her a thumbs-up, and she returned one to me. From then on everything slowly went uphill.

When Tisa was transferred to independent housing, she threw a small farewell party. She gave me a huge bunch of flowers. And said no one had helped her as much as I did. Also my colleagues gave me compliments. For my patience, and for the fact that I always kept an unshakeable confidence in Tisa.

“It could be true, but I doubt it”

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ضاحك التمساحية

“It could be  
true but  
I doubt it”

Hanneke,  
*IND, Asylum officer*

**M**y job is at the asylum application centre in Ter Apel. I am an asylum officer, also called a decision taker in asylum cases. On this morning I have an appointment with Adnan, a stateless Palestinian asylum seeker from Syria. It's the first day of his asylum procedure. The appointment is scheduled in a different room than I am used to, because he is in a wheelchair. I walk downstairs to collect Adnan from the waiting room.

Before starting the interview, we go through a number of formalities. This gives us a chance to get used to each other, and Adnan can get an impression of me. Meanwhile I observe him. Adnan is skinny and wheezy, he looks unhealthy. I ask him if he is feeling well enough for this interview. He has a heart condition, he explains, but today he is feeling relatively well. The medical advice from the nurse confirms that he can be interviewed today. I make sure Adnan understands that he can stop the interview at any time he needs a break.

I start off with a couple of standard questions. Place of birth, former place of residence, name. In his intake file I read that Adnan has no documents. It is almost impossible to get



here from a police state like Syria without ever owning any papers. We frequently hear that migrant smugglers advise asylum seekers to throw away their papers on their way here. I ask him if that's the case. 'No, I lost everything during a bombing', Adnan says. This could be true, but I doubt it. To get some more certainty about his origin, I will ask him some additional questions about his neighbourhood.

I send a request to our documentation centre for information on the neighbourhood of Yarmouk, where Adnan claims to come from. In the meantime, we write down his itinerary. I also register the names of his family. Adnan is married and comes from a large family. I write down the details of his wife, his parents, and his siblings. Soon, I receive information for the check questions about his neighbourhood. I examine the information; different maps of the area, some pictures of buildings, and a couple of news clippings about recent events in his district. I ask Adnan whether he visited a mosque in his hometown of Yarmouk. He nods. 'I visited the Al-Djama mosque daily, until the day of my departure.' This mosque is indicated on my maps, so I ask Adnan to describe the route from his house to the mosque. He quickly sums up street names. When I hand him a sheet of paper, he draws a map.

Adnan seems to get short of breath and I suggest taking a break. Meanwhile, I compare his drawing with the map of Yarmouk. It is partly consistent. Between the pictures I find an image of the Al-Djama mosque. After the break I ask Adnan to describe it. 'Just a mosque', he says. 'A white building with minarets.' He does not remember any other details, he says. But the photo shows an elegant mosaic on the façade of the mosque; it is surrounded by brightly coloured windows. 'Are there any ornaments on the mosque?' I ask. 'Does it have windows?' Adnan cannot remember. 'What does the square near the mosque look like?' I ask. My information mentions that there is a market twice a week. 'Just normal', he says, 'houses, nothing special.' 'Can you do any shopping there?' I ask. 'My wife does the shopping', Adnan says laughing. 'But can you buy anything

to eat there?', I clarify my question. 'Sometimes there is a kiosk with fruit', he says. I wonder if that qualifies as a market. Clicking through the news clippings, I see that the mosque was partly destroyed by an attack a few weeks before his departure. I ask if anything happened to his mosque lately. He shakes his head, nothing at all.

After the interview I am in doubt. The information provided by Adnan about his district is inadequate, in some respects even incorrect. He has no papers to proof his origin. Could Adnan originate from a different country? After all, ethnic Palestinians live everywhere in the Middle East. I check with the research unit that performs language analyses, a type of speech research after the origin of asylum seekers. They explain to me that the case is eligible for language analysis. Adnan claims to have spent his entire life in Syria, so this should be traceable in his accent. If I still have doubts after the next interview, I can decide to send him in for a language analysis.

The second interview takes place on the third day of the procedure. Adnan is clearly more nervous for this interview than for the previous one. He is still short of breath. I ask him if he has visited the medics. They referred him to the hospital in Groningen, he says. In this second, the so-called detailed interview we discuss his asylum motives. Adnan says he had problems with IS, the Islamic State. Over the past year he received many visits from recruiters, who threatened to murder him if he did not join IS. He explains that the recruiters came to him at least six days a week.

'Do I understand correctly that they came to visit you about 300 times?', I calculate for him. 'And each time they threatened to murder you?' Adnan avoids my question. 'In the end they killed my father', he says. 'And then I decided to leave the country.' 'During the first interview you never mentioned your father were deceased', I say, leafing back through the list of family members. 'When exactly did he de cease?' He responds startled. He forgot. The date he cannot remember, he will have to ask someone.

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## The asylum procedure

The Common Asylum Procedure (AA) lasts eight days.

**Day 1:** The first interview is held, in which the identity, nationality and itinerary of the asylum seeker are discussed.

**Day 2:** the applicant discusses the report of the first interview with his lawyer, and prepares for the detailed interview.

**Day 3:** during the detailed interview, the asylum seeker is given opportunity to discuss his asylum motives.

**Day 4:** the applicant discusses the report of the detailed interview with his lawyer, and drafts corrections and additions.

**Day 5:** IND decides whether the case can be treated in the Common Asylum Procedure (AA). If more time is needed than eight days, the asylum seeker is transferred to the Extended Asylum Procedure (VA), which lasts up to six months. If the IND decides to grant asylum, the applicant receives his decision at the earliest on day 5. If the asylum application is rejected, the IND will issue an intention to reject the application.

**Day 6:** the applicant and his lawyer draw up a response to the intention.

**Day 7:** The IND makes a final decision on the application.

**Day 8:** the asylum seeker discusses the outcome of his asylum procedure with his lawyer. If necessary, the asylum seeker can appeal against the decision of the IND.

I observe him carefully. Adnan shifts in his chair, he avoids my eyes. Signs of stress. We learned much about psychological trauma during our training. When assessing an asylum application, it is expected that an applicant gives consistent and coherent accounts. But you cannot always expect this from someone with psychological trauma. Could this be the case with Adnan?

After the interview I call Adnan's lawyer. I let him know that I have decided to start a language analysis. Since this investigation takes a number of weeks, Adnan is put in the extended asylum procedure, which can last up to six months. Adnan shows up a few days later for the language analysis interview. In the meantime he has been to the hospital in Groningen, where he was told he needs a new heart valve. He looks extremely tired.

I explain to him that this language analysis is necessary for his application because I doubt his claimed origin. 'I will make a recording of your voice, and then experts will determine whether you can be traced to Syria', I explain. 'If you really are from Syria, this is your chance to demonstrate this.' Adnan asks why I have doubts about his story. He is displeased, he says. I start the recording. This interview has as its purpose to get as much of Adnan's speech on the tape as possible, so I try to choose topics he can speak freely about. But as the interview progresses, Adnan actually says less and less.

A few weeks later I receive the results of the language analysis. It states that Adnan's speech cannot be traced to Syria; he is probably an ethnic Palestinian from Jordan. I try to understand the consequences of this conclusion. It means that Adnan's asylum application will be rejected. I inform the lawyer of my intention to reject the application, and give him the opportunity to respond. The lawyer calls me shortly afterwards to ask for suspension. Adnan underwent heart surgery a few days earlier, he says. The surgery was successful, and Adnan is now recovering at the hospital. The lawyer is starting up a counter-investigation in the meantime, because Adnan does not agree with the results of the language analysis.

I find the report of the counter-investigation in my mailbox

a few weeks later. The conclusion is almost word by word the same as the previous investigation. 'The speaker is highly likely a Palestinian. His speech does not contain features that can be traced to Syria', it says. With the report comes a statement by the lawyer, who argues that the IND should start an investigation by the Medical Advice Bureau. Adnan is in need of intensive medical care, and the IND will have to figure out whether this is available in Syria.

I send my decision to Adnan's lawyer. It contains the definite rejection of the asylum application, and also a rejection of the request for medical advice. By phone I explain to Adnan's lawyer informally that Adnan will have to come up with a statement about his origins. Only then we can see into the availability of medical care. The lawyer promises to discuss this with his client.

A few weeks later Adnan's appeal against the IND decision is addressed in court. I'm not present, but I hear from our legal representation that Adnan sticks with his statement that he originates from Syria. The judge follows the IND's line of reasoning that Adnan's origin from Syria is not credible. The appeal is rejected.

I never saw Adnan again. This is somehow unsatisfactory: the question gnaws whether he might have qualified for a permit if he had told his real story. We know that Palestinians are stuck in poignant situations in Jordan, for example in refugee camps. Or maybe the medical advice would have concluded that the care he needs is unavailable in his country of origin. But in order to help him, we need his true story.

“She was easily upset”

“She was  
easily upset”

Annejet,  
*DT&V, supervisor at the  
freedom restricting location*

A few years ago I received a phone call from a psychiatric hospital in Deventer. They had a resident, Mrs. Guliyeva, who turned out to have no residence permit. I got to speak to the principal. ‘She’s unmanageable’, she said. ‘All treatment options are exhausted, and we get no more compensation for her. She does not speak any Dutch, and she’s penniless.’

A few days later I found her file on my desk. ‘Unapproachable’, I read. ‘Kicks, hits and bites. Was convicted for several criminal offences.’ It contained a long list of medications, none of which had had the desired effect. And to my surprise I saw a date of birth from the early forties. That would mean she were older than seventy. ‘Maybe a mistake’, it flashed through my mind. A few days later she sat at my desk. In real life she looked even older; I think I would have estimated her in her nineties.

‘Azerbaijan’ she answered to my question where she came from. That was a start. With the help of an interpreter by phone, I tried to have a conversation with her. But it was quite difficult. She screamed, and was easily upset. And she did not answer any of my questions. The interpreter quickly concluded this was of



no use. So I made a new appointment with a live interpreter.

In the meantime, I tried to figure out who I was dealing with. Because Mrs. Guliyeva was not referred to us by the IND, this took some effort. After a few phone calls, I learned that Mrs. Guliyeva and her husband came to the Netherlands in 1993 as invited refugees. Her husband returned to Azerbaijan ten years ago, after a number of criminal incidents. Mrs. Guliyeva had a criminal record as well, I was told, and the IND advised me to contact the police.

‘My husband is dead!’, Mrs. Guliyeva shouted the next time I spoke to her. I apologized. ‘I’m actually very rich’, she then said conspiratorially, ‘but then I became homeless. And then I lived in a room above a restaurant. And then suddenly all of my money was gone.’

I nodded friendly and didn’t know what to think. She mentioned she had some old age pension, from the years she still

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### **The freedom restricting location**

Foreign nationals who have to leave the Netherlands can be placed in a freedom restricting location (VBL). Residents of the VBL are imposed to a freedom restricting measure. This means that they must remain within the municipal boundary, and that they must report on weekdays. During the stay at the VBL, the foreign national is responsible for his departure from the Netherlands. The Repatriation and Departure Service (DT&V) will support him, but will not take over the responsibility.

had a residence permit. ‘Pensyona, pensyona!’ She kept saying. I can still hear her say it. Soon after it turned out that there really was a certain amount of money waiting for her at the Social Insurance Bank. They stalled it for her in lack for a bank account number.

It was not easy communicating with Mrs. Guliyeva. Both the interpreter and I have received quite a few insults. At first I thought I must be doing something wrong, so I made sure a colleague took care of her for the next appointment. But it made no difference. Mrs. Guliyeva remained, let’s put it this way, slightly aggressive. I got an e-mail from the police Amsterdam-Amstelland. ‘Mrs. Guliyeva! We remember her well’, I read in the mail. ‘We arrested her several times because of assaults. We still have some money she was carrying on her when she was arrested. We couldn’t find any sign that this money was obtained from illegal activities, it is for her to come and collect it.’ The police could also provide me with her expired Azerbaijani passport. Now, this is useful to me. I had them send me the passport and transfer the money. Afterwards the IOM, the International Organization for Migration, reported that they had traced a niece of Mrs. Guliyeva in Azerbaijan.

When we told all this good news to Mrs. Guliyeva, for the first time she reacted somewhat friendly. If her niece wanted to take her in, and if she could take her money with her, she explained, then she was willing to return to Azerbaijan. ‘Azerbaijan is a beautiful country’, she said emotionally. ‘We used to be a vast empire.’ Shortly afterwards we took Mrs. Guliyeva to the Azerbaijani embassy in The Hague. Normally someone has to go by himself, but since Mrs. Guliyeva was a bit older, I went with her. A second colleague came along to provide some care on our way there. And the driver. All in all quite a number of people.

During the presentation at the embassy Mrs. Guliyeva behaved well. She remained quiet, and politely answered all the questions. The embassy issued a laissez passer, a temporary document to cross the border of Azerbaijan. Excited about the

positive outcome, she suggested having a bite at the restaurant next-door. In one way or another Mrs. Guliyeva had the impression that she was already in Azerbaijan. And when it became clear that the restaurant was not Azerbaijani, she threw a fit after all. 'I only want Azerbaijani food', she cried. A desire that was obviously quite difficult to fulfil. We ended up eating an ice cream at the Italian until Mrs. Guliyeva calmed down.

Back on the freedom restricting location we called her niece. She told us she was ready to receive Mrs. Guliyeva. A room was made ready for her. The family and her husband were looking forward to her arrival. Her husband? But I thought he was dead? That turned out to be a misunderstanding. We booked a ticket to Baku, and less than a week later Mrs. Guliyeva departed with my colleague to Schiphol. She remained quiet on the flight to Baku. After arriving there, our colleague put her on a long journey by taxi through the mountains. Heading towards her hometown, where she was collected by her niece, husband and family.

One final problem remained: the money. Travelling with piles of banknotes seemed too heavy, and more importantly: too risky for an elderly lady. Mrs. Guliyeva had no bank account here, or there. We figured out how she could open one, and wrote a to-do list for her. Applying for a new ID-card, going to the bank, and so on. The action list was translated to Azeri and sent to the niece who solemnly promised to open the account.

A radio silence followed. Mrs. Guliyeva was obviously quite old, and we feared that she had deceased. I decided to give the niece one last call. Once she realised who was on the phone the well-known 'pensyona, pensyona' sounded in the background. Thank goodness, she was still alive! Shortly afterwards we received a bank account number to transfer the money to. I must say it took us some explanation. I think we had to write at least three explanations before we were allowed to transfer this considerable amount to a bank account in Azerbaijan. But in the end we could.

I will never forget Mrs. Guliyeva. She may have been diffi-

cult in the beginning, but once we got used to one another, the contact was always good. I hope she enjoys her old age pension now.

A high-angle photograph of a baptism in a swimming pool. A man with dark hair is being lowered into the water by two men in white robes. The water is bright blue and splashing around the man's head. The man being baptized is wearing a white t-shirt. The two men assisting him are also wearing white robes. The scene is captured from a high angle, looking down into the pool.

“Religion  
is very  
personal”

“Religion  
is very  
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Corinne,  
*IND, Asylum officer*

**A**s an asylum officer you are confronted with a wide variety of cases. In one case the outcome may be crystal-clear. But in another it can be much more difficult to come to a decision. Cases that are difficult are claimed converts; generally Muslims who have converted to Christianity.

In some countries it is downright dangerous to become a Christian. This applies, for instance, for Iran. In this conservative Islamic country converts have no life. They are seen as apostates, and run the risk of being arrested, or even of getting death penalty. But in an asylum application the question arises: is an applicant really a committed Christian, or is it just an opportunity to get a residence permit?

This thought crosses my mind when I find the file of the Iranian Amir Darab in my workload. Today I have to take a decision on his asylum request. This 26-year-old man has already gone through two asylum procedures - without success. Now he submitted a third application for asylum. New is that he claims to have converted to Christianity. Remarkably, since he indicated in his earlier procedures that he was a devout Muslim. So



why now this conversion? This question is central to the interview my colleague Jochem had with Amir.

I fix myself a cup of coffee and open the report. My colleague Jochem has interviewed quite profoundly, I see. The report of the interview has 26 pages. ‘The applicant first wishes to pray’, is written in the beginning. ‘I address myself to Jesus Christ. The file is in Your hands’, Amir prays. Then the interview

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### **Deciding over an application for asylum**

A foreign national can be granted asylum if he has made it plausible that he:

- Is persecuted in his country for reasons related to race, religion, nationality, political convictions or belonging to a certain social group.
- Is at risk of inhumane treatment such as torture in his own country.
- Has reasonable grounds for fearing that he will be the victim of random violence as the result of an armed conflict in his or her country of origin.
- Has a family member that recently obtained an asylum residence permit.

In order to make his asylum motives plausible, an applicant must declare consistently and coherently. Also, there cannot be any doubt as to his identity or his asylum motives. In case of doubt, the IND can start an investigation, such as an id-document investigation, a language analysis, or an age examination.

begins. ‘How come that in Iran you went to the mosque every day, while you were never convinced of the Islam?’, Jochem asks. Amir explains the situation in Iran: ‘Iran is a strict Islamic country. If I would not pray, my whole family could get in trouble. But I never really felt a Muslim at all. In the Netherlands, I can be who I really am. I am born again, and I have a new life. I consider my old life as buried. I do not talk about it anymore.’ ‘Do you understand that I want to ask a few questions about it? This is important to weigh your asylum application’, Jochem continues. Amir understands this, but he wants to explain something. ‘It’s not easy to choose a new religion, when you lived the first twenty-five years of your life with another one’, he says. ‘Yet I studied the Bible extensively, and I wilfully chose this religion.’

As the interview progresses, the conversation becomes more thorough. Amir’s beliefs are personal. He speaks elaborately about his introduction to the Christian faith, about the inner conflict he felt, and about the events that eventually made him decide to choose for this religion. Eventually Jochem asks Amir how he experienced the interview. ‘Very well’, says Amir. ‘I hope my answers will touch your heart.’

In this kind of interviews we elaborate on the Christian faith and the conversion. The questions we ask are related to three themes: the process of conversion, the content of the Christian faith, and how someone intends to deal with his faith if he were to return to his country of origin. The latter is not unimportant. Many converts indicate that they want to evangelize, even if this comes with great risks in their homeland. Also for Amir this seems the case. After his confession, he contacted his uncle in the Netherlands, to talk about his conversion. The uncle was furious. He directly ended all contact, and also ordered the rest of his family never to contact Amir again.

When asked why he informed his uncle about the conversion, Amir replied: ‘In Iran, I lived with a dark heart. I was in darkness. But now that I have my faith in Jesus Christ, I have a new life that is full of meaning. My deepest wish is that every-

ne, including my family, may be enlightened in the same way.'

I put the report of the interview away and get myself another cup of coffee. I have to think. The difficulty in this type of cases is that religion is very personal. Every person is different, and every convert can give a different meaning to his faith. Nevertheless it is reasonable to expect that a convert can tell convincingly about his process of conversion.

It often happens that we receive letters from pastors and other clergy in cases like this. They write to us stating that the conversion is sincere. Or that someone goes to church every week, that he volunteers in the church, or that he goes to catechism. Those letters are written with the best intentions, but they do not always start from the truth. We involve these kinds of letters in the decision taking, but never as a decisive factor.

I decide to walk to my colleague Jochem asking what he thinks of the case. We soon agree: Amir declared convincingly about his conversion, and he demonstrated a broad knowledge of the Bible and the Christian faith. The story of Amir is therefore plausible, and he gets an asylum permit.

On Good Friday I send the decision with the good news to his lawyer. I am convinced he will notice the remarkable date of the letter.

“What do  
you want for  
your future?”



“What do  
you want for  
your future?”

Wessel,  
*DT&V, supervisor at the  
freedom restricting location*

Ali, a young man of 27 years, is the first in the group to say something. He wants to start a business in solar panels in his home country, Iraq. I nod interestedly, and ask him what he needs. An office space? Investors? What has he already carried out himself to realize this plan? Ali replies that he wants to attend a four-year ICT curriculum at the University of Delft. I explain this is not an option. Ali does not have a residence permit in the Netherlands, so he is not allowed to study at the university. I explain to him that we can see whether there is a suitable course in Iraq. Or that he could maybe follow a short internship in the Netherlands.

Ali is part of a group meeting that I have organized. He is one of 23 Iraqis who have been placed at our location after the tent camp in Ter Apel was cleared. There were a total of four tent camps. The first camp was formed in December 2011. The vast majority of residents were asylum seekers, protesting against their rejection. The occupants of the tent camp in Ter Apel received an offer from the Minister to submit a repeated asylum application, called HASA. This meant that their asylum case was reopened by the IND. Most of the group received a new rejection



a few weeks later. Part of the group then moved on to our location.

Foreign nationals who stay at our freedom restricting location, have to leave the country. They must report every day, and stay within the municipality. There are no further restrictions, no fences around our location. Everyone can get on and off the site. As for myself, I am a supervisor here, and that can be taken very literally. Our task at the DT&V is to motivate people to return. In every return case a whole range of organizations cooperate, and I supervise.

It was a tough group, the 23 single Iraqi men and women from the camp. You already know that they are willing to go the media. In the beginning, the communication was tense. The group had received much media attention when they were protesting in the tent camp, and they had received an offer from the Ministry to submit a repeated asylum application. You could tell

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### **Repeated Asylum applications (HASA)**

It occurs that rejected asylum seekers submit a repeated asylum application. In a repeated asylum application it is important that there is a novelty: a new fact or a new circumstance, which in itself is reason for the new application, or which sheds new light on the previous application. A novelty can also be new information, such as events or changes in the homeland, which occurred after the decision on the previous asylum application. A policy change can also be a novelty, or a court decision which has relevance for the asylum case.

that they had high hopes to receive a permit this time. When most of them received a negative decision from the IND again, this caused for anger and disappointment.

We decided for group meetings. With the benefit of hindsight, this was risky. But the group consisted largely of young people with future perspectives. Most of them had diplomas, or a profession. It seemed logical to put them together and ask them: 'What do you want for your future?'

At first I received rather technical questions, such as: can you remove my fingerprints from Eurodac? Eurodac is the system that stores the fingerprints of asylum seekers. In the files of the tent camp residents I read that several of them had tried to seek asylum in another country. What happens next is that Eurodac recognizes the fingerprints and a procedure is started for return to the Netherlands. I explained to the group that I cannot change the rules, and that I also cannot take fingerprints out of systems either. 'Can we find a solution?', I asked. 'Would anyone want to start a business? Or find a job in Iraq? I can see if I can help you with that.'

A young woman said she wanted to start a nail salon. A man, Tariq, said he had previously been a barber and hairdresser in Iraq. And that he considered starting his own barber shop if he were to return. It suddenly became a pleasant conversation. I said, 'Now tell me, Tariq, what do you need? A few wash-bowls, a team of pretty hairdressers?' Everyone laughed. 'Pretty hairdressers? No, in Iraq only men cut hair.' Now I had to laugh. 'Well, since you have been here now', I said. 'maybe you can bring something from our culture. At Tariq's salon you are cut and shaved by ladies!' Apparently the whole group found that amusing, for everyone was hitting each other's shoulders with laughter.

Now, this is what you want to happen in a group meeting. That a dynamic is created that makes everyone realize that his future is not here. At the same time it has to be fun to think about what you want to make of your life.

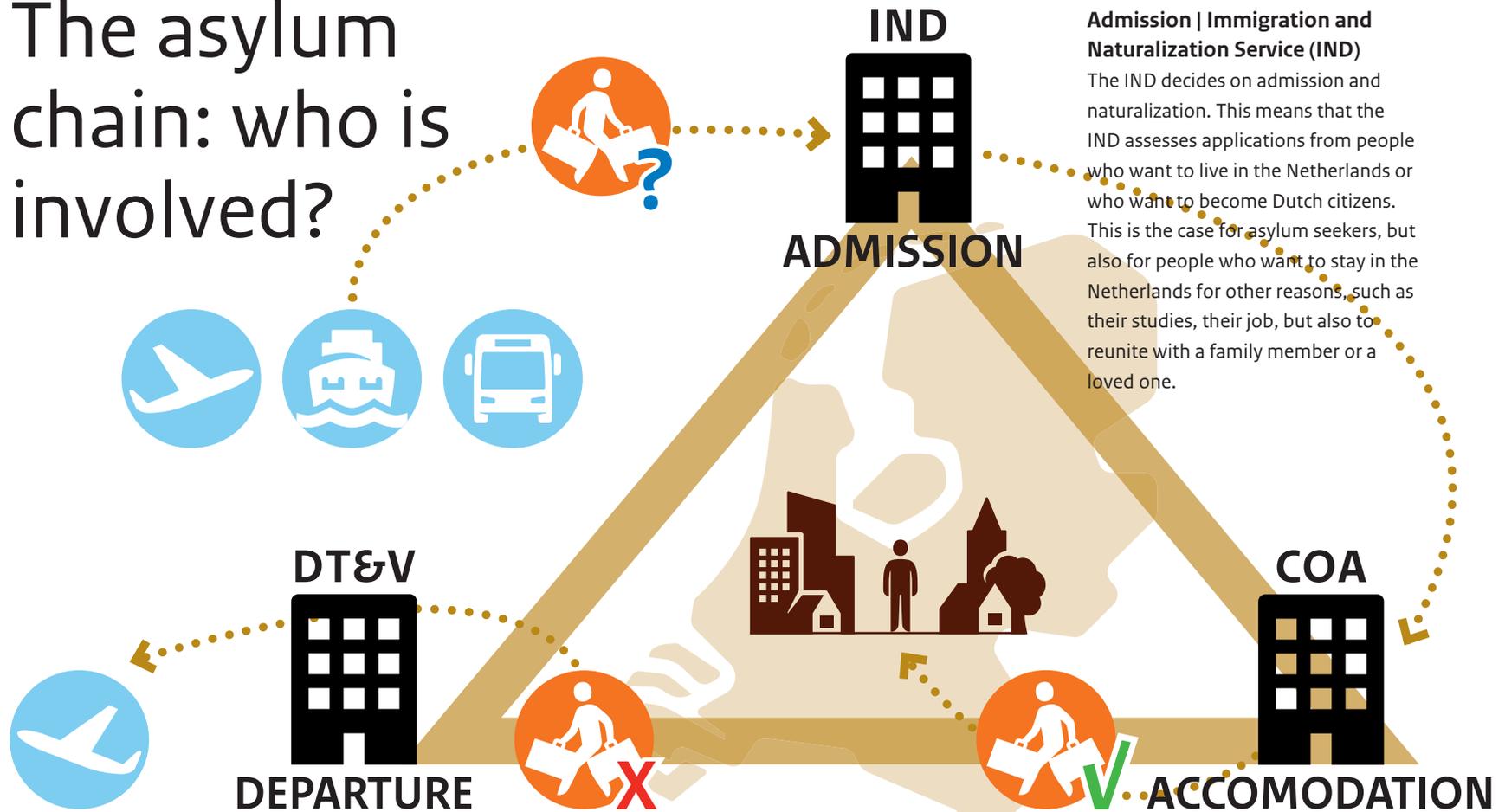
In the end, nobody from this group actually returned. It

remained a difficult group. They seemed well aware of the rules. They knew that they could stay in our location up to a maximum of twelve weeks. They said: 'Twelve weeks have passed today, am I free again now?' They are right, of course, but somewhere in the back of my mind I think: 'If you know the rules so well, why are you still here?'

Eventually we had to terminate the facilities for this group. To stay in our location you have to sign a statement that you will actively work on your return to your homeland. Many Iraqis said: 'If you arrange it, I'll go back.' But we know an active attitude is required for return.

Most of the 23 Iraqis left for an unknown destination. Sometimes we see one of them in the news, for example in the Refugee Church or the Refugee Garage in Amsterdam. A few of them have received a residence permit, or have returned to Iraq. Sometimes I wonder if Ali has now started his business in solar panels.

# The asylum chain: who is involved?



**Departure | Repatriation and Departure Service (DT&V)**  
 The DT&V coordinates the departure of foreign nationals who do not have the right to stay in the Netherlands. This can be the case for asylum seekers, but also for other foreign nationals who have no residence permit. The DT&V strives for voluntary return. The DT&V focuses on departure from the Netherlands that is carried out carefully, with dignity and an time.

**Admission | Immigration and Naturalization Service (IND)**  
 The IND decides on admission and naturalization. This means that the IND assesses applications from people who want to live in the Netherlands or who want to become Dutch citizens. This is the case for asylum seekers, but also for people who want to stay in the Netherlands for other reasons, such as their studies, their job, but also to reunite with a family member or a loved one.

**Reception | Central Agency for the Reception of Asylum Seekers (COA)**  
 The COA provides accommodation and support for asylum seekers during the asylum procedure. The COA guarantees safe housing for asylum seekers, and provides them with means of existence. The COA also offers several programs to assist them during their stay at the asylum seekers' centre. Furthermore the COA guides admitted asylum seekers in their transition to society.



“Violators  
and  
victims”

“210T6loiv”  
bn6  
“2mitciv”

Daniel,  
*IND, Asylum officer,  
at the Unit 1F*

**I**n my workload I find a new case. It is Farhad, an Afghan man, married and father of two sons. I read his dossier, especially the two asylum interviews. It states that Farhad was a lieutenant at the KhAD, later known as WAD. For me it is crystal-clear what this case is about: the KhAD/WAD used to be the Afghan secret service under the communist regime from the late seventies to the early nineties. Over the past fifteen years, our unit has seen more than four hundred similar cases.

At the KhAD/WAD human rights were violated on a large scale. By many officials, and with certainty by staff in the higher ranks. But that is today's knowledge. As an employee in the 1F unit, which deals with international crimes, it is sometimes odd to see what we accepted back in the nineties. In a war it is a thin line between violators and victims of war crimes. But back then it was hardly possible to reject an asylum application because of war crimes, simply because we had too little information at our disposal to convince the court. Today this is completely different. We have ample information on risk signals for each country. Employees throughout the organisation are increasingly alert to the 1F article, and each year there is a slight



increase of the number of cases processed by our unit.

This awareness of war crimes has gradually come about. In 1997, Vrij Nederland magazine published an article with the headline: it is packed with Afghan war criminals here. Investigative journalist Jos Slats wrote in this article: ‘... agents of the secret service (the dreaded KhAD) effortlessly found shelter in the Netherlands as political refugees.’ The file in front of me, is one of them, Farhad.

Farhad was granted asylum in the nineties based on his statement that he belonged to the old regime. After the Mujahedeen took power in 1992, Afghanistan was no longer safe for members of the old regime. In his asylum interviews Farhad told quite candidly about his past with the KhAD/WAD. When asked if he took part in the torture, he replied in the affirmative. And added that ‘within the KhAD/WAD there was no other way to build a career.’

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#### **Article 1F**

‘The provisions of the Geneva Convention do not apply to persons with respect to whom there are serious reasons to assume that:

- He committed a crime against peace, a war crime or a crime against humanity;
- He committed a serious non-political crime outside the country of refuge prior to his admission as a refugee;
- He has been guilty of acts that are contrary to the purposes and principles of the United Nations ‘.

After the article in Vrij Nederland magazine, an investigation was started by Foreign Affairs after the security services in Afghanistan. This led to a clear conclusion: at the KhAD/WAD human rights were violated, with certainty by staff with the rank of sergeant and higher. The Ministry of Justice gave orders to withdraw asylum permits of all Afghan asylum seekers who had stated that they worked for the KhAD/WAD from the rank of sergeant. Article 1F, would be the cause of the withdrawal, of course only if our analysis showed that this was applicable in their personal file.

Farhad appears right on time for his 1F interview. He is an amiable man. Intelligent, neatly dressed, and he speaks excellent Dutch. He brought a lawyer with him. He gives a firm handshake, and we all laugh at a joke he makes. I invite everyone to sit down, and explain the procedure. A few weeks before he received my letter of intention to withdraw his asylum permit. Farhad says this news was incredibly distressing for his family. ‘My children will grow up without their father’, he says.

I nod. A few years back the policy was different. Then, it often happened that the whole family had to return with a 1F suspicion. Today, the rules are different. The wife and children of Farhad can stay in the Netherlands, but they will undeniably have to miss their father and husband soon.

‘I worked eleven years at the KhAD/WAD’, says Farhad, ‘but I never saw any torture. Also I have not participated. I was only the mailman.’ I show him passages from his asylum interview in which he admitted to having tortured, but he says he cannot remember. His lawyer hands over a letter. It is a statement of an Afghan organization in which Farhad is pleaded unguilty of war crimes. We have seen this letter many times before. The statements are not supported by research. I know from experience that the judge will not outweigh this letter over the investigation of Foreign Affairs.

All the cases that we reject because of the 1F ground are transferred to Public Prosecution. It is then up to them to assess whether sufficient evidence is available to proceed to prosecu-

tion. This is not the case for Farhad, I expect, although I do not say that out loud. Over the past years only a small number of KhAD/WAD leaders have been prosecuted by Public Prosecution.

A few weeks after the interview, Farhad draws media attention to his case. He turns out to be a beloved volunteer at the local library, and his eviction arouses anger in the neighbourhood. A small demonstration is held in his hometown. A video of his sons speaking about their grief is shared on social media. Farhad also makes himself heard. In a letter to a newspaper his lawyer argues that he is very dissatisfied with the treatment of the IND. After fifteen years of being seen as a refugee, he is now suddenly a criminal, based on exactly the same data, without further explanation. Even though he submitted a statement from Afghanistan showing that he is innocent. And besides, the Public Prosecutor decided not to prosecute him.

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### **Different burden of proof**

In regular asylum cases, the applicant must demonstrate that he is entitled to asylum. But this burden of proof shifts to the IND in 1F cases. In a 1F case, the IND has to substantiate that there are serious reasons to assume the applicant was involved in human rights violations. The 1F decision is then submitted to the immigration judge who decides whether the IND decision is sufficiently motivated. All cases in which the IND raises article 1F, are also transferred to the Public Prosecutor. But not in all cases the Public Prosecutor decides to proceed to prosecution. This is because the Public Prosecutor has to prove that the foreign national is responsible for committing a crime under Article 1F. The IND can suffice with the objection that there are serious reasons to assume that.

In asylum cases you never know what happened. The 1F suspects deny almost without exception. Yet I did interview suspects who were later convicted by the Public Prosecutor. I can vividly remember a man who denied every accusation. But later it turned out that he had compiled death lists for years at the KhAD. He signed these lists with the same signature as he used until today.

For my work I've read a lot about what happened at the KhAD/WAD. The number of people who "disappeared" from the prisons of the KhAD/WAD is estimated in the thousands. The investigation of Foreign Affairs shows how the service was organized, and how it worked. The list of torture methods has made a deep impression on me. The torture at KhAD/WAD, often until death followed, belongs to the most gruesome in history.

In Afghanistan an amnesty has been proclaimed for war crimes committed under the communist regime. That somehow seems odd to me. But I decided it makes no difference, since it does not mean that no war crimes were committed there. The Refugee Convention is very explicit about this: asylum is for the victims, not for the violators of war crimes.

“I did not  
know what  
to believe”



“I don't know what to believe”

Lea,

*DT&V, supervisor at the intensive support location*

I have to look twice when I walk into the visiting room of the penitentiary. Is this the same Mr. Tumturk I spoke to years ago?

Yes, it's really him. A few years back I was the supervisor of his departure to Mongolia. His asylum application was rejected shortly beforehand, because of a murder he committed in Mongolia. Mr. Tumturk was then a man in the prime of his life. In his early forties, brawny, fully convinced that injustice was done to him. The murder that was blamed on him in Mongolia, was a conspiracy, he explained to me. Someone issued false statements about him, and had furtively gotten his fingerprints on the weapon. He was sentenced to ten years in prison. By default, because he had already left the country and fled to the Netherlands. To his disappointment, the same murder was used against him in his asylum application.

I remember listening to his story with wonder. He spoke ardently and with conviction that he simply couldn't be the one who had committed this murder. He happened to belong to an ethnic minority that was put in prison rather easily by the authorities, he said. And I must admit, I did not know what to believe.



ve. I was curious as to what would come out of the appeal against his asylum rejection. Quite exceptionally Mr. Tumturk had gotten permission from the judge to await the court's decision in the Netherlands. In the meantime, he was obviously not cooperating in his return to Mongolia. He had burned his papers, he told me with a grin, and several times he didn't show up for appointments we had made to get his return documents in order.

Now, years later, his name suddenly pops up in my planning. I make an appointment with him in the prison in which he is detained. Also here he got convicted in the meantime. With a serious offense. Not a murder, but an attempted homicide. In fact, he has a whole range of offenses to his name; fights, assaults, even a stabbing incident. I have to admit, this changed my perspective on his stories of the past. A few months from now he will be released, I read, and then he will have to return to his country of origin. A grave offense like his automatically leads to a so-called heavy travel ban, better known as the declaration of undesirability. This causes that he has no right to shelter or any other facilities in the Netherlands. Forced return is not possible to Mongolia, I know, because this country only takes back citizens who return voluntarily. So my task at hand is to convince Mr. Tumturk to return voluntarily to Mongolia after his release from prison.

Mr. Tumturk and his attendant are waiting for me in the waiting room. He has grown incredibly old in the past years. His eyes, which were full of fire at the time, are now gazing forlornly. He has lost all of his hair. And his face is covered in a grey beard. Hans, his psychologist, explains to me that Mr. Tumturk was diagnosed with post-traumatic stress disorder, a personality disorder, and substance abuse. In addition, he suffers from hallucinations, which are suppressed by medication. He behaves well in the penitentiary. As long as he takes his medication, he does not cause for any problems.

'I would actually rather stay in prison', says Mr. Tumturk, when I ask him about his opinion. He likes it better here than in

the asylum seekers' centre, he says. 'There I got in trouble all the time, but here it is calmer.' Hans agrees that Mr. Tumturk is very solitary, and that it is clearly better for him to have his own place. I raise the charged issue of returning to Mongolia. 'What do you think about that?', I ask. 'There's no way I'm not going back to Mongolia', Mr. Tumturk says resolutely. 'I'd immediately go to jail. I'd rather sleep under the bridge.' 'That seems a more than a clear answer to me', the psychologist says. I ask him whether he has any family he could turn to. 'In Mongolia, or perhaps in another country?' 'My sister lives in Zoetermeer', he says. 'But I'm not welcome. And I have a cousin in Uzbekistan, but I haven't spoken to him in years.'

The psychologist takes me aside afterwards. 'It is of paramount importance that Mr. Tumturk's treatment is continued', he explains to me. 'He had severe mood swings when he first came here, which may also have caused the violent behaviour. He must remain under treatment after his release. I can write a statement of medical necessity.' I promise him to do my best, but I know it will be difficult because of the declaration of undesirability.

I contact the COA to see whether they can have Mr. Tumturk. Soon afterwards I'm called back by the manager of the location where Tumturk has stayed before. He is very resolute: 'Mr. Tumturk is not welcome. As a matter of fact, in no COA location. He was banned complete from all COA locations after several fights and a stabbing incident. He actually expressed several threats to residents of our location. The message that he will soon be released, is reason for us to increase our security.'

COA advises me to opt for a forced eviction. But that's impossible to Mongolia. And Mr. Tumturk has made it quite clear that voluntary repatriation is not going to happen. I contact the Uzbek embassy if they can trace Mr. Tumturk's cousin. But they also respond with a rejection. Mr. Tumturk's family has shown no intention to help, and they do not desire any contact. The cousin confirmed that Mr. Tumturk has the Mongol nationality, but also added that the identity he claimed isn't entirely

correct. Yet the cousin will not declare his real name.

A general feeling of powerlessness takes possession of me. My list of options decreases rapidly. The last thing I can try is to have the undesirability declaration annulled, so that he does not have to disappear into illegality after his release. I can do that myself by writing a proposal to the IND, but I know it won't be granted because of the gravity of the offenses he committed.

I make a new appointment with Mr. Tumturk to convince him to file his own request for the annulment of his undesirability declaration, so he can at least remain in treatment. However, I will first have to estimate his attitude towards the treatment. And in the meantime, I can see if his attitude towards voluntary return changed.

Mr. Tumturk is waiting for me in the waiting room. He seems more relaxed than with his attendant there. 'A few days from now I'll be a free man', he says. He evidently looks forward to his release. Some mates of him have a room in Amsterdam, he tells me, and he can stay there for a while. 'And what about your treatment?', I ask. 'Will you continue it?' 'So now you start nagging about this as well?', he says. 'It is important that your treatment is continued', I tell him. He laughs. 'I really don't need pills. I was always fine without them', he says. 'And I'll continue to be fine. I heard that I can submit for a new asylum application. If I use a different name and a different story, I'll get asylum and everything is solved.' I explain to him that his fingerprints will uncover him. 'Then I'll go to Germany', he says. 'The same will happen there', I say. 'They also take your fingerprints.' But I can tell that I've lost his focus. Mr. Tumturk is leaving. He gives me a firm handshake, and I hand him my card. 'Should you ever decide to return to Mongolia, we can always assist you', I say.

I have never seen Mr. Tumturk again. It came to me that he did show up in Ter Apel claiming that he wanted to make an appointment to submit a repeated asylum application. But he did not appear. No one has heard from him since.

A person wearing a green and blue puffer jacket and dark pants is captured in the middle of kicking a black and white soccer ball. The scene is set in a park or wooded area during autumn, with the ground covered in a thick layer of fallen brown and orange leaves. Several tree trunks are visible in the background. The lighting is bright, suggesting a sunny day.

“During an activity you have wonderful chitchats”

“During an  
activity  
you have  
wonderful  
chitchats”



Merel,

*COA, employee*

*unaccompanied minor campus*

**O**n the day Obi arrived in Oude Pekela, a hot August day, I happened to host a horseback riding activity. Obi was sixteen. He had lived in Oisterwijk the three months before. He kept following me with stories about Oisterwijk. He told me how good it was there, and showed me pictures and videos on his phone. He also sat on a horse, which he loved.

I never ask for anyone’s asylum motives, but I always listen if one of my kids wants to talk. Boys and girls like Obi, known as unaccompanied minors (amv’s), are vulnerable. They’re in a difficult age. They are detached from home and family. Often a family member was killed, or they experienced terrible things on their way to the Netherlands. Human traffickers pressure them over an outstanding debt. Their parents have high expectations that they will make it here. They somehow have to live with all of this.

Obi indicated that he slept badly during the first week at our location, and that he suffered from flashbacks. He missed his friends in Oisterwijk, and the daily life there. He did go to school, and drank heaps of energy drinks to stay awake. Like the

others Obi was assigned a mentor during his stay on our campus. With his mentor he could discuss how everything was going, what were his wishes for the future, and which skills he wanted to work on. With as its ultimate goal: being independent at eighteen, at an asylum seekers' centre, in his own room, or back in Uganda.

For Obi it was of primary importance to restore his biorhythm. We started with intensive workouts; fitness and football, causing him to be tired in the evening. Then he had to somehow start feeling at home at the campus. To achieve this, we had him participate in group activities, such as playing games in the living room, building small gardens, or cooking together. We always ask our youngsters what they would choose to do. Obi liked painting and drawing, so we organized this a bit more often.

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### **Unaccompanied Minors (amv's)**

An unaccompanied minor is under 18 upon arrival in the Netherlands, and is without a parent or guardian. The asylum procedure for an unaccompanied minor is in some respects different. For example, unaccompanied minors are assigned a guardian until they are 18, and can be placed in a foster home. Asylum applications by unaccompanied minors are processed by specialized staff of the IND. Interviews with the youngest children (6 to 12 years) are held in special child-friendly hearing rooms, where toys are provided. Unaccompanied minors like all other children have compulsory education in the Netherlands.

I love doing activities with the boys. My favourite activity in Obi's time was horseback riding with the group. It was an outing which explained a lot about all the cultures in our campus. And it brightened up even the most sombre child. Every activity I do with an educational perspective. Is anyone left outside of the group? Is everyone participating? Can everyone cope with disappointment? During an activity, you have wonderful chitchats. Afterwards I also achieve more in the formal talks I have with the kids. The bond gets closer, and I can name things that I've seen during the activities.

We watch over our kids twenty-four seven, but the intensity varies by group and individual. Some kids get by by themselves. They're independent, and we see them once a month for a formal talk. Others are observed intensively, for example someone who is psychotic, or who displays unusual behaviour. We keep a close eye on all of our minors. Are there any signs of human smuggling or trafficking? Any suspicious signal whatsoever, we report to the Expertise Centre on Human Trafficking and Migrant Smuggling, so that measures can be taken if necessary.

When Obi lived here, we had 25 boys from different countries, most of their asylum applications were rejected and their attitude was very negative. There was little closeness among these children. That required a lot more guidance than the current group of 60 Syrians on our campus: everyone an asylum status, few returns, little interaction between cultures, and little alcohol consumption. These kids have never seen a counsellor.

Obi was always friendly; polite and with a smile on his face. I always admired him, not in the last because he went to school every day. Already in the first three months in the Netherlands he received the news from the IND that he had to return to Uganda. Many young people then mess up at school, they stop cleaning themselves, they wilfully turn around their biorhythm, or they start drinking. They seem to think: 'What have I got to lose?' Not Obi. He remained friendly, and always followed the house rules.

What I sometimes found difficult about Obi, was his poker face. He spoke little about his problems. Not even when a boy from his group had a fatal accident. Obi had spent a lot of time with him. He did go away to friends in Drachten for a few days, but he remained emotionless, always had the same facial expression. I thought: 'Please! Become angry, start crying, do something!' In the end he saw a psychologist, but only because we insisted. There was nothing I could do for him than just be there for him.

Obi needed more contact than others. He often came to me for a chat. He was the type of boy who needed a hug sometimes. It is sometimes difficult that it cannot give him one. But I can give my kids attention in other ways. I always make clear to them that they are all important. I wake them up in the morning before school. I know their school grades. I know when they see the doctor, and I help them with their cleaning. Just like a parent would.

Last year in May there was a high influx of Eritreans, and Obi, almost 18 years old, had to move to the regular asylum seekers' centre in Utrecht. Most of his friends went to the unaccompanied minor campus in Drachten. Obi however decided to enrol in the international school in Utrecht. In the centre in Utrecht he was suddenly quite alone. You could tell this troubled him. He was one of the few in his age group, he told me on the phone. He missed cooking together, the games, hanging out with his friends.

Some kids from Obi's group were given a residency status, others weren't. Every once in a while one of my youngster calls to tell how he is doing. This year Obi quite unexpectedly got a residence permit - on psychological grounds. Boys who receive a permit usually start looking for independent accommodation, but Obi preferred to live with a family. He now lives with a family with four children in Utrecht. I think this is a perfect place for him. I can picture him there vividly. On the couch with a father, a mother, his brothers and his big smile.



“How do  
you protect  
a girl  
against her  
brother?”

“How do you  
argue against her  
brother?”



Paula,  
*IND, Asylum officer,  
gender-related issues,*

Since 2004 I work as an employee gender-related issues. When honour killings, forced marriages, domestic violence, or human trafficking play a role in an IND file, the dossier lands on my desk. Therefore I quite regularly have to deal with cases that are –to put it mildly – saddeening, or sometimes downright horrible. This applied to the case of the 17-year-old Nadiya Arash from Iran. Nadiya had lived in the Netherlands for years, with her mother and four siblings.

So far so normal, you might think, but the family struggled with a considerable problem: the eldest brother. Nadiya’s eldest brother, Abdel, did not live with the rest of the family. This was not without reason: he had quite a lot to answer for. While reading the file shivers went down my spine. He was convicted of murder, manslaughter, demolition, and threat. For this reason he never received a residence permit. But because of the situation in Iran, it was impossible to send him back. Abdel was feared throughout the family. He repeatedly threatened to kill his cousin, when he wanted to marry a Dutch woman. For Abdel this was unacceptable and he was willing to go far to prevent for such a thing to happen.

Abdel was obviously not pleased with Nadiya having her life on track in the Netherlands. In his eyes she was drifting further and further away from his ideas. After the death of their father Abdel immediately took over the father role. And shortly after his arrival in the Netherlands, he forced his eldest sister to marry against her will. Afterwards he had the same in mind for Nadiya. But Nadiya had no desire for her brother to take over her life. She had her own wishes for the future. A future in which her Iranian boyfriend living in the Netherlands played an important role.

When Abdel discovered that his sister had a boyfriend, he was fuming. Under threat of an axe he forced Nadiya to end her relationship. For Nadiya it became evident that she and her boyfriend would never be safe with her brother around. So once she got the chance, she travelled with her boyfriend to Spain, where they both applied for asylum. A hopeless enterprise, I know, because the both of them had a residence permit in the Netherlands, and would definitely be sent back.

One day, I received a phone call from the Public Prosecutor. She was happy to have me on the phone because she did not know how to solve this case. She had spoken to the National Expertise Centre of Honour-based Violence from the police, who assessed the situation of Nadiya as highly threatening. The Public Prosecutor told me that Spain, as I expected, intended to declare the asylum request inadmissible. Spain wanted to return the young couple to the Netherlands as soon as possible. And that was the problem for the Prosecutor: Nadiya's safety couldn't be guaranteed in the Netherlands. The only safe option seemed to place Nadiya in a Women's Shelter, but that was obviously only a temporary solution. After all, you cannot lock a young girl permanently to protect her from her violent brother. Besides that, it was clear that Abdel was not going to leave his sister alone. When he discovered she was staying in Spain, he followed her directly. Luckily Nadiya could escape from him on time.

I realized that I couldn't solve this case on my own. I deci-

ded to invite all parties to find a solution. This would be difficult, yet this was precisely what pushes me in my work. My ambition is always to find the best possible solution for the most disadvantaged party. It was frustrating and also difficult to explain that the cause of the problem – Nadiya's brother – couldn't be dealt with by us. Unfortunately, this had to do with criminal law. Abdel served his sentence, and committed no new offenses severe enough to put him in jail for long.

Shortly afterwards we discussed the matter with the police, Public Prosecution, the IND directorates Naturalization and Asylum, the Spanish authorities, and the other organisations involved. The Naturalisation Directorate suggested that Nadiya qualifies for naturalization. Everyone soon agreed that this was a solution. It would help Nadiya's move freely. And it enabled her to stay away from her brother on her own.

That very afternoon I contacted Nadiya's mother. The quickest solution was if she submitted an application for naturalization, with the request to include Nadiya. That request came in only a few days later, and was processed with the highest priority.

On an early spring day a letter fell on the doormat of Nadiya and her now-husband. Nadiya became a Dutch citizen and got a Dutch passport. A new future lied ahead of her. The last I heard from Nadiya is that she now has two sons. And Abdel? She has not heard from him for years.

“Trust is essential”



זי תזמ"ת  
"לסיינא

Peter,

*DT&V, supervisor at the  
intensive support location*

**A**s a supervisor of DT&V you meet people from all walks of life. Of course every individual and every story is special, but some people stick on your mind more than others. Mrs. Qoreshi is one of them.

I remember her very well. It all started with a call from Schiphol. The Iraqi Mrs. Qoreshi was on her way to the foreign nationals return centre at Schiphol airport. Mrs. Qoreshi would take a flight to Finland, because this country was responsible for her asylum application. We call this a Dublin claim. Mrs. Qoreshi, however, had appealed against her Dublin claim, since she didn't want to go back to Finland. And had also filed a request to wait for the outcome of the appeal in the Netherlands. Quite unexpectedly, on her way to Schiphol Mrs. Qoreshi received a call that the court had given her permission to await the decision over her appeal in the Netherlands. Mrs. Qoreshi was thus entitled to stay in the Netherlands temporarily.

Mrs. Qoreshi was not your average lady. She had difficulty walking, she had a heart condition, and many other physical complaints. She also had psychiatric problems; she could panic quite heavily, and had anger management issues. She could not



stay in a regular asylum seekers' centre. She had been in one for a while, but the staff couldn't handle her constant orders, and the continuous risk of her bursting into anger: 'You should do this for me, or else ...', she threatened often. Eventually it was decided that she could not stay there, so after the court's decision, Mrs. Qoreshi was taken to our intensive support location.

The contact with residents of the intensive support location requires a different approach than with residents of regular locations. You never know what to expect. You never know which direction the conversation will go. Interaction can vary from day to day. My contact with Mrs. Qoreshi would be a good example of that.

During the first interview she told me in a conspiratorial voice how she had managed to escape Pakistan with the help of a KLM pilot. To break the ice, I talked with her for a while about her past. Then I turned the conversation to her departure to

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### **Dublin claims**

In Europe, there is an agreement that the first country where a foreign national is registered is responsible for his asylum application. These agreements are written down in the Dublin Regulation. Sometimes it turns out at arrival in the Netherlands, that another country has already registered fingerprints of an applicant, or that it has issued a visa for this person. If the suspicion arises that another country is responsible for the asylum application, a Dublin procedure is started. The IND then examines whether the other country is responsible for the asylum application. If this is indeed the case, a request is placed with the responsible country to take back the asylum seeker. This is called a Dublin claim.

Finland. Her daughter lived in Finland, and had recently come to the Netherlands to talk about the transfer. That had been a pleasant conversation: the daughter clearly had some authority over her. And although she did not want complete responsibility for her mother in Finland, she did want to support her. This gave Mrs. Qoreshi confidence, and she agreed to leave for Finland.

But now Mrs. Qoreshi suddenly had a different attitude towards leaving. 'There is no way I am going to Finland', she said. Meanwhile, it got harder and harder to take care of her, because of her panic attacks. And to make things worse Mrs. Qoreshi had decided she needed a mobility scooter. They came with higher status among the elderly residents of our location. But a mobility scooter was not medically necessary in her situation, so she did not qualify. That gave cause for new problems with Ms Qoreshi.

This could not continue much longer. To get out of the impasse, we held a broad meeting. COA, DT&V and the healthcare institutions came together to discuss the situation around Mrs. Qoreshi, and seek a solution. We decided to start an intensive teamwork and involve her daughter. We arranged a permanent interpreter with whom she had a good click. We work only sporadically with live interpreters, but we noticed that talks with Mrs. Qoreshi went much better if a live interpreter was present. During every meeting with Mrs. Qoreshi we included her family in Finland by phone.

The appeal filed against Mrs. Qoreshi's Dublin claim was soon afterwards rejected by the court. Her departure from Finland could now officially take place. Because I visited her regularly, we had a good understanding, so it seemed most logical that I would assist her. Trust is essential in cases like this. We arranged everything for her. And right before departure Mrs. Qoreshi suddenly wanted to take a certain carpet with her to Finland. Why not?, I thought, and I told her I'd arrange it for her. But that was not as easy as I thought: the airline refused to take the carpet, because it was too long. Lucky for me, it soon

appeared that someone had typed a zero too much. So the carpet could come along, what a relief.

On a rainy morning Mrs. Qoreshi, a nurse and two employees of the Border police, flew to Finland. After the transfer to the Finnish authorities, I got an email from her daughter. All was well, and she thanked me for my care. That was the best compliment she could possibly give me.



“False hope,  
but hope”

“False hope,  
but hope”

Xander,

*IND, Asylum officer at the  
foreign nationals return  
location*

A few weeks back we had meeting. We spoke about the return of Yassim Zaid, a man who appeared on our planning for return to Egypt for the fourth time. The first three attempts had failed. So now we drew up a meeting with all the organizations involved to increase our chances of success.

Here on the foreign nationals' brigade at Schiphol Airport the Royal Border police is responsible for the return of rejected asylum seekers and illegal immigrants. Some leave voluntarily, some involuntarily. The DT&V and Border police have been cooperating intensively for years. And since returnees started making increasing use of so-called last-minute requests for a residence permit, the IND is now also present at this location. This enables us to cooperate closer in return procedures.

Victor, the supervisor of the DT&V opens the meeting and gives a brief introduction. 'Yassim Zaid has been in the Netherlands for at least six years. How long exactly is unknown, because the first years he worked in a bakery without a residence permit. When he was arrested during a labour inspection, he applied for asylum claiming to have converted to Christianity.



This application was rejected because it was deemed implausible. He filed an appeal and later a higher appeal against this decision', says Victor.

When the higher appeal was declared unfounded, it became final that Yassim had to return to Egypt. Victor made agreements with Yassim about voluntary return. 'But on the stairs to the plane he changed his mind', Victor says. Willem from the Border police escorted Yassim to the plane last time. 'Mr. Zaid had made up his mind', Willem says. 'He seemed calm and approachable, yet adamant. I insisted: are you sure you are not leaving? You will eventually have to return home. Your family is waiting for you. It's better for everyone if you leave voluntarily.' But Yassim did not want to go. 'If you want me to go back, you'll have to carry me on this plane', he said.

A few weeks later there was a second attempt. Involuntarily this time. Upon entering the airport Yassim resisted vehement-

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### **Injunctions (VoVo)**

If an asylum application is rejected, a foreign national can object or appeal against the decision. In many cases he cannot await the court's decision over his appeal in the Netherlands. He can then appeal for a so-called injunction. An injunction is an interim measure that is requested at the Foreign nationals Chamber of the Court in The Hague, or at the Administrative Jurisdiction Division of the Council of State. He then asks permission to await the outcome of the court case in the Netherlands.

ly. He was handcuffed and placed in solitary confinement, where -an hour before his departure- he announced that he wanted to submit a new asylum application. In the Netherlands anyone can submit an asylum application, at any time, and it has to be processed. So I went to take his asylum interview, accompanied by two employees of the Border police.

'I'm gay', Yassim said. 'I didn't dare to say it before, because I felt ashamed. And I was in denial, but now I'm sure I'm gay. If I go back, I'll get killed.' Given the severity of this claim, and the present policy for homosexuals, we decided to cancel his return. We needed more time to carefully process the asylum application. So Yassim went through the complete asylum procedure, which took eight days. The application was rejected because his homosexuality was also considered implausible. Afterwards he was booked for departure for a third time. Willem from the Border police was booked again as Yassim's escort on the flight. We hoped that a familiar face would give him some tranquillity. But even now it didn't happen. 'Yassim turned very angry when I picked him up from his cell. On the bus to the plane, I tried everything to calm him down', Willem explains in our meeting. 'And for a moment it seemed as if he became quiet and was going to cooperate. He walked into the plane calmly. But once on board he started screaming, and began to harass people around him. The captain of the aircraft intervened. We had to leave the plane because other passengers suffered too much inconvenience.'

Victor, of the DT&V continues: 'In three days from now, a flight is booked for Yassim for the fourth time', he says. 'We must be prepared for anything.' The DT&V had talks with Yassim. From these conversations a number of things emerged. Firstly, Yassim spoke with someone from a church organization over the past two weeks. And secondly, he contacted a Dutch woman with whom he has a child, although they are not married.

This is my cup of tea. I have to make an estimation of potential IND procedures Yassim can start at the last minute. 'We must be prepared that Yassim will submit a new application for

asylum because of his conversion to Christianity', I say. 'But of course, the possibility also exists that he will appeal to his homosexuality.' Then the child. 'He may start a so-called 8EVRM request', I say. That is a request that appeals to the human right to form a family life. 'Was Yassim ever visited by his wife and child?' I ask. But they have never presented themselves at the DT&V location, according to Victor. In that case it is questionable whether there really is a family life at all, I conclude. To be sure, I will contact the IND department that deals with 8EVRM requests.

We conclude our meeting and all get started with our own to-do list. I try to find out if there are any other possible application procedures which Yassim could start. The DT&V books the flight and makes sure that Yassim is transferred to Schiphol. Border police Willem booked two escorts this time to accompany Yassim to Egypt, and to resolve any complications during the transit in Madrid.

When Yassim is on his way to our location again, we received a new request by fax: Yassim's lawyer asks for postponement of departure for medical reasons. This because of the psychological condition of Yassim, according to the lawyer. The mandatory letter of a doctor or psychologist is not included. Because we are in the middle of a departure procedure, I can abandon the statutory period of two weeks. So I give the lawyer one day to deliver the medical letter. Nothing follows. Without this letter, I cannot process the medical request and the return can take place.

About three hours before flight departure Yassim enters our site. Immediately upon entering, he makes a new asylum application. He is quiet this time so he is not placed in solitary confinement. With a telephone interpreter I interview him in the hearing room. I come straight to the point. 'What is the reason for this new asylum request?' I ask. Yassim is quiet and polite. He has a letter with him from the pastor of a congregation. He will soon have an appointment to be baptized. 'Then I'm really converted', he says.

Back at the office I discuss the matter with my colleagues. The conversion has been extensively questioned in a previous asylum application and was regarded implausible. Besides, in the letter he handed over, nothing is stated about a possible conversion. The minister writes that Yassim helped to build a stage for a church meeting. In effect Yassim actually claims that he is not converted at this moment. We decide to reject the application for asylum, so the departure can proceed. I fax the decision to the lawyer.

When I walk into Yassim's cell to inform him of the decision, Yassim looks at me hopefully. Somehow he still has hope I'll tell him he can stay. False hope, perhaps, but hope. When I tell him that his application is rejected, he collapses. He starts crying, scolding, in various languages. He tries to grab me by the throat. I stop him and try to calm him down, but it has little effect. My colleagues from the Border police enter the cell to handcuff him, both his hands and his feet. He is taken away, directly to the aircraft.

Later that day I receive a phone call from Cairo. Yassim's eviction was successful this time. Although he scolded quite a lot while entering the plane, he responded well to the efforts of Willem to calm him down. And from the moment the airplane left the ground, he became quiet. The rest of the flight to Cairo, he kept calm and even had a chat with Willem in broken English.

Upon arrival in Egypt he was transferred to the local authorities. This transfer was without incidents. Willem and the other escorts were present when Yassim called a friend to pick him up from the airport. Then they all shook hands, and Yassim thanked them for the flight. From behind the border he lifted his hand in a last greeting. Then he disappeared into the crowd.

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### **Disclaimer**

The stories in this volume reflect the perceptions and experiences of eleven employees of IND, COA and the DT&V. Not all nationalities correspond to reality, and none of the stories is a one-to-one representation of an actual case. The descriptions of procedures and regulations in the stories are not complete or exhaustive. The texts in these short stories are not legally binding. Texts and photos from this publication may not be reused without explicit permission of the editor.

### **Colophon**

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