



Repatriation and Departure Service
Ministry of Justice and Security

The Repatriation and Departure Service

The professional implementer of the return policy

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1

Introduction



The Repatriation and Departure Service (DT&V) is an implementing body of the Ministry of Security and Justice under the) Directorate-General for Migration (DGM). The State Secretary for Security and Justice is politically responsible for the Dutch government's policy on foreign nationals, including The Netherlands' policy on return to the country of origin of irregular migrants.

As the implementer of the Dutch repatriation policy, it is the DT&V's mission to let foreign nationals without a right of residence return to their country of origin rightfully and respectfully. The aim is that foreign nationals leave the Netherlands to the extent possible voluntarily. Where necessary, the DT&V will assist them, for example, in obtaining travel documents. The DT&V also supports the foreign national in paving the way for reintegration in the country of origin. To this end, we work with various (social) organisations.

In some cases, the foreign national might not be willing to leave the The Netherlands voluntarily. In this type of situation the DT&V may organise a forced departure.

The DT&V coordinates and supports the departure of foreign nationals:

- who have been detained as part of the national (mobile) supervision of foreign nationals.
- who have been denied entry to the country as part of the border control process.
- whose residence or asylum permit has been revoked.
- who have exhausted the appeal process and have not been granted asylum.

With this, the DT&V contributes to both safety and the support for Dutch admission policy, and it makes us meaningful to society.

Over the following pages, this brochure shows what the organisation looks like, how we work and whom we work with.

Our mission is to let foreign nationals without entitlement to residence return to their country of origin in a humane and respectful manner.

2 Organisation



In the past, the tasks related to return were divided among different organisations, such as the Royal Netherlands Marechaussee (RNLM), the Netherlands Police and the Immigration and Naturalisation Service (IND). In 2007, many return tasks were clustered within a single organisation, i.e. the DT&V.

The DT&V has locations throughout the country, with its head office in The Hague. There are three directorates:

- Return Facilitation Directorate (DOVT)
- Supervision and Measures Directorate (DTM)
- Directorate for International Affairs (DIA)

The DT&V has five directorates: the Directorate for Strategic Advice and Legal Affairs, the Directorate for Repatriation Facilitation, the Directorate for Supervision and Measures, the Directorate for International Affairs (DIA) and the Directorate Operational Management. The DT&V employs approximately 600 people.



Directorate for Repatriation Facilitation

The **Directorate for Repatriation Facilitation** is responsible for preparing the departure from the Netherlands of asylum seekers (who have exhausted all appeals) and other foreign nationals who are not entitled to a residence permit in the Netherlands.

In local consultations on return (LTO), the DT&V, the Central Agency for the Reception of Asylum Seekers (COA), and the police work together on the preparation and realisation of the departure of these foreign nationals from the Netherlands. Other relevant agencies, such as the IND, the International Organisation for Migration (IOM), and the guardianship organisation NIDOS, are also involved in this process.

The objective is that the foreign national departs voluntarily so there will be no need to proceed to a forced departure. Most of the foreign nationals, who depart the Netherlands under supervision, leave voluntarily.

Directorate for Supervision and Measures

The **Directorate for Supervision and Measures** is responsible for preparing the departure from the Netherlands of foreign nationals who have been subjected to a measure for the restriction or deprivation of their liberty or who are serving a prison sentence. These foreign nationals usually do not return to their country of origin voluntarily, but under supervision, which is known as ‘forced return’.

Measures to restrict a person’s liberty have the purpose of keeping foreign nationals available for departure from the Netherlands. For example, by transferring the foreign national to a freedom-restricting location (VBL) or a family location (GL) of the COA. The GLs are centres put in place for families with under-aged children.

In case of immigration detention, foreign nationals stay at a detention centre and can only move freely within the centre. The decision to place a person in immigration detention is carried out by an assistant public prosecutor at the police, the Royal Netherlands Military Constabulary (KMar), or an implementing official of the DT&V authorised to issue a detention order. This is permitted, for example, if there is a risk that the foreign national will not leave the Netherlands and will evade supervision. Immigration detention may also be imposed if the foreign national obstructs preparation for his or her departure from the Netherlands. The objective is to ensure that the immigration detention is only of short duration, which is observed and reviewed regularly.

A specific category concerns the foreign nationals under criminal law, also known as foreign nationals in the penal system. Whereas this category is concerned, the objective is to have the foreign nationals leave the Netherlands once they have served their custodial sentence.

Directorate for International Affairs

The **Directorate for International Affairs** (DIA) is responsible for ensuring that foreign nationals have access to other countries. To this end, the directorate liaises with the authorities of the country of origin. The directorate does this in close consultation with the Dutch Ministry of Foreign Affairs and the diplomatic representations of countries of origin.

Generally, a return is only possible if foreign nationals have valid travel documents, so they are allowed to cross the border. However, in many cases, foreign nationals do not (or no longer) have any documents in their possession. In these cases, they may apply to the diplomatic representation of their country of origin for the issuance of a travel document. The DT&V can provide intermediary services if need be. Any applications for (replacement) travel documents are submitted via DIA. As part of this process, the directorate liaises with the diplomatic representatives of the countries of origin in the Netherlands and Belgium.

Especially in the case of foreign nationals who do not want to leave voluntarily, the cooperation of the country of origin in the forced return is vital. Most diplomatic representations will issue a (replacement) travel document if the foreign national can prove or demonstrate identity and nationality, for example, based on documents or through an interview with the foreign national at the embassy or consulate.

Now and then, foreign nationals may conceal their identity and nationality to complicate the process of obtaining a (replacement) travel document from the diplomatic representation. The embassy may also refuse to issue a such document.

DIA also takes care of applications for an arrangement in the context of readmission agreements, the purpose of which is to facilitate the readmission of both mutual and foreign nationals from those countries, including the establishment of procedures and time limits for doing so. Based on such an agreement, the Repatriation and Departure Service can then apply for a travel document.

DIA is also involved in the departure of special categories of foreign nationals, such as unaccompanied minors, foreign nationals who pose a threat to public order and safety, and foreign nationals with special medical issues. This calls for good relationships with chain partners and intensive contacts with international organisations and foreign authorities.

DIA is also responsible for the financing of projects that support foreign nationals in cases of voluntary departure from the Netherlands and reintegration in the country of origin. Subsidies are made available by the Ministry of Justice and Security, the Ministry of Foreign Affairs, and the European Union. These projects are implemented by the International Organisation for Migration (IOM) and various non-governmental organisations (NGOs) based in the Netherlands.

Directorate of Strategic Advice and Legal Affairs

The **Strategic Advice and Legal Affairs Directorate** (SAJZ) supports the management and the primary process with advice on achieving organisational goals and policy, legal, strategic and political-administrative aspects of repatriation policy. SAJZ is the point of contact for questions on policy, legislation and regulations or jurisprudence implications. The directorate advises on privacy (GDPR) and compliance, for instance. SAJZ is also involved in individual cases that are politically or publicity sensitive. Based in part on signals from the primary process, SAJZ advises the Ministry of Justice and Security on the feasibility of repatriation policy and its necessary adjustments. The directorate optimises cooperation with chain partners, and SAJZ contributes to the DT&V's administrative organisation.

Directorate Operational Management

The **Directorate Operational Management** comprises of six teams: Personnel, Organisation & Development, Housing & Facilities, Communication, Planning & Control, Management & Procurement and Information Provision. The teams ensure that the internal processes are aligned with laws and regulations and the applicable (national) frameworks. They form the link between suppliers and chain partners on the one hand and DT&V staff on the other, in the role of strategic advisor, relationship manager, implementer, controller and initiator of new services. The Directorate thus contributes to achieving the DT&V's objectives and the organisation's development.

*Many tasks around return
have been clustered in one
organisation, i.e. the DT&V.*

3

Partners



The DT&V has relationships with a wealth of cooperating organisations. DT&V is one of the last links in the immigration chain. The work of the DT&V usually starts when a transfer file is received from the police (AVIM), the Royal Netherlands Military Constabulary (KMar) or the Immigration and Naturalisation Service (IND). The Central Agency for the Reception of Asylum Seekers (COA) and the Custodial Institutions Agency (DJI) are essential partners during the departure process. There is also contact with parties such as Foreign Affairs, the International Organisation for Migration, Nidos, the Association of Netherlands Municipalities and a wide range of civil society organisations. The most important ones are listed here.

Minister of Justice and Security			
Access <ul style="list-style-type: none"> • Police • Royal Netherlands Marechaussee 	Admission <ul style="list-style-type: none"> • Immigration and Naturalisation Service 	Supervision <ul style="list-style-type: none"> • Police • Royal Netherlands Marechaussee 	Repatriation <ul style="list-style-type: none"> • Repatriation and Departure Service • Police • Royal Netherlands Marechaussee

Immigration and Naturalisation Service

The Immigration and Naturalisation Service (IND) is responsible for the implementation of the admission policy in the Netherlands. This implies that the IND invariably assesses all applications of foreign nationals who wish to stay in the Netherlands or obtain the Dutch citizenship. The IND transfers files of those foreign nationals to the DT&V who are not granted a residence permit in the Netherlands or are no longer entitled to stay in the Netherlands. This concerns, for example, asylum seekers who have exhausted all legal remedies, rejected asylum seekers, or foreign nationals whose residence permits have expired, been withdrawn or whose applications have been rejected.

Files of foreign nationals who have already applied for asylum in another country within the Schengen area will also be transferred to the DT&V. The IND will then first submit a request for transfer to the other country. This is called the Dublin claim. If the latter is accepted, the DT&V will be responsible for the actual transfer of the foreign national.

In practice, the DT&V receives most of its cases from the IND.

DT&V cooperates with numerous governmental and civil society organisations at all levels from local to international.

Central Agency for the Reception of Asylum Seekers

The Central Agency for the Reception of Asylum Seekers (COA) is the organisation responsible for the reception and supervision of asylum seekers, by order of the State Secretary of Justice and Security. The COA provides asylum seekers with housing and basic services from the moment they apply for asylum until they have a residence permit and have found accommodation in a municipality. An asylum seeker who has to leave the Netherlands and whose file has been transferred to the DT&V will usually also stay at a COA location, such as an asylum seekers' centre (AZC), a freedom restricting location (VBL), or a family location (GL).

The DT&V works with the COA in accompanying foreign nationals who have exhausted the appeal process and are no longer entitled to stay in the Netherlands. In doing so, COA focuses on removing factors that might hinder the departure of foreign nationals who have exhausted the appeal process, and help to prepare them for the future.

Royal Netherlands Marechaussee

The Royal Netherlands Military Constabulary (KMar) is the police organisation of the Ministry of Defence. Its tasks include border control at airports and seaports in the Netherlands. The KMar checks persons who want to enter or leave the Schengen area via the Netherlands at the border crossing points.

The KMar transfers illegal foreign nationals to the DT&V and assists foreign nationals in case of forced departure from the Netherlands. The latter occurs when the foreign national is likely to resist departure.

Aliens, Identification and Human Trafficking department of the police

The Aliens, Identification and Human Trafficking department of the police (AVIM) is part of the regional police forces and is responsible for supervising the lawful residence of foreign nationals. The focus is on preventing and combating abuses (misuse, exploitation) and disturbances of both public order and legal order.

The police transfers foreign nationals who have to leave the country to the DT&V. This concerns foreign nationals arrested by the police in the context of domestic supervision, and foreign nationals who have been convicted in the Netherlands and are required to leave the country from the penal institution. After the IND, the AVIM is the party from which the DT&V receives the second-highest number of cases.

Custodial Institutions Agency

The Dutch Custodial Institutions Agency (DJI), on behalf of the Ministry of Justice and Security, is responsible for the enforcement of sentences and custodial orders. Foreign nationals in immigration detention are supervised by the DT&V in the process of returning to the country of origin. Here, the DJI offers practical support through the Transport and Support Department (DV&O).

Ministry of Foreign Affairs

The Ministry of Foreign Affairs (BuZa) is the linchpin between the Dutch government, the governments of other countries, and international organisations.

The ministry is an important partner for DT&V in regard to reaching agreements with (immigration) authorities in countries of origin the development of country strategies with respect to departures and return. In addition to this, BuZa subsidises the reintegration activities of the International Organisation for Migration (IOM) in cooperation with the DT&V. The ministry also prepares country reports on current situations in countries of origin, that partake in admission and sometimes also in return.

International Organisation for Migration and other non-governmental organisations

The International Organisation for Migration (IOM) is an intergovernmental organisation affiliated to the United Nations. IOM is not part of the Dutch government. IOM's return activities in the Netherlands are financed by the Ministry of Justice and Security, the Ministry of Foreign Affairs and the European Union. IOM in the Netherlands also carries out projects in the fields of migration and development, integration and family reunification.

IOM supports migrants who voluntarily return to their country of origin or continue their migration to a third country where a permanent residence is guaranteed (resettlement). DT&V refers foreign nationals to the IOM. IOM provides information and advice on return, mediates in obtaining travel documents, organises departure from the Netherlands and provides the necessary medical support. In addition, foreign nationals, will receive a limited financial contribution for the journey from the airport to their final destination and the primary necessities of life after departure from the Netherlands. Migrants who are eligible for IOM reintegration support will receive it in their country of origin.

In the Netherlands, besides IOM, there are several small non-governmental organisations that have set up projects to assist migrants with their departure from the Netherlands and reintegration in the country of return. These migrants may include EU citizens who cannot cope in the Netherlands and want to return to their country of origin. The DT&V finances the projects through subsidies.

Dutch Council for Refugees

Dutch Council for Refugees (VWN) is an independent organisation that represents the interests of asylum seekers in the Netherlands from the moment of arrival up to their integration into Dutch society. Its staff provides foreign nationals with information about admission procedures and return.

Nidos Foundation

Nidos Foundation carries out the guardianship for unaccompanied minor asylum seekers. Whereas return of these young people is concerned, Nidos is the contact of the DT&V.

Association of Netherlands Municipalities

The Association of Netherlands Municipalities (VNG) acts as an advocate, service provider and platform for all municipalities in the Netherlands. The cooperation with municipalities contributes to the objective of illegal aliens departing the Netherlands and not ending up on the streets instead DT&V and municipalities also share information that is important for the implementation of the return policy.



4 Procedure



The DT&V uses a personalised and multidisciplinary approach based on case management, meaning that the DT&V tailors the method to suit the individual.

In Dutch return policy, the foreign national's responsibility for his or her departure is paramount. Accordingly, foreign nationals principally are responsible for their return to the country of origin. Foreign nationals who are not, or no longer, entitled to residence or are found to be illegally present will receive a so-called return decision, stating that the foreign national concerned must leave the country within a certain period. Within this period (usually four weeks), the foreign national must arrange for his or her departure from the Netherlands. The foreign national may do so with the help of the DT&V, IOM, or a non-governmental organisation, for example for arranging travel documents, an airline ticket or support in the country of origin. The responsibility for departure, therefore, remains with the foreign national.

Case management

Every foreign national whose case the DT&V handles, is assigned a departure supervisor. Based on the information in the file, the departure supervisor enters into dialogue with the foreign national. Consulting with the chain partners, the DT&V assesses the options and conditions for departure on a case-by-case basis. It is essential, for example, which (travel) documents the person in question possesses. The departure supervisor keeps control of the departure process, intending to achieve a careful, dignified and timely departure of the foreign national. In doing so, progress is coordinated with the (chain) partners.

During the interviews, the departure supervisor tries to motivate the foreign national to depart voluntarily, if necessary with the support of the IOM, an NGO or DT&V. In doing so, the DT&V makes use of the Mandated Social Work Methodology (Wigk, see the infographic on page 20/21). This methodology aims at removing obstacles to departure as much as possible and working with the foreign national to see where opportunities lie, in order to offer the prospect of a new future. Interviews are conducted according to a regular motivation cycle. Each phase has its dynamics and requires specific interview techniques and interventions.

Special circumstances

During the interviews with the foreign national, the departure supervisor is attentive to any particular circumstances. For example, the departure supervisor pays attention to signals of human trafficking and the need for medical assistance that could affect the departure.

Sometimes foreign nationals need extra guidance to return. These include foreign nationals with special (vulnerable) aspects, such as unaccompanied minors or foreign nationals with medical indication. In situations such as these, the DT&V makes the necessary arrangements in their country of origin, for example for the reception of unaccompanied minors and the transfer of the foreign national to medical care in that country.

Working within a co

The Repatriation and Departure Service (DT&V) uses the methodology 'Working within a compulsory framework' (Wigk). Wigk is aimed at motivating foreign nationals who must leave the Netherlands, and have to take actions within the compulsory framework.

The methodology is aimed at removing as many as possible of the obstacles to departure foreign nationals and offering them a long-lasting future.

The interviews of the DT&V supervisor with foreign nationals run according to a methodical motivation cycle. Each phase has its own dynamics and requires specific interview methods and interventions.

1 Motivational interviewing

2 An important instrument when the foreign national is not (or just a bit) motivated to cooperate in or think about departure and/or the future.

I don't have to do anything

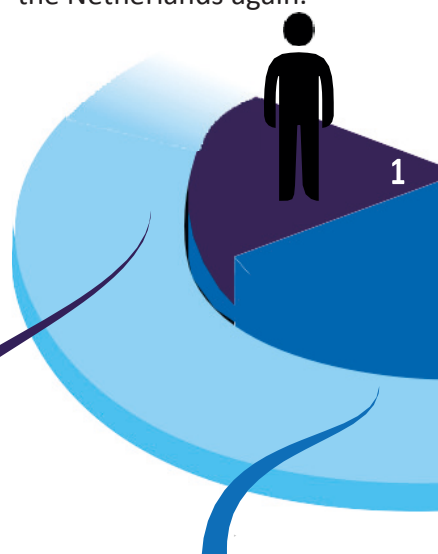
1 At the start of the interviews with the supervisor, the foreign national is not or only slightly motivated to think about departure.

I must persist

5 Change has to be consolidated: after departure, the foreign national will not return to the Netherlands again.

I really should, but.

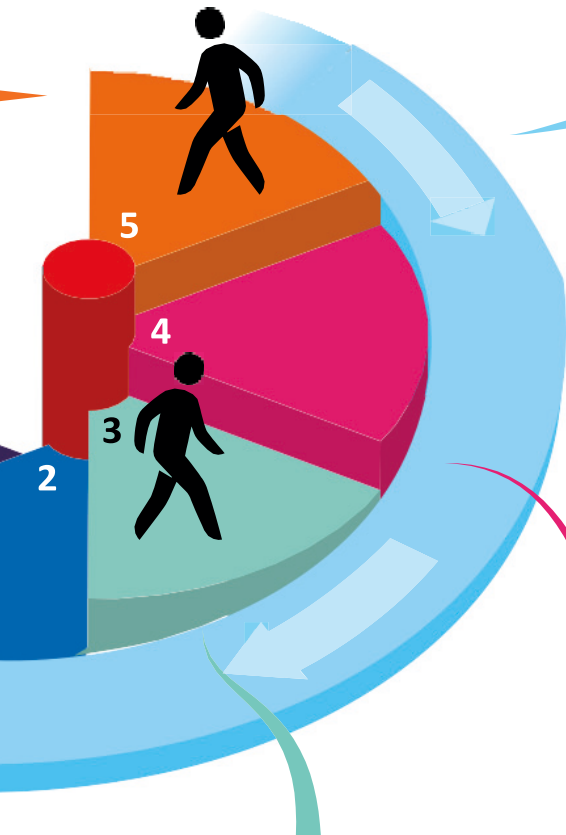
2 Slight doubt starts to arise. The foreign national will admit that he/she is in a difficult or hopeless situation.



Compulsory framework

Intercultural communication

1 **2** **3** **4** **5** Intercultural communication stands as a template above the interviewing methods in all phases within the motivation cycle, motivational interviewing and coaching/negotiating.



Reversion

In each phase, the foreign national may start to have doubts and decide to stay in the Netherlands nevertheless, no longer to cooperate in return and/or to deny that there is a problem.

3 Negotiations

As agreement has been reached between the foreign national and the supervisor on departure, they will start negotiations together on the preconditions.

I really have to do something now

3 The foreign national recognises that there actually is a problem: the fact that he/she cannot stay in the Netherlands and must depart.

I will do it now

4 The conclusion of phase 3 is converted into actual action: specific preparation for departure and the ultimate departure itself.

Forced departure

If the foreign national does not depart voluntarily and does not accept assistance from the DT&V or other organisations, the DT&V may organise a forced departure. Custodial measures may be imposed, ranging from the obligation to report to immigration detention, for example, to prevent the foreign national from evading supervision and disappearing into illegality.

Ultimately, the DT&V can proceed to forced departure. In that case, the departure is prepared, and the foreign national is picked up and escorted to the country of origin if necessary accompanied by escorts of the Royal Netherlands Marechaussee.

Removability check

At various moments during the return process, the DT&V will consult the IND whether the foreign national is still legally required to leave the country. This is of paramount importance since factors may have changed in the person's residence status in the meantime. Pending the procedures, deportation is usually not possible. This verification process is called a removability check.

Through no fault

In exceptional cases, foreign nationals cooperate in their departure, with their identity having been established, but nevertheless no replacement travel document will be issued despite the mediation by DT&V. In those cases foreign nationals cannot leave the Netherlands despite the fact that they cannot be held accountable for this. In this case, the DT&V can give the IND a positive, weighty recommendation to grant a residence permit on the grounds of 'through no fault'. For this, strict conditions apply.

Scheduled or state flights

For the booking of flights, DT&V has a contract with a travel agent. Foreign nationals fly with a regular commercial flight or a flight organized by the authorities. Very occasionally, transport over land is involved, in cooperation with the Transport and Support Department of the Custodial Institutions Agency.

In the case of a commercial flight, a foreign national travels by regular flight to the country of origin, receiving Dublin country or country of previous residence. In case of a state flight, the government, the European border control agency (or Frontex), charter a plane in order to enable several foreign nationals to travel to the same country at once. State flights are often organised in partnership with the other EU Member States, with Frontex coordinating. This is done when a large number of foreign nationals of the same nationality can depart at the same time. Often, Frontex organises and finances the state flights.

*Responsibility for departure
lies primarily with the foreign
national.*

5 In conclusion



The results of our work are closely monitored. A distinction is made between demonstrable departure and unsupervised voluntary departure.

Demonstrable departure and unsupervised voluntary departure

In the event of demonstrable departure, it is registered that someone has left the Netherlands. This mainly concerns foreign nationals who leave voluntarily with the assistance of IOM and/or non-governmental organisations. The proportion of foreign nationals who are forced to leave under supervision is relatively small. From a European perspective, the Netherlands is at the top in terms of demonstrable departure. Nevertheless, demonstrable departure is not always realised. There are several reasons for this. For example, the country of origin does not issue travel documents. Of the foreign nationals in the caseload of the DT&V, more than half leave without the government knowing where to ('left with unknown destination').

Up-to-date figures

Up-to-date figures on return can be found on the internet. Each month, the figures for chain-wide departures are published on <https://data.overheid.nl>. The most important asylum and migration figures are regularly published on <https://www.rijksoverheid.nl/onderwerpen/asielbeleid/documenten/rapporten/2016/12/13/kerncijfers-asiel-en-migratie>. On the site of the Central Government, the reports on the authorities involved in asylum and migration matters (Rapportages Vreemdelingenketen) are also published. These outline the results of the authorities involved in asylum and migration matters.



Contact

The first link within the DT&V for the departure process is the Information and Logistics Centre (ILC). This is where all transfer files from the partners in the chain, as well as incoming documents, are received and processed.

The ILC is the point of contact for administrative questions and requests relating to ongoing files. The departure supervisor in question is the point of contact for substantive issues.

Within the framework of the Personal Data Protection Act, the DT&V does not communicate individual cases to third parties.

If you have any questions, you are welcome to call the ILC Information Line, weekdays from 8 a.m. to 5 p.m.: telephone number 0880-777700. Or mail to ilc@dtv.minvenj.nl or info@dtv.minvenj.nl.

If you have general, non-case-related questions you can mail to info@dtv.minvenj.nl or call Informatie Rijksoverheid, telephone number 1400 (accessible weekdays between 08.00 to 20.00). Information on migration and return can also be found on www.rijksoverheid.nl and our website www.dienstterugkeerenvertrek.nl.

The postal address of DT&V is:

Dienst Terugkeer en Vertrek | Postbus 164 | 2501 CD Den Haag.

The Repatriation and Departure Service (DT&V) is the implementer of the Dutch return policy.

The DT&V coordinates the departure from the Netherlands of:

- Foreign nationals who have been detained as part of the national (mobile) supervision of foreign nationals.
- Foreign nationals who have been denied entry to the country as part of the border control process.
- Foreign nationals whose residence permits have been revoked.
- Foreign nationals who have exhausted the appeal process and have not been granted asylum.

With this, the DT&V contributes to safety and the support for Dutch admission policy, and it makes us meaningful to society.

The objective is that foreign nationals leave the Netherlands voluntarily. In the process, they will receive assistance where necessary, for example, to obtain travel documents or receive support in the country of return. Some foreign nationals do not wish to leave the country voluntarily. In such a case, the DT&V may organise a forced departure.

This brochure shows how DT&V is organised, how we work and whom we work with.

Like to know more? Then also visit our website:

www.dienstterugkeerenvertrek.nl