

# Migration and migration policies in The Netherlands 2005

## Dutch SOPEMI -Report 2005

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# Preface

This is the fourth Dutch SOPEMI report compiled by a group of Rotterdam researchers associated with Ercomer-Rotterdam and the Rotterdam Institute for Social Policy Research (RISBO). This report was commissioned by the Dutch Ministry of Justice and the Dutch Ministry of Social Affairs and Employment. In The Netherlands the Ministry of Justice is responsible for both migration policies and immigrant integration.

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# The changing Dutch immigration regime

## 1.1 Towards a modern migration policy

In 2002 and 2004, the Netherlands was shocked by two political assassinations, first the murder of populist politician Pim Fortuyn and two and half years later the murder of the filmmaker Theo van Gogh. What both victims had in common was their publicly stated criticism on Islam and on the Netherlands as a multicultural society. Fortuyn once called Islam a 'backward religion'. Theo van Gogh, together with the then Member of Parliament Ayaan Hirsi Ali, made the controversial film *Submission*. The film was intended as a fierce critic on the abuse of Muslim women, but was considered as an insult to Islam by many Muslims. The film featured partly nude women in long, dark transparent veils, with Koran texts written in calligraphy on their bare skin. In November 2004, Van Gogh was brutally murdered by a Muslim fundamentalist, a young man of Moroccan origin.

It would be incorrect, however, to assume that it was only after these murders that the position of immigrants in Dutch society was given much attention. Back in the 1990s and around the turn of the century, there had already been fierce public debates on Dutch multicultural society. Furthermore, migration and integration policy in the Netherlands has changed dramatically over the past thirty years. Three phases can be differentiated in Dutch immigrant incorporation policies or what is now called 'integration policies' (Engbersen 2003; Snel 2003; Entzinger 2004). In each phase different aspects of 'integration' were emphasized. In the first phase (1980s), the emphasis was on self-organization and the cultural dimension of integration (cf. the arrangements for education in the minorities' own languages). In line with the Dutch tradition of 'pillarization' (i.e. compartmentalization along socio-political lines), there were special arrangements for immigrants, fully financed by the state, such as Muslim and Hindu schools, and broadcasting and political consultation facilities for migrant communities. The immigrant integration policy aimed at 'mutual

adaptation in a multicultural society with equal opportunities for Dutch people and ethnic minorities' (WRR 1979). The central idea of 'integration while preserving ethnic identity' was soon criticized because it strengthened the isolated, unemployed and segregated position of many first and second-generation immigrants in the 1980s.

In the 1990s and onwards, the emphasis was on reducing unemployment and welfare dependency, particularly through improving labour market participation. Integration was interpreted as 'equal participation in the major social institutions' (WRR 1989). The millennium change brought another change in tone and idiom (third phase). Now, active citizenship with a strong emphasis on the social obligations of citizenship and individual responsibility of citizens became the main goal. More attention was paid to the moral dimension of integration. Integration policies became not only strongly related to issues such as shared norms about the rule of law and the obligation to learn the Dutch language and know something about Dutch culture, but also to social problems of public order and crime. Particularly after the 2002 elections, which were marked by the death of Pim Fortuyn, immigrants integration became a key issue and integration and migration policies were redefined.

This approach of integration is also reflected in changes in immigration law with regard to family migration, labour migration and asylum migration (see SOPEMI 2004). Stricter income and age criteria are now set for marital migration. Marital migrants also need also to pass a Dutch language test containing 500 common Dutch words before they are allowed to come over. Restrictive measures are also taken with regard to labour migration. Employers must first turn to their own labour supply, i.e. within the national borders or within the European Economic Area (EEA), before they may hire labour migrants (Roodenburg, Euwals, and Ter Rele 2003). In 2000 the Dutch State adopted a more restrictive and efficient Aliens Act to limit the number of asylum seekers and to simplify and accelerate the asylum procedure. Significant aspects of this new act are the elimination of the possibility of administrative review of a decision taken by the immigration authorities and the accelerated asylum procedure. Furthermore, various measures were taken to fight illegal or undocumented migration. Crucial in this respect is the exclusion of illegal immigrants from public services and the formal labour market. In addition, the capacity of the aliens police and the labour inspection was increased to combat illegal labour and illegal stay. Moreover,



special detention centres were built for illegal migrants and asylum seekers who have exhausted all legal remedies.

It is interesting to note that, again, a new paradigm shift has occurred in recent years. In May 2006 the Dutch government published a position paper 'Towards a modern migration policy'. This modern migration policy is based on five tiers, three of them are related to labour migration. Tier I deals with temporary labour migration, tier II with study and regular labour migration and tier III with knowledge migration and highly skilled immigrants. The other tiers deal with family migration and asylum migration. This position paper symbolises the current shift towards a migration policy based on utilitarian principles. The Dutch government wants to attract immigrants who can strengthen the Dutch economy and are able to support themselves. We will summarize these policy initiatives and describe recent Dutch policy initiatives on immigration and citizenship (Section 1.2), Civic integration programmes for immigrants (Section 1.3), the policies on labour immigration (Section 1.4), policies on asylum migration (Section 1.5), policies on irregular migration (Section 1.6) and return migration policies (Section 1.7).

## **1.2 Immigration and citizenship**

The current Dutch government has opted for a combination of selective and restrictive immigration policies. We will discuss the new selective labour market policies later. Here we deal with new measures in the field of family migration and citizenship policies.

The integration of non-Western immigrants and ethnic minorities that are already living in the country is considered insufficient. Ongoing immigration of immigrants who are not able to support themselves is therefore viewed as problematic. As is stated in recent policy documents, "Due to the continual arrival of considerable groups of non-integrated newcomers, it is impossible to see the progress immigrants and their children are making in integrating into Dutch society."<sup>1</sup> As noted in the 2002 Dutch SOPEMI Report, marital migration and family reunification are in particular seen as problematic. As a result of ongoing marital migration, new and often poorly educated immigrants enter The Netherlands, where their chances in the labour market

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<sup>1</sup> Cabinet response, p. 13.

are limited. More generally, marital migration is often taken as evidence of the poor integration of immigrants into Dutch society. As long as young immigrants especially from Morocco and Turkey look for spouses in their countries of origin rather than in The Netherlands, they are not well integrated in Dutch society. Already in the 2000 Aliens Act various measures to limit marital migration and family reunification were taken. After that, the following new measures were added:

- the minimum age for marital migration was set at 21 years (also to prevent forced marriages) (it had been 18 years);
- the minimum income requirement for marital migration was increased from 100% to 120% of the official minimum subsistence level;
- marital migrants have to have a joint household;
- since March 2006, marital migrants – as any foreign nationals wishing to settle in the Netherlands for a prolonged period - have to pass a basic civic integration examination, testing both knowledge of Dutch society and of Dutch language. This basic civic integration test has to be taken at a Dutch embassy or consulate in the country of origin prior to the arrival in The Netherlands. (More information about this basic civic integration tests in section 1.3 about civic integration programmes).

The Dutch State has also made several proposals in the field of citizenship. One of these proposals being to restrict dual citizenship by eliminating three of the five grounds that give exception to the rule that one must be prepared to give up their original nationality when becoming a Dutch citizen. Consequentially, if this proposal is adopted third-generation immigrants will no longer be able to obtain a foreign citizenship along side their Dutch citizenship.

Another recently adopted proposal gives the document granting Dutch citizenship a more ceremonial aspect. The first national 'naturalization day' was held on 24 August 2006. As of 1 October 2006 participation in a so-called naturalization ceremony is compulsory. With this ceremony the Dutch state wants to emphasize the importance of obtaining Dutch citizenship. Furthermore, the aim of both proposed measures is to strengthen the immigrants' link and loyalty to Dutch society rather than stress their own history and background.

Since January 1985 the Act on Dutch Citizenship (Dutch acronym: RWN) is in effect. This act poses conditions for obtaining Dutch citizenship. In April 2003

the Act on Dutch Citizenship was drastically revised. The most important changes compared to previous regulations are: (1) foreign nationals have to prove that they had valid residence permit for the Netherlands the certain period prior to the application of Dutch citizenship (previously foreign nationals only had to prove they have a valid residence permit at the moment of the application of Dutch citizenship); (2) a so-called naturalization test is introduced; and (3) the so-called option regulation is enlarged.

To obtain Dutch citizenship through naturalization foreign nationals have to satisfy the following conditions:

- You are of age.
- You have lived in the Netherlands, the Dutch Antilles or Aruba for an uninterrupted period of 5 years with a valid residence permit. This also means you have always extended your residence permit on time. There are a number of exceptions to this rule.
- You are sufficiently integrated in Dutch society and are able to read, write, speak and understand Dutch. You must prove this by taking a naturalization test.
- In the last four years you have not been given any custodial sentence, training order, community service order or high monetary penalty.
- You are prepared to give up your current nationality. If you do not give up your current nationality even though you are supposed to, your Dutch nationality may be revoked. There are a number of exceptions to this rule.
- You have a residence permit for a non-temporary objective, such as family reunification.

These conditions mentioned above apply to the procedure of naturalization. However, foreign nationals that have lived in the Netherlands for a longer time or were born here (the second-generation) can apply for the so-called option regulation to obtain Dutch citizenship. The idea is that these non-Dutch nationals are already at home in the country. The option procedure has the advantage that there is no compulsory naturalization test, that foreign nationals can keep their own nationality (next to Dutch citizenship) and it is faster and cheaper than naturalization. The municipality of residence decides whether or not someone is eligible for the option regulation. There are a few exceptions for the general rule that foreign nationals have to renounce their own nationality when applying for Dutch citizenship. This rule does not apply for spouses (or unwed registered partners) of Dutch nationals, for recognized

refugees, and for immigrants coming from countries that do not allow loss of citizenship (such as Morocco).

### 1.3 Civic integration programmes<sup>2</sup>

Since 1998, The Netherlands has a system of civic integration programmes for newcomers. Immigrants coming to The Netherlands are obliged to follow a language and integration course. The assumption is that by learning the Dutch language and Dutch society, immigrants are better prepared to participate in Dutch society in general and the labour market in particular. However, the ultimate objectives of the civic integration programmes are more comprehensive: "The introduction programmes focus on the skills immigrants need if they are to be able to take part in Dutch society and build an independent life for themselves here, i.e. mastery of the language and knowledge of the society, particularly of the values and norms in our country. The introduction programmes are the start of an integration process that ultimately leads to the fully-fledged citizenship they share with the rest of the Dutch population."<sup>3</sup>

Since 2000 the civic integration programmes extend to those immigrants that already lived in The Netherlands before the civic integration programmes for 'newcomers' were introduced. In the official jargon these immigrants already living in The Netherlands before 1998 are referred to as 'old-comers' as opposed to the newcomers that arrived in The Netherlands after 1998. Up to now, these integration courses for 'old-comers' were on a voluntary basis. Starting 2006, the integration courses for 'old-comers' who do not own the Dutch nationality will be compulsory as well.

A civic integration programme starts with an *individual assessment*. Newly arrived immigrants are called up for an interview within four months after their arrival. The interview is to ascertain whether the immigrant needs to attend the programme and what the individual goal is to be. Immigrants coming from EU-countries and immigrants that already have sufficient command of Dutch language are exempted from the obligation to follow an integration course. For all others an integration programme is established.

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<sup>2</sup> In previous Dutch SOPEMI-reports the civic integration programs were called: (compulsory) immigrant introduction programs.

<sup>3</sup> Ministry of Justice, 2005 Budget.

The main element of the programme is an educational course, consisting of a language course (approximately 500 hours) and an introduction to Dutch society (approximately 100 hours). After finishing the course, participants are tested on their command of the Dutch language and their knowledge of Dutch society. Immigrants living on social benefits are expected to learn enough Dutch to either attend further training courses or get a job. The level of language they are expected to be in command of is referred to as the "professional self-reliance level". Immigrants that will not become economically active (e.g. female marital migrants) are expected to learn enough Dutch to cope with daily encounters. This level of language proficiency is referred to as the "social self-reliance level".

In 2004, 46,500 immigrants that had arrived in The Netherlands after 1998 followed an integration course for newcomers. On top of that, 25,500 people participated in an integration course for 'old-comers' (that already lived in The Netherlands when the civic integration programmes for newcomers were introduced in 1998).<sup>4</sup> There is some information about the results of the civic integration courses for those immigrants participating in 2003.

One problem of the civic integration courses, as we already reported in previous Dutch SOPEMI reports, is the premature dropout of participants. Premature dropout was high in the first years of the civic integration programmes. In the 2002 Dutch SOPEMI Report we mentioned a premature dropout of 15 to 20% of all participants in newcomer courses. In more recent years (2003 and 2004) premature dropout in newcomer courses fell to 7% and 8%, mainly due to a better support of participants. In the 'old-comer' courses, the premature dropout is much higher. Of all participants in 'old-comer' courses in the period 2000-2003, one in five prematurely dropped out. The main grounds for premature dropout were gaining employment, pregnancy and moving to a different municipality. Another ground for premature dropout is insufficient childcare facilities.<sup>5</sup>

Another problem of the existing civic integration programmes are the disappointing results in terms of language command at the end of the course. The aim of the civic integration programmes was, as already mentioned, to provide immigrants with sufficient command of Dutch language to become economically active or follow further education ('professional self-reliance') or

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<sup>4</sup> Information: SCP, WODC, CBS (2005) Jaarrapport integratie, pp. 29-30

<sup>5</sup> Information: SCP, WODC, CBS (2005) Jaarrapport integratie, pp. 35; Significant 2004a; Brink et al., 2004b

to be able to cope with daily encounters in Dutch society ('social self-reliance'). However, the majority of all participants of the newcomers' courses do not achieve any of these objectives. Around 60% of all participants that finished a newcomers' integration course in 2003 did *not* reach the level of 'social self-reliance' (level 2). Only 10 to 15% of all participants of newcomer integration courses in 2003 reached the level of 'professional self-reliance' (level 3). Consequently, the command of Dutch language that a great part of all participants of the newcomers' integration courses have is insufficient to follow further education or to participate in the labour market.<sup>6</sup> When the participants start the course they have a very limited knowledge of the Dutch language, which is concerned the main reason for these disappointing results. As almost 80% of all participants start at language level 0 and most of them gain only 1 language level during the course, it is obvious that most of them do not achieve the minimum required, which is level 2 or 3. Learning adequate Dutch may very well take more than 500 hours of language courses, particularly when the participants have very little education and are sometimes even illiterate.

However, the results of the 'old-comer' courses are even more disappointing. Almost 60% of all participants of 'old-comer' courses in 2003 did not achieve any progress at all, 30% of all participants only gained one language level and only 10% of all participants gained two levels or more.<sup>7</sup> These limited results of 'old-comer' courses may be the result of the voluntary nature of these courses and of characteristics of the participants. Most participants are non-Western immigrants (men and women) that have lived in The Netherlands for years, are not working or stay at home to take care of the children. Many of them have little or no prior education and are illiterate in their own language as well. Learning a foreign language appears to be extremely difficult for this target group and one should not expect significant results from them.

In response to the shortcomings of the existing civic integration programmes, the Dutch Minister for Immigration and Integration announced two major changes in the existing programmes of civic integration:

- (1) Basic civic integration tests in the country of origin or residence prior to arrival in the Netherlands;

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<sup>6</sup> Information: SCP, WODC, CBS (2005) Jaarrapport integratie, pp. 35; Significant 2004a;

<sup>7</sup> Information: SCP, WODC, CBS (2005) Jaarrapport integratie, pp. 35; Significant 2004b

- (2) A new system of civic integration that basically replaces the obligation to take a civic integration course in an obligation to pass a civic integration examination.

*(1) Civic integration examinations in the country of origin or residence*

As of 15 March 2006, foreign nationals wishing to settle in the Netherlands for a prolonged period of time have to take the basic civic integration examination abroad. This also applies to foreign nationals that come to the Netherlands for family reasons (marital migrants, family reunification) and for religious leaders coming to the Netherlands, such as imams or preachers. These newcomers need to have acquired basic knowledge of both the Dutch language and Dutch society before they arrive in the Netherlands. This knowledge will be examined by means of an exam, taken in the Dutch embassy or consulate in the newcomer's country of origin (or current country of residence). Taking the 'civic integration examination abroad' is one of the steps that need to be completed before an authorisation for temporary stay (mvv) can be issued. An authorisation for temporary stay (mvv) cannot be issued without the proof that the newcomer passed the exam. Only those in possession of an mvv are able to apply for a residence permit. A residence permit is necessary for those wishing to reside in the Netherlands for more than three months.

Everyone aged between 16 and 65 who wishes to reside in the Netherlands for a prolonged period, and needs to apply for an authorization for temporary stay, has to take the civic integration examination abroad. Some groups are exempted from having to take the exam.<sup>8</sup> Prior to taking the exam, the newcomer has to pay a fee of 350 euro.

Once payment has been received, an appointment to take the exam can be made with the Dutch embassy or consulate general in the candidate's country of origin or current country of residence. The exam is taken at a Dutch embassy or consulate. The exam abroad is considered as a basic civic

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<sup>8</sup> The following groups are exempted from taking the exam:

- persons of American, Australian, Austrian, Belgian, British, Canadian, Cypriot, Czech, Danish, Estonian, Finnish, French, German, Greek, Hungarian, Icelandic, Irish, Italian, Japanese, Latvian, Liechtenstein, Lithuanian, Luxemburg, Maltese, Monegasque, New Zealand, Norwegian, Polish, Portuguese, Slovakian, Slovenian, Spanish, Swedish, Swiss, or Vatican nationality;
- persons of Surinamese nationality who have completed a minimum of primary education in the Dutch language in Surinam or the Netherlands, and can show this by means of written proof (certificate, testimonial) issued and authorized by the Surinamese Ministry of Education and Public Development;
- persons who are coming to the Netherlands for a temporary reason, such as study, au pair work, an exchange, or medical treatment;
- persons coming to the Netherlands with a work permit and their family members, the self-employed, and knowledge migrants; family members of a person in possession of an asylum-seeker's residence permit.

integration exam, that is followed by further civic integration when arrived in the Netherlands. The exam abroad is taken orally, in Dutch. The exam consists of two parts. In part 1, knowledge of Dutch society is tested. A number of questions, based on an illustrated booklet, will be asked by telephone. Topics in this part of the exam are Dutch geography, history, and the political organization, the importance of learning the Dutch language, parenting and education, The Dutch health system, and so on. In part 2, knowledge of the Dutch language is tested. The candidate has to repeat some sentences, answer short questions and retell stories (only verbally).

*(2) A new system for immigrant integration*

Since the introduction of the Newcomers Integration Act [Wet Inburgering Nieuwkomers or WIN] in 1998, new immigrants have to follow an integration course. In November 2006 the Dutch parliament approved a Bill submitted by Minister Verdonk, which strengthened the WIN – Act. All persons who do not have Dutch nationality aged 16 to 65 who are allowed to come and stay in the Netherlands on a permanent basis are obliged to pass the civic integration exam. The statutory obligation applies to both newcomers and settled immigrants (however, groups of established and naturalised immigrants are removed from the legislation). The Bill on a revised Integration Act is since January 2007 in force. This Bill aims to provide a more compulsory and result-oriented integration system, which requires that immigrants assume responsibility for themselves. This new obligation aims to bridge existing language deficiencies, and to prevent new migrants from falling behind in their development.

Participants can purchase a course themselves on the market of providers. The government will facilitate the compliance of the integration obligation by providing a credit or lending facility and standardised compensation for costs incurred if the examinee has passed the test within three years. A number of specific groups of migrants, including certain individuals entitled to social benefits and disadvantaged women, may also be offered municipal integration / reintegration programmes. As a matter of principle, municipalities are obliged to uphold the law. The main sanction included in the Bill is that municipalities impose administrative fines for failing to pass the integration exam within the specified time, which will be three and a half years for immigrants who have successfully completed the pre-arrival integration tests in their country of origin and five years for all others. Compulsory participation of immigrant integration courses is replaced by the



obligation to pass a so-called civic integration exam (at the latest five years after arrival in The Netherlands).

To sum up:

- Passing the civic integration exam will be one of the preconditions to obtain an unrestricted residence permit.
- Asylum seekers have to comply with the same conditions as far as command of the Dutch language is concerned as other newcomers.
- Immigrants themselves are responsible to learn the language and taking a course is not obliged anymore. The immigrants are however obliged to pass the integration exam. Immigrants that do take a course have to bear the cost of the course themselves (estimated costs of the current civic integration courses are around 7000 euro). The government provides a credit or lending facility and partly reimburses the costs when the civic integration exam is passed successfully.
- The obligation to pass an civic integration exam goes for 'old-comers' without the Dutch nationality as well
- The market for civic integration courses will be privatized. Up to now, civic integration courses were organized by schools for vocational training. From 2007 on, anybody can organize civic integration courses. Immigrants are free to take the course that suits them best.
- Municipal authorities will loose their leading role in the civic integration process. Currently, municipalities more or less direct the civic integration courses and control whether immigrants comply with their obligations. In the new situation the immigrant himself is responsible to learn the Dutch language and prepare to pass the civic integration exam. However, municipalities are obliged to uphold the law. The main sanction included in the Bill is that municipalities impose administrative fines for failing to pass the integration exam within the specified time.

All in all, the proposed new system of civic integration programmes will be much stricter and less subject to alteration than the existing policies because of the obligations and sanctions. The new civic integration programme proposals also follow the liberal philosophy of the current Dutch Cabinet, stressing that immigrants themselves are responsible for learning Dutch and getting to know Dutch society. The requirement that immigrants themselves bear the costs of language courses also fits into the idea of personal responsibility of citizens. The partial reimbursement of these costs once the

civic integration exam is passed can be interpreted as another incentive to learn the Dutch language.

#### 1.4 Policy on labour migration

In the Netherlands, different categories of labour migrants receive different treatment, depending on demand in the domestic labour market. For example, the Netherlands has recently eased the rules for highly skilled migrants and has admitted a large number of Polish (temporary) workers. At the same time, however, the Dutch government is strongly opposed to programs that regularise the status of illegal workers.

The Dutch policy on labour migration is formulated in the Aliens Employment Act (Wet Arbeid Vreemdelingen, Dutch acronym: WAV). The purpose of this Act is to "selectively allow the entry of labour migrants within the framework of labour market policy and control the employment of illegal persons" (WRR 2001: 80). The Dutch government prefers to reduce the economic inactivity of the existing Dutch labour force, especially among ethnic minorities, rather than invite foreign workers to The Netherlands. However, the recruitment of non-EU foreign personnel is possible under certain conditions. A Dutch employer who is unable to find an employee in the so-called priority workforce can apply for a work permit (TWV) for a foreign employee. The priority workforce consists of Dutch job seekers and other job seekers from the European Economic Area (EEA). Workers from the EEA do not need a work permit to work in The Netherlands. An exception is made in The Netherlands to the free mobility of EU workers concerning people from the new EU member states from Central and Eastern Europe. Although as a EU-member they do not need a residence permit, until at least May 2006 they still need a TWV. A consequence of these regulations is that the discrepancy between the number of TWV's and the number of persons allowed in to join the labour force is increasing<sup>9</sup>. Applications for a work permit are assessed by the Central Organisation for Work and Income (CWI), which, among other things conducts a labour market check to assess whether job seekers from

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<sup>9</sup> Another reason for the difference between the number of work permits at the one hand and the number of immigrants getting a permit for the motive of work is that persons working on a work permit for a maximum of three months can enter the country on a visa/green card. They do not have to apply for a residence permit.

the priority workforce are available<sup>10</sup>. If so, or if the employer has made insufficient efforts to hire a Dutch or European job seeker the application will be refused. It is also possible for a work permit to become permanent. After three years, the foreign worker becomes eligible for a residence permit stating 'no restrictions on work'. Around ten percent of all work permits are issued for three years and could lead to a permanent residence. In practice however most of the highly qualified workers working on a TWV granted for the maximum period of three years, leave the country after this period (Veld 2004).

The government relaxed the admission rules for highly skilled migrants on 1 October 2004. A highly skilled migrant is a migrant who comes to the Netherlands in order to perform work in salaried employment and earns a gross income (yearly) of at least € 46,541 or € 34,310 if he is under thirty. This income criterion does not apply if the employee enters the employment of an educational or research institute as a PhD student nor does it apply to postdocs and university teachers under 30. Highly skilled workers are issued a residence permit for a period of five years if they are in possession, or about to be granted possession, of a contract of unlimited duration. In the case of a contract for a limited period, the permit will be granted for the duration of the contract, with a maximum of five years.<sup>11</sup> Highly skilled migrants are no longer required to apply for a special work permit at the Centre for Work and Income (CWI). Instead, they are placed outside the Aliens Employment Act so that the Immigration and Naturalization Service (IND) will take sole responsibility for their admission to the Netherlands and to the Dutch labour market. Corporations and institutions can enter into an agreement with the IND to give their skilled migrant workers access to an accelerated procedure to acquire their temporary residence permit [machtiging tot voorlopig verblijf (MVV)]. The agreement includes an obligation for the employee to perform to the best of his/her ability (more specifically, they are required to complete their contract). The employer is obliged to provide notification of any relevant changes and to provide for the employee. On its part, the government agrees to make every effort to process these applications in the shortest possible period of time (and within a maximum period of two weeks). The partners of foreign workers with specialised skills have been exempted from the obligation to apply for a work

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<sup>10</sup> In specific cases a labour market check is not prescribed. The cases are mainly employees of international corporate business and their partners, trainees and workers from countries with which there is a bilateral agreement like Turkey.

<sup>11</sup> [http://www.ind.nl/nl/inbedrijf/actueel/introductie\\_modern\\_migratiebeleid.asp](http://www.ind.nl/nl/inbedrijf/actueel/introductie_modern_migratiebeleid.asp)

permit since 1 March 2005. The government hopes that this exemption will increase the appeal of the Netherlands to foreign experts. However, the partner of the foreign expert loses his or her exemption if they end their relationship within three years.

In the position paper 'Towards a modern migration policy' (2006) the Dutch government proposes some new programs to promote the Netherlands as an attractive country for the highly skilled. One new program is to develop a point system for talented self employed immigrants who are able to strengthen the innovation of the Dutch knowledge economy. Another program is to improve the residence opportunities for international students after graduating in the Netherlands. At this moment the possibilities are limited. Already, directly after completing their studies, educational migrants from outside the European Union (EU) and European Economic Area (EEA) have the opportunity to remain in the Netherlands and work as highly skilled migrants. The rules now applicable in such cases can be summarised as follows:

- After graduating or receiving a degree, educational migrants are allowed to remain in the Netherlands to seek work for up to three months. If they do not find work as highly skilled migrants within that time, they must leave the Netherlands.
- They receive a residence permit allowing them to work only if they find salaried employment that meets the salary requirements set by the scheme for highly skilled migrants. This scheme requires that highly skilled migrants from outside the EU/EEA who wish to work in the Netherlands earn a salary of at least € 46,541 (€ 34,130 for migrants aged under 30).

In a recent report the Advisory Committee on Aliens Affairs (ACVZ) has concluded that the requirements are too demanding and they do not give educational migrants sufficient opportunity to enter the Dutch labour market. The ACVZ recommends: <sup>12</sup>

- The maximum period after graduation for educational migrants from outside the EU /EEA to find work commensurate with their qualifications should be increased from three months to a year.

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<sup>12</sup> See Advisory Committee on Aliens Affairs (2007). *Benefiting from educational migrants*. The Hague: ACVZ.

- Following the search period, a migrant with a university or higher professional degree should be required to have a salary equalling or exceeding the average initial salary of a university or higher professional graduate in the Netherlands.
- During the search period, the recently graduated migrant should be required to provide for him or herself, and should not be entitled to welfare benefits.
- If an educational migrant applies for a residence permit – either to look for work in the Netherlands during the one-year search period or to remain in the country and work following that year – the permit should be issued within two weeks as long as the relevant conditions have been met.
- A scheme for admission as a self-employed person should be created for educational migrants from outside the EU /EEA who have completed higher education courses in the Netherlands. This can be achieved through the ‘talent scheme’ announced in the policy document ‘Towards a modern migration policy’, albeit with a few alterations.

As noted in former Dutch SOPEMI Reports, the number of foreign workers coming to The Netherlands via the Aliens Employment Act has increased considerably over the past few years. The total number of work permits issued for foreign workers doubled between 1999 and 2004 from 20,000 to 44,000. In 2005, the number of work permits for foreign workers increased further to 46,000. Given this growing number of (temporary) foreign workers in The Netherlands, one can hardly refer to them as exceptional cases. In addition, many of the current foreign workers are not knowledge migrants. In 2005, more than half of the work permits were issued for unskilled or semi-skilled work in Dutch agriculture and horticulture. Many of the work permits were given to foreign workers from Central and Eastern Europe, especially Poland.

In March 2006, the Dutch government decided to formally open its borders to eastern European workers, in line with EU agreements, with effect from 1 May 2006. A transitional arrangement currently applies, allowing for the introduction of a less stringent work permit, and will be maintained until at least 1 January 2007. At the same time, the government is expected to assess some economic sectors in terms of employment trends. Employers believe that this arrangement is unnecessary, while the unions are in favour of introducing a trial period. A majority of members of parliament also favour

stricter policies during the transition period. The social partners are expected to assess, sector by sector, whether Dutch employees are being displaced due to an increase of foreign workers. In 2005, nearly 30,000 people from Poland and other new EU Member States were working in the Netherlands. Studies estimate that this number could double when existing limitations are lifted. The jobs filled by these workers are mainly in the agriculture, gardening and manufacturing sectors – jobs that are currently not being filled by Dutch workers.

As is noted in the 2002 Dutch SOPEMI Report, the arrival of temporary workers from Central and Eastern Europe to do agricultural or horticultural work is partly the result of earlier state policy. In the past, undocumented migrants were often employed in horticultural work (Burgers and Engbersen 1999). In the Westland, a well-known Dutch horticultural region, anti-fraud checks showed that one in four businesses employed undocumented migrants (WRR 2001: 81). The employer organisations in the agricultural and horticultural sector were in favour of more lenient regulations to make it possible to legally employ Polish workers for seasonal work. In response, in 2001 the Dutch State came to an agreement with the sector organisations that made it possible to formally recruit Polish workers easily. However, since most Polish workers now demand normal wages, which some businesses are not prepared to pay, undocumented migrants, now mainly Bulgarians, are once again being recruited (Leerkes et al. 2004). We come to the conclusion that in general the government policy goal with respect to labour migration is to eliminate labour market bottlenecks by means of temporary labour migration. To this end, the Aliens Employment Act is available as a regulating instrument. The government plays a role in arriving at agreements in sectors where there is a temporary or permanent shortage of workers, such as health care, horticulture and Chinese restaurants.

## 1.5 Dutch asylum policy<sup>13</sup>

As in other Western countries, asylum policy continues to be a thorny political issue in The Netherlands. Following the large influx of asylum seekers in The Netherlands in the 1990s, the Dutch State adopted a new Aliens Act in 2000.

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<sup>13</sup> Our description of the current asylum policy in The Netherlands is largely based on: WRR, *Nederland als immigratiesamenleving* (The Netherlands as Immigration Society). The Hague: 2001 (in particular pp. 62-74) ([www.wrr.nl](http://www.wrr.nl)).

Its primary purpose is to formulate a more restrictive and efficient asylum policy, e.g. by following previous European agreements on asylum policy. Two points in this draft of European asylum policy are particularly relevant to Dutch asylum policy (see WRR 2001: 63):

- The principle of *safe countries of origin*, according to which an asylum request is declared unfounded if the asylum-seeker comes from a country considered safe by the country handling the request. "Safe" means the political, civil and human rights in the country are sufficiently guaranteed.
- The principle of *safe third countries*, designed to stop "asylum shopping", refers to the situation where an asylum-seeker has entered a country via another EU or a non-EU country that is considered safe. Since that country is safe, the asylum-seeker should have requested asylum there and the receiving country is entitled to send the asylum-seeker back there. In Europe, these instances are referred to as *Dublin cases*.

A crucial problem of the Dutch pre-2000 asylum policy was the lengthy procedure. It was often years before a final decision on an asylum request was made, especially if asylum seekers appealed negative decisions of the immigration authorities (INS) or continued the procedure in an effort to obtain a better status. The 2000 Aliens Act aimed to shorten the asylum procedures in the following three ways:

*a) Asylum decision within six months*

In principle, the immigration authorities issue a decision on an asylum request within six months. This is not a strict requirement, but one that an effort is made to meet. A desire for faster asylum-related decision-making is nothing new, but in practice it has not been doable due to the mass influx of asylum seekers to The Netherlands. The Dutch have taken numerous measures in recent years to limit the number of asylum seekers and to simplify and accelerate the asylum procedure. The first measure was to set up so-called Application Centres (AC) where a first assessment of an asylum request is to be made within 48 'process hours' (which takes a maximum of about five days). Asylum seekers rejected at the Application Centre have to leave The Netherlands immediately. Secondly, criteria were formulated on which countries could be considered safe. A country is considered safe if it has signed the relevant human rights agreements and abides by them. The Minister for Immigration and Integration decides whether this is the case on the advice of the Minister for Foreign Affairs. Asylum seekers from countries

considered safe according to the formal criteria are not immediately rejected. There is always an assessment of each individual case. A pre-condition is that asylum seekers can make a plausible case that their personal safety is at risk in their home country.

*b) Appeals system*

The Aliens Act 2000 eliminated the option of an administrative review of a decision by the immigration authorities. Asylum seekers have the opportunity to lodge an appeal to a court, followed by an appeal to the Council of State, the highest Dutch administrative appeal board, which is required to make a decision within six months. In principle the asylum seeker can remain in The Netherlands pending an appeal decision, though not in the case of a decision on a further appeal. If the asylum appeal is rejected, the alien no longer has a right to make use of a reception centre or of the other facilities and is to leave The Netherlands. No separate appeal is possible against the termination of the reception facilities, as this is a part of the negative decision on the asylum application itself.

*c) Introduction of a single asylum status*

However, the most important change in the 2000 Aliens Act pertains to the different asylum statuses. Prior to the Act, The Netherlands had various asylum statuses with different rights and privileges depending on the grounds for asylum. As of 1 April 2001, every asylum-seeker whose asylum request is approved receives the same temporary residence permit, regardless of the grounds for the asylum. Each asylum-seeker who is admitted first receives a temporary residence permit for a maximum of five years (until 1 September 2004 this was three years). In the current situation the temporary permit has to be prolonged yearly (INDIAC/EMN 2006:32). After this period of five years it can be converted into a permanent residence permit. Uniform rights and facilities are attached to this single status. All asylum migrants who have been admitted to The Netherlands (status holders) have the same rights in regards to employment, national assistance, family reunification, study and study grants, refugee passports and so forth.

During the asylum procedure, asylum seekers have a right to be housed at a reception centre or elsewhere. However, the basic principle is that asylum seekers remain outside society. Asylum seekers only have a limited right to engage in paid employment and have no access to the Dutch national assistance system. Instead, there are pocket money arrangements at the Reception Centres. The idea is that asylum seekers have to be kept outside



Dutch society as long as their asylum request has not been approved. If they are integrated into Dutch society, it would only make it harder for them to leave again.

A final 'spearhead' of the new asylum and immigration policy is the return policy which is based on the premise that asylum seekers who have finalized their legal proceedings are responsible for their return to their country of origin (see par. 1.7). It cannot be established how many asylum seekers actually leave the country or are still here without a valid residence permit (that is to say 'illegal').

## **1.6 Irregular migration policies**

The following changes have taken place in the field of illegal immigrant policy. Firstly, the Dutch state tries to block access to the formal labour market through rather high employer sanctions and by laying a protective ring of documentary requirements around the formal labour market, blocking access to stable tax-paying jobs. Since 1991, it is impossible for illegal aliens in the Netherlands to register in the population register and thus obtain a social-fiscal number, the 'entry ticket' to formal work. Dutch documentation requirements make it very difficult for illegal aliens to get a job in the legal, regular economy. Since January 1, 2005 an administrative fine is introduced in the Aliens Employment Act: €8,000 for legal bodies and €4,000 for natural persons (by alien).

Secondly, the Dutch state tries to exclude irregular immigrants from public services (welfare, social security, health care, education, public housing). In 1998, the *Benefit Entitlement (Residence Status) Act* came into force (Van der Leun 2003). This Act aims at terminating and preventing the provision of unlawful benefits for persons residing illegally. Thus preventing them in building up a quasi legal position (Minderhoud 2004). This act was to ensure that only immigrants with residence permits could obtain social security and other social rights. This Act is also known as the 'Linking Act' because immigration service registration files, census bureau data, fiscal identification agency data and social security and social assistance data can all be cross-checked to verify the validity of immigrants' residence and work status.

Thirdly, the Dutch state is intensifying instruments of detention and expulsion (see also paragraph 1.7). Detention and expulsion are regarded as the final stages of an effective illegal aliens policy. The legal basis of alien detention differs in the European countries. In Belgium, France, Germany and to some extent England, illegal residence is punishable. The penalty usually consists of imprisonment or a fine. In the Netherlands, illegal residence as such is not an offence (ACVZ 2002). The most important reason for non-penalization is that this can prolong illegal residence (Minderhoud 2004). Irregular immigrants may be detained – under specific condition and with access to remedies and judicial review - and expelled on the basis of the Dutch Aliens Act. In enforcement priority is given to detention and expulsion of persons causing public order disturbances or who are involved in crime. However not all apprehended immigrants have committed crimes. They break the rules by being in a country without the necessary documents and in a legal sense detention is an administrative matter and not a penal measure.

The Netherlands has several special centres to expulse apprehended illegal immigrants and failed asylum seekers. These centres focus on the efficient organization of forced return programmes, on the one hand, and establishing the identities and nationalities of the apprehended 'unidentifiable' immigrants, on the other. Under the Aliens Act 2000 it has become easier to arrest and detain illegal immigrants. On 30 September 2004 the number of immigrants held in custody because of immigration laws (1655) had almost *quadrupled* since 1994 (425). This increase was also partly enabled by the construction of special repatriation centres at Schiphol airport and Rotterdam airport. Approximately half the number of immigrants is in custody for less than seven days (ACVZ 2002: 23). These are immigrants who are easy to expulse. On average, however, illegal immigrants are not only more often detained than in previous years, the average length of detention has also risen significantly. Between 2000-2001, of the almost 20,000 custodies that ended, well over 60 percent ended in actual expulsion. This means that a large number of illegal immigrants returned into Dutch society because there was no prospect of expulsion (ACVZ 2002: 23). Van Kalmthout et al. (2005) find that in less than half of the apprehended and detained illegal immigrants authorities are not able to enforce the expulsion due to practical impediments (e.g. non cooperation, lack of documents etc). In those case detention of many irregular immigrants is (and legally has to be) suspended because there is no longer a credible perspective on expulsion. The person involved is released and summoned to leave the country.

## **1.7 Return migration policies**

An important focal point of the current restrictive migration policies is the return of rejected asylum seekers and illegal aliens to their countries of origin, or rather, their departure from The Netherlands (Commissie Evaluatie Vreemdelingenwet 2000 2004). Efforts to promote return migration are not new. Already in the early nineties an official advisory committee (Committee Zeevalking) gave the advice to discourage illegal residence by introducing an (partial) identification obligation, punishing illegal work (by booking the employers) and excluding illegal residents from all public services. During the 1990's various acts were introduced to make illegal residence more difficult in The Netherlands. Also explicit policies to stimulate return migration of rejected asylum seekers and other undocumented immigrants were launched. In 1996, a first so-called *Departure Centre (Vertrekcentrum)* was opened in a small village called Vlagtwedde. This Departure Centre housed rejected asylum seekers that no longer had any legal opportunities to obtain a residence permit. Awaiting their departure from The Netherlands they received minimal care (bath, bed, bread, some pocket money and legal advice). However, of the first 368 residents of the Departure Centre only 41 were actually sent out of the country. The same happened in 1997: only 64 of all 898 residents of the Departure Centre were actually sent out of The Netherlands. Most others had left *With Unknown Destination (Met Onbekende Bestemming, Dutch acronym: MOB)*, as it is called. Someone is considered 'departed with unknown destination' if he is not encountered at the address and it is assumed that he has left. Whether he or she has actually left the country or is still present without a valid residence permit (that is to say 'illegal'), cannot be established. This Departure Centre was closed down in June 2000.

The current immigration and integration policy is based on the following principle: "A person whose residence permit is granted must integrate in the Dutch society. A person, who has finalised his legal proceedings, becomes illegal and must leave The Netherlands. Starting point is that it is prohibited to stay here illegally, also in the interest of the immigrant." (Ministry of Justice 2004). The return policy is based on the premise that the asylum seeker who has finalised his legal proceedings is in principle responsible for his return to his country of origin. The ideas behind this are that the asylum seeker managed to get to The Netherlands on his own initiative and must therefore return on his own initiative as well, that voluntary return is

preferable to both immigrant and authorities to forced return and that the possibilities of the authorities to enforce return are not without limits. After every negative decision in the procedure asylum seekers are reminded of their responsibility and encouraged to make preparations for their return. When an asylum seeker is rejected he is granted a four weeks period to arrange for voluntary departure. In this period the authorities are, with exceptions, not yet authorized to enforce return through expulsion. The immigrant can receive support from the Dutch Government. The Government may, for instance, assist the asylum seeker in obtaining replacement travel documents.

The previous Minister for Immigration and Integration has declared an effective return migration policy to be one of four "spearheads" of her policies. Late 2003 she published her *Memorandum on Return Migration* (Ministry of Immigration and Integration 2003). A large part of her policy is a continuation of measures taken by former governments, though there is now a greater emphasis on effective implementation of the measures and on the final stage of the migration policy cycle, namely the expulsion policy. From the perspective of the Dutch government, the main problems of return migration are that immigrants refuse to cooperate in leaving the country and that there is too little surveillance of illegal immigrants (both rejected asylum-seekers and other undocumented migrants). The *Memorandum on Return Migration* (2003) contains various measures to assure a more effective implementation of return migration.

In the implementation of return migration policies a distinction is made between a) asylum seekers who submitted their initial request for asylum prior to 1 April 2001 and were treated under the former Aliens Act and b) those that submitted their request after 1 April 2001 and are treated under the new Aliens Act 2000.

#### **Policy for asylum seekers who submitted their initial asylum request before 1 April 2001**

For asylum seekers who submitted their initial request for asylum prior to 1 April 2001 the Project Return was set up. The asylum seekers who have finalised their legal proceedings and must leave The Netherlands, receive intensive support in their return to their country of origin. If the asylum seeker objectively demonstrates that he is unable to return for reasons beyond his control, a residence permit will be granted on the grounds of the

so-called 'no blame' criterion. In cases in which distressing circumstances prevent the return, the Minister can still grant a residence permit by utilising the discretionary powers inherent in the legislation.

The intensive support for asylum seekers who have finalised their legal proceedings will, in the first instance, take place in the current reception centre. To this effect the asylum seeker can use the 'Return Reintegration Project', offered to them by the International Organisation for Migration (IOM). In addition to assistance in obtaining travel documents, these asylum seekers may receive plane tickets for their return journey, home contents may be shipped and they may receive a sum of money to assist them in the initial period after their return. They get eight weeks time to arrange their own return migration.

If the asylum seeker who has finalised his legal proceedings does not manage (or is unwilling) to arrange this departure, the procedure is as follows. First the reception facilities will be terminated and the asylum seeker is moved to one of the *Departure Centres* (in Vlagtwedde (Ter Apel) or in Vught). In this Centre the asylum seeker who has finalised his legal proceedings must report on a daily basis and remain available for intensive examination of his identity and nationality in order to enable his return migration or expulsion. This procedure takes a maximum of eight weeks. If by then return has not been effected, the immigrant may, if conditions are met, be detained or may be evicted with a summation to leave the country in which case he may end up on the streets without any public support or can decide to leave the country after all.

When it is expected that the migrant can be forcibly repatriated on short notice, he may be detained in a *Repatriation Centre (uitzetcentrum)*. This, for example, is the case when all necessary travel documents are available and he only has to wait for a flight. When a rejected asylum seeker can, in principle, be expelled from the country, but not on such short notice, he may be detained in a *Detention Centre* (alien custody). When there is no real perspective of expelling the person, detention is – and legally has to be – suspended by the authorities or, in the case of an appeal, by a court. In that case, are summoned to leave and may end up on the street or decide to leave the country themselves.

Prior to the implementation of this more restrictive policy, in 2003, the Dutch government decided to a specific amnesty for rejected asylum seekers. Based

on the discretionary power of the Dutch Minister for Immigration and Integration residence permits could be granted to the following people:

- aliens who submitted their initial asylum request in The Netherlands before May 1998 and were still awaiting a final decision on their first asylum request in May 2003, including aliens awaiting a final decision on the prolongation, withdrawal or non-prolongation of a conditional residence permit in the framework of this initial asylum request; and
- who have continuously resided in The Netherlands from the date of their first asylum request to 27 May 2003.
- a residence permit is not granted if there are negative indications such as delinquency or false documents.

Ten thousands of people handed in a request. 2,097 persons were granted a residence permit on the afore mentioned grounds of the amnesty, and 220 persons on grounds of distressing circumstances (and another 17 persons from Srebrenica). This decision caused quite a protest from private organisations and municipal authorities, which claimed that more immigrants should have received a residence permit (Weltevrede 2005).

The project Return is aimed at those asylum seekers that lodged their first claims under the Former Aliens Act. Beginning 2004 it was estimated some 26,000 asylum seekers, most of whom will still in their asylum proceedings, were eligible for this Project. Up until December 1, 2006 over 23.000 of the target group were processed, resulting in almost 5.000 departures (forced and voluntary) some 10.000 residence permits on grounds of distressing circumstances, the no-blame criterion or other reasons and some 8.000 departures with unknown destination.

#### **Policy for asylum seekers who submitted their initial asylum request after 1 April 2001**

For immigrants that applied for asylum after 1 April 2001 the regulations, as far as return migration is concerned, are stricter. This group is treated under the new Aliens Act 2000 that is pointed at shorter and quicker procedures. From the start of the asylum procedure asylum seekers are informed that if the asylum request is rejected they have to leave the country. The Aliens Act 2000 establishes that asylum seekers have four weeks (28 days) to arrange their voluntary return to their home country after the final refusal of their asylum request. Assisted voluntary return programmes, by IOM on behalf of

the Dutch authorities, are available to all. After these four weeks all public support is ended, the authorities may evict them from reception facilities and enforce return by expulsion without further issuance of orders. The initial assumption is that rejected asylum seekers themselves are responsible for leaving the country on time. Twenty-eight days after the alien has been informed that he must leave the country, a check is performed to establish whether this has actually happened. The Aliens Department then carries out an *address check* at the last known address of the alien. The alien is considered to be 'administratively removed' if he is not encountered at the address and it is assumed that he has departed. In the majority of cases this implies 'departure with unknown destination'. If the alien is found at the last known address after 28 days and forced return is possible then the person is taken into custody before being *expulsed* or forced to *departure under supervision*. In the case of expulsion the alien is taken across the border under supervision and if necessary transported to the country of origin. In case of departure under supervision an alien can leave the country by oneself, but his travel documents are taken in and only given back at the place where the alien leaves the country.

If forced return is not possible, the alien can be evicted from their homes or from reception centres for asylum seekers. In practice this means however that many rejected asylum seekers end up on the street. There are no clear data on the proportion that will continue to remain in The Netherlands on an illegal basis (Engbersen et al. 2002; Leerkes et al. 2004). Without any formal support they have to survive by themselves, sometimes with help from so-called informal social safety nets (organized by municipal administrations, often in conjunction with churches or other private organisations) (Rusinovic et al. 2002). The Dutch State insists that rejected asylum-seekers should leave the country.

The most recent measures for a more effective implementation of the return migration policy, as described in the *Memorandum on Return Migration* (2003), are as follows (Ministry of Immigration and Integration 2003). First, more measures to improve border control with the aim of preventing illegal residence, e.g. by enlarging the responsibility of carriers in removing aliens who have been refused at the border.

Second, more measures to promote the return of failed and rejected asylum seekers e.g. by expanding the capacity for alien detention and by new reception modes for asylum-seekers. Reception centres will be divided into two categories for two kinds of asylum seekers. *Orientation and Integration*

*Centres* will house asylum seekers who are waiting for a decision on their applications. Asylum seekers at the orientation centres and the existing reception centres who receive an initial rejection from the immigration authorities are then to be transferred to a *Repatriation Centre*. These Repatriation Centres are not to house any asylum-seekers who are still awaiting the initial decision on their asylum request. Another measure to encourage return is to ensure that aliens remain available for investigations into identity and nationality as well as explaining the possible outcome of the asylum procedure more explicitly and emphatically to asylum seekers. Third, there are measures to promote the return of illegal migrants by intensifying supervision and conducting further research into the use of biometrics. Other measures involve, generating more general support for return as well as integrating departure and return into Dutch foreign Policy. The Return Migration Memorandum stipulates numerous measures for a stricter approach to the problems related to illegal aliens within the policy on aliens. In addition to this memorandum, in April 2004 the Minister for Immigration and Integration presented the Memorandum on Illegal Aliens (Ministry of Immigration and Integration 2004). The memorandum announces a wide range of measures to deal with issues such as the employment of illegal aliens, trafficking in people, and premises rented to illegal aliens. The implementation of these measures was launched in 2004. These efforts are to be continued in 2006.



# Migration to and from The Netherlands

## 2.1 Summary

Main trends in migration to and from The Netherlands

- In 2005, the number of immigrants entering The Netherlands dropped again to 92,297. This declining trend was also evident in 2003 and 2004. In 2000 and 2001, the total number of immigrants entering the Netherlands reached a record number of about 130,000 a year.
- Since the number of emigrants leaving the Netherlands, Dutch and foreign nationals alike, rose in recent years, the immigration surplus (immigration minus emigration) in 2005 was only about 9000. In 2004, the migration surplus was still twice that size (19,000). In 2000, the immigration surplus was many times bigger (72,000).
- An important explanation for the declining immigration is the sharp fall in the number of immigrants from typical refugee countries such as Angola, Congo, Ethiopia, Somalia, Sudan, Sierra Leone, Afghanistan, Iraq, Iran, former Yugoslavia, and the former Soviet Union. In 2005, there were 19,500 fewer immigrants from these eleven countries than in 2001. This explains half of the total decline in immigration from 2001 to 2005. The declining immigration from these countries is the intended result of the stricter Dutch asylum policies in recent years.
- In public opinion, the media, and the political debate, immigration is often associated with immigrants from Third World countries with a non-Western cultural background who find it hard to integrate into Dutch society. However this popular picture is true for only a minority of the immigrants entering the Netherlands. More than 70% of the 92,000 immigrants in 2005 are either Dutch nationals (including Antilleans and Arubans) or immigrants from the other Western countries such as other EU countries, the United States, Indonesia or Japan. Even if we exclude the immigrants from the Netherlands Antilles, 67% of the immigrants of 2005 were still either Dutch nationals or from other Western countries. 18% of all immigrants of 2005 came from the 'new EU countries' or from

other Middle and Eastern European countries. The largest single non-Dutch immigrant groups coming to the Netherlands in 2005 came from Poland (6500) and Germany (5408). Almost 30% of the immigrants of 2005 came from various non-Western countries. The largest single non-Western immigrant groups came from Turkey (3100), China (3000), Morocco (2000) and Surinam (1338).

- When looking at the developments over the last decade, it appears that non-Dutch immigrants from Western countries are an expanding category. In the late 1990, less than half of all foreign nationals immigrating to the Netherlands came from various Western countries. In 2005, this figure was 57%. As could be expected, the proportion of immigrants from the new EU countries in particular, increased rapidly (from ample 2% in the mid 1990s to 12,5% in 2005). On the other hand, the proportion of immigrants from non-Western countries declined over the years from over 50% in the 1990s (up to 57% in 1996) to 43% in 2005. Notably, the proportion of immigrants coming from traditional sending countries such as Turkey and Morocco fell in 2005.
- Family reasons (marriage, family reunification) are still the most important motives for immigration: 43% of all non-Dutch immigrants of 2004 came for family reasons. (For 2005, these figures are not available yet). In some non-Western groups, the proportion of immigrants that came to The Netherlands for family reasons is significantly higher. This is the case for Moroccans (90%), Surinamese (88%), Turks (86%) and Thais (84%). Around one in four of all immigrants of 2004 came to the Netherlands for employment. Among non-Western immigrant groups this figure is significantly smaller (only 8,5%)
- About one in three immigrants to The Netherlands leave again within six years. The percentage of return migrants is larger among Western than non-Western immigrants. The percentage of return immigrants seems to be the lowest among immigrants coming to The Netherlands to seek asylum or for family reasons.

## 2.2 Immigration to The Netherlands

This chapter describes the migration flows to and from the Netherlands. What are the central trends? Who are the immigrants and why do they come to the Netherlands? After the Second World War, The Netherlands was a country of emigration. Officially encouraged by the Dutch government, many Dutch

citizens emigrated to the United States, Canada or Australia. This situation only changed in the early 1960s with the arrival of guest workers from the Mediterranean. As the term *guest worker* implies, they were only expected to stay temporarily in The Netherlands and return to their home countries once they had done their job. This myth of migrants returning home dominated official Dutch thinking about immigration and immigrant integration for many years. Only when the guest workers brought their families to the Netherlands and when major flows of post-colonial immigrants from the Caribbean (Suriname, Netherlands Antilles) started to come, in the 1980s and 1990s, it became clear that immigrants were here to stay and the Netherlands was turning into a country of immigration.

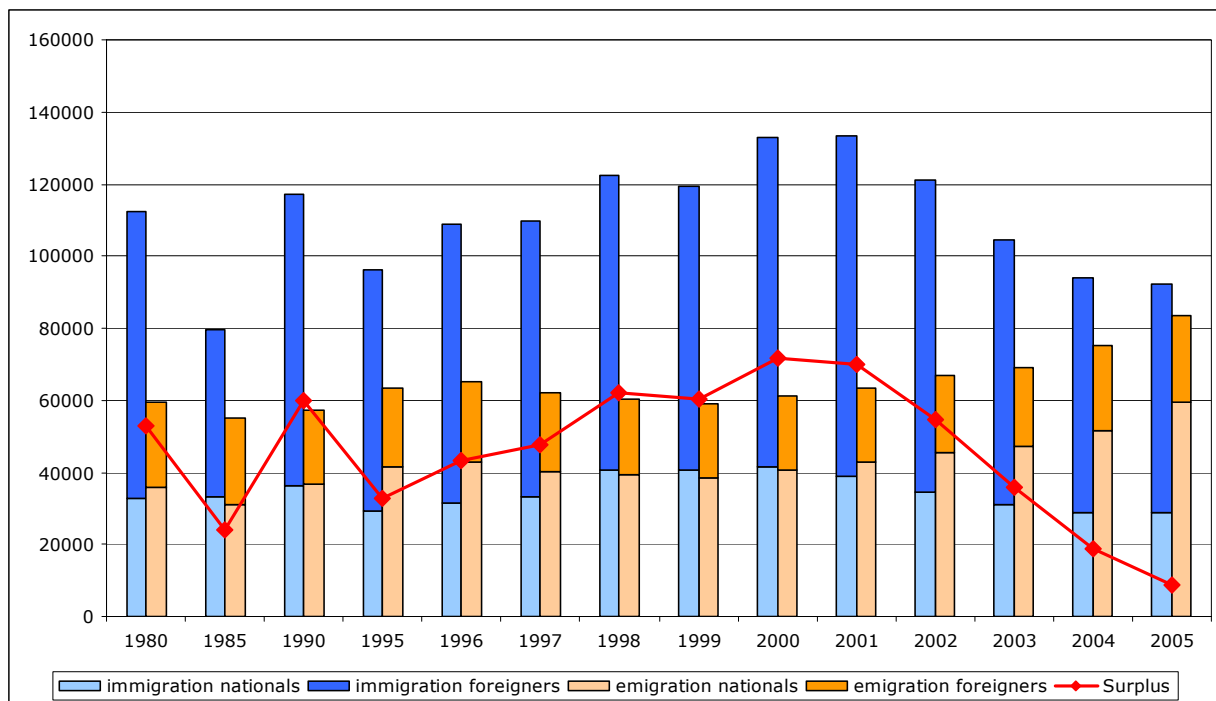
However, most recent years brought new significant changes in the migration to the Netherlands. Table 2.1 shows the numbers of immigrants to the Netherlands since the early 1980s and makes clear that migration to the Netherlands was at its maximum in the years 2000 and 2001 (with 130,000 immigrants coming to the Netherlands in each year). After this peak of migration around the Millennium Change, the total number of immigrants fell rapidly to 100,000 in 2003 and to 92,000 in 2005. That is, in only four years time (2001-2005) the number of immigrants coming to the Netherlands declined noticeably 30%. The main reason for the falling number of immigrants was the rapid decrease of asylum migration to the Netherlands. As figure 2.4 shows, the number of immigrants settling in the Netherlands for asylum dropped from 26,000 in 2001 to not more than 3,000 in 2004 (data for 2005 not yet available). This means that the decline in asylum migration explains 60 percent of the overall decline in immigration to the Netherlands in these years. Immigration for family reasons also declined in these years (from an abundant 35,000 in 2001 to 28,000 in 2004). This accounts for another 20 percent of the overall decline in immigration to the Netherlands in this period. Meanwhile, the number of immigrants coming to the Netherlands to study and for other unspecified reasons increased (figure 2.4). Returning to table 2001, we can see that despite the falling immigration numbers in recent years the level of immigration to the Netherlands is still significantly higher than in most of the 1980's.

At the same time as the decrease of immigration to the Netherlands, the number of emigrants leaving increased. The total number of emigrants went up from 59,000 in 1999 to 83,000 in 2005. Section 2.3 will give more detailed information about these emigration figures. With declining immigration and rising emigration, of course, the immigration surplus (immigration minus emigration) is declining as well. In 2005, the immigration

surplus was only around 9,000. In 2004 the Dutch migration surplus was still 19,000, and in 2001 – at the height of immigration to the Netherlands – the immigration surplus was 70,000.

The Dutch migration surplus has not been that low since 1984.

**Figure 2.1** Immigration and emigration of Dutch and Foreign Nationals to and from the Netherlands and migration surplus (1980-2005, selected years) (in absolute numbers)



Source: Statistics Netherlands (Statline)<sup>14</sup>

<sup>14</sup> From 2004 EU includes 10 new countries

**Table 2.1: Immigration and Emigration of Dutch and Foreign Nationals in The Netherlands (1980-2005)**

Year	Immigration			Emigration			Surplus	
	Dutch nationals	Foreign nationals	Total	Dutch nationals	Foreign nationals	Total	Surplus	Corrected surplus*
1980	32,684	79,820	112,504	35,837	23,633	59,470	53,034	53,034
1981	29,767	50,416	80,183	38,216	24,979	63,195	16,988	16,988
1982	29,810	40,930	70,740	39,413	28,094	67,507	3,233	3,233
1983	30,321	36,441	66,762	32,810	27,974	60,784	5,978	2,331
1984	29,616	37,291	66,907	31,824	27,030	58,854	8,053	5,133
1985	33,196	46,166	79,362	31,009	24,206	55,215	24,147	19,887
1986	34,585	52,802	87,387	31,155	23,563	54,718	32,669	26,780
1987	35,080	60,855	95,935	31,139	20,872	52,011	43,924	35,091
1988	32,976	58,262	91,238	34,403	21,388	55,791	35,447	27,242
1989	33,529	65,385	98,914	38,218	21,489	59,707	39,207	26,851
1990	36,086	81,264	117,350	36,749	20,595	57,344	60,006	48,411
1991	35,912	84,337	120,249	35,998	21,330	57,328	62,921	49,610
1992	33,904	83,022	116,926	36,101	22,733	58,834	58,092	43,118
1993	31,581	87,573	119,154	37,019	22,203	59,222	59,932	44,366
1994	30,887	68,424	99,311	39,409	22,746	62,155	37,156	20,083
1995	29,127	66,972	96,099	41,648	21,673	63,321	32,778	13,904
1996	31,572	77,177	108,749	42,921	22,404	65,325	43,424	16,804
1997	33,124	76,736	109,860	40,278	21,940	62,218	47,642	27,887
1998	40,706	81,701	122,407	39,175	21,266	60,441	61,966	43,118
1999	40,786	78,365	119,151	38,358	20,665	59,023	60,128	40,372
2000	41,467	91,383	132,850	40,474	20,727	61,201	71,649	53,873
2001	38,897	94,507	133,404	42,921	20,397	63,318	70,086	50,838
2002	34,631	86,619	121,250	45,571	21,157	66,728	54,522	24,332
2003	30,948	73,566	104,514	47,015	21,870	68,885	35,629	-317
2004	28,898	65,121	94,019	51,500	23,549	75,049	18,970	-16,216
2005	28,882	63,415	92,297	59,415	23,984	83,399	8,898	-27,428

\*Migration figures in The Netherlands need to be corrected by the number of net administrative corrections, a figure that is largely influenced by the unreported emigration of foreigners. If the net administrative corrections are deducted from the registered migration surplus, the result is a lower corrected migration surplus. Statistics Netherlands presents the registered migration statistics as well as the net administrative corrections.

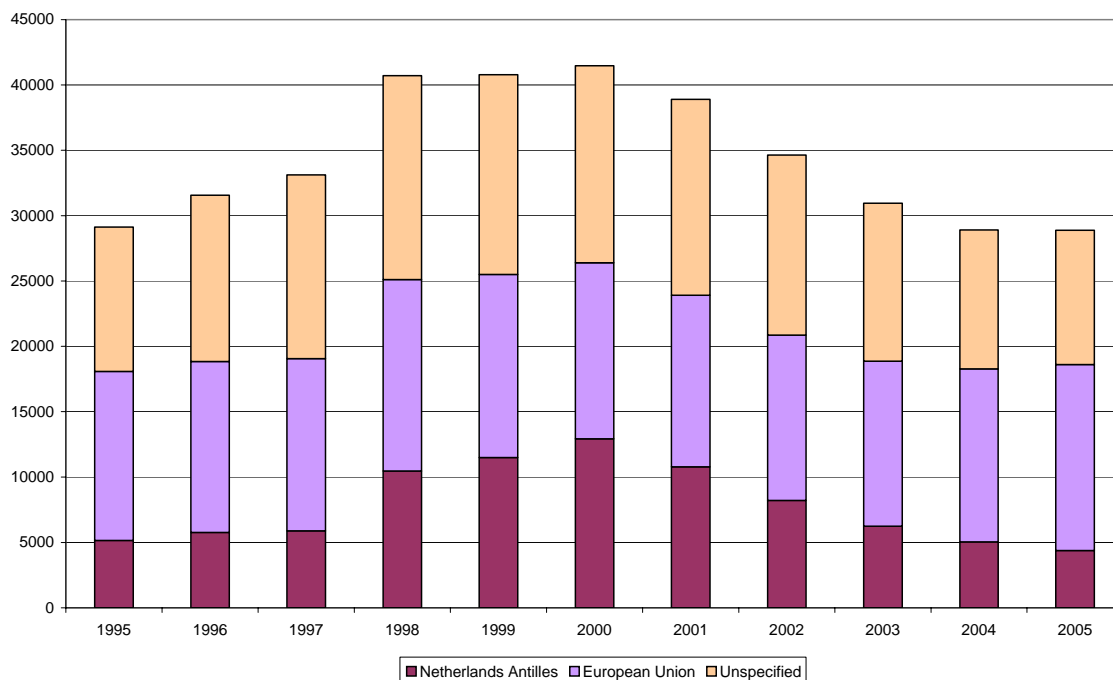
Source: Statistics Netherlands, Statline<sup>15</sup>

The last column of table 2.1 gives a corrected figure for the immigration surplus to the Netherlands. This requires some explanation. Local authorities carry out these so-called administrative corrections. Municipalities can include someone in the local population register by request of the person involved. More important, however, are withdrawals from the local population register. A municipality withdraws someone from the population register when it is established that the place of residence of the person is unknown, the resident cannot be reached and when it is assumed that he or she is not a resident of a Dutch municipality anymore. These administrative corrections imply in practice that the emigration from the Netherlands is larger than was assumed, and that consequently the immigration surplus is even lower than we reported thus far. Using these corrected figures (as in the last column of table 2.1), we can see that the Netherlands has a negative immigration surplus since 2003. This means that emigration is larger than immigration. In 2005, the negative immigration surplus even moved up to -27,500 persons. More details about administrative corrections on the immigration and emigration figures are given in the Appendix to this chapter.

<sup>15</sup> The figures are based on information of Statistics Netherlands as reported to Statistics Netherlands by the municipal population registrations.

Who are the 92,000 immigrants that came to the Netherlands in 2005? Where did they come from and why did they come to the Netherlands? Almost one third of the immigrants are Dutch nationals coming or returning to the Netherlands (about 29,000 people in 2005, Table 2.1). The number of Dutch nationals coming or returning to the Netherlands was much higher, however, at the late 1990s (about 40,000). Figure 2.2 shows where these Dutch nationals entering the Netherlands came from. Almost half of these immigrants were Dutch nationals living in other EU-countries<sup>16</sup> that returned to the Netherlands. A specific category among the Dutch nationals immigrating to the Netherlands is residents from the Dutch Caribbean islands, the Netherlands Antilles and Aruba. In the late 1990s more than an annual 10,000 Antilleans came to The Netherlands due to the poor economic situation there. In 2005, the number of Antillean immigrants declined to about 4,400 (almost 5% of the total immigration to the Netherlands) (table 2.2).

Figure 2.2: Immigration of Dutch Nationals (selected categories) 1995-2005



Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

Table 2.2: Immigration of Dutch nationals and foreign nationals by country of origin and gender, 2005

	Male		Female		Total	
		in %		in %		in %
<b>Total</b>	<b>46,137</b>	<b>100.0</b>	<b>46,160</b>	<b>100.0</b>	<b>92,297</b>	<b>100.0</b>
<b>Dutch nationals</b>	<b>15,818</b>	<b>34.3</b>	<b>13,064</b>	<b>28.3</b>	<b>28,882</b>	<b>31.3</b>
<i>of whom from</i>						
Dutch Antilles and Aruba	2263	4.9	2110	4.6	4373	4.7
25 EU countries	7921	17.2	6316	13.7	14,237	15.4
<b>Non-Dutch nationals</b>	<b>30,319</b>	<b>65.7</b>	<b>33,096</b>	<b>71.7</b>	<b>63,415</b>	<b>68.7</b>
<i>of whom from</i>						
<b>Western Countries</b>	<b>18,163</b>	<b>39.4</b>	<b>19,184</b>	<b>41.6</b>	<b>37,347</b>	<b>40.5</b>
<i>of whom from</i>						
<b>EU-countries (25)</b>	<b>13,714</b>	<b>29.7</b>	<b>13,365</b>	<b>29.0</b>	<b>27,079</b>	<b>29.3</b>
<i>of whom from</i>						
<b>old EU-countries (15)</b>	<b>9320</b>	<b>20.2</b>	<b>8903</b>	<b>19.3</b>	<b>18,223</b>	<b>19.7</b>
<i>of whom from</i>						
Germany	2431	5.3	2977	6.4	5408	5.9
United Kingdom	1816	3.9	1310	2.8	3126	3.4
France	945	2.0	847	1.8	1792	1.9
Belgium	796	1.7	839	1.8	1635	1.8
<b>new EU-countries (10)</b>	<b>4394</b>	<b>9.5</b>	<b>4462</b>	<b>9.7</b>	<b>8856</b>	<b>9.6</b>
<i>of whom from</i>						
Poland	3401	7.4	3111	6.7	6512	7.1
Hungary	264	0.6	332	0.7	596	0.6
<b>Other Europe</b>	<b>1401</b>	<b>3.0</b>	<b>2545</b>	<b>5.5</b>	<b>3946</b>	<b>4.3</b>
<i>of whom from</i>						
Soviet Union (former)	577	1.3	1217	2.6	1794	1.9
Yugoslavia (former)	237	0.5	356	0.8	593	0.6
Romania	167	0.4	341	0.7	508	0.6
<b>other Western</b>	<b>3048</b>	<b>6.6</b>	<b>3274</b>	<b>7.1</b>	<b>6322</b>	<b>6.8</b>
<i>of whom from</i>						
United States	1394	3.0	1328	2.9	2722	2.9
Canada	283	0.6	316	0.7	599	0.6
Indonesia	416	0.9	662	1.4	1078	1.2
Japan	545	1.2	549	1.2	1094	1.2
Australia	330	0.7	346	0.7	676	0.7
<b>Non-Western countries</b>	<b>12,156</b>	<b>26.3</b>	<b>13,912</b>	<b>30.1</b>	<b>26,068</b>	<b>28.2</b>
<i>of whom from</i>						
Turkey	1658	3.6	1458	3.2	3116	3.4
Morocco	943	2.0	1070	2.3	2013	2.2
South Africa	167	0.4	349	0.8	516	0.6
Egypt	223	0.5	163	0.4	386	0.4
Nigeria	265	0.6	261	0.6	526	0.6
Ghana	329	0.7	507	1.1	836	0.9
Suriname	578	1.3	760	1.6	1338	1.4
Brazil	281	0.6	548	1.2	829	0.9
Colombia	142	0.3	219	0.5	361	0.4
China	1144	2.5	1897	4.1	3041	3.3
Thailand	312	0.7	810	1.8	1122	1.2
Iraq	441	1.0	329	0.7	770	0.8
Afghanistan	150	0.3	276	0.6	426	0.5
Iran	184	0.4	292	0.6	476	0.5
India	701	1.5	397	0.9	1098	1.2
Philippines	88	0.2	420	0.9	508	0.6

Source: Statistics Netherlands

Table 2.2 gives an overview of who came to the Netherlands in 2005. The data in the table refers to both the nationality and country of origin of immigrants. First a distinction is drawn between Dutch nationals (including immigrants from the Netherlands Antilles) and foreign nationals. The countries of origin mentioned in the table are not necessarily the country of birth, but the country immigrants came from when arriving in the Netherlands. Following official Dutch statistics, the countries of origin are subdivided in Western countries (such as the EU, countries in Central and Eastern Europe and other Western countries) and non-Western countries.<sup>17</sup>

In our opinion, the figures in table 2.2 put the current concern about immigration to the Netherlands into the proper perspective. In the Dutch public and political debates, and in the media immigration is often associated with people from the Third World countries with a non-Western cultural background that find it hard to integrate into Dutch society. However, as table 2.2 makes clear, this popular picture of immigration is true for only a minority of the immigrants coming to the Netherlands. More than 70% of the 92,000 immigrants in 2005 are either Dutch nationals (including Antilleans and Arubans) or immigrants from other Western countries such as the other EU countries, the United States, Indonesia or Japan. Even if we exclude the immigrants from the Netherlands Antilles, 67% of the immigrants of 2005 were still either Dutch nationals or coming from other Western countries. In 2005, almost 13,000 non-Dutch immigrants (that is 14% of the total immigrants population) came from the new EU-countries or from other European countries (mainly other central and Eastern European countries, including the Russian Federation). The total number of immigrants in the Netherlands from Middle and Eastern European countries (EU and non-EU) in 2005 was again higher than in 2004 (12,000). The largest single non-Dutch immigrant groups coming to the Netherlands in 2005 came from Poland (6500), Germany (5408), and the Netherlands Antilles (4373).

All of this implies that the proportion of non-Western immigrants of the overall immigration to the Netherlands is not more than 30%. The five largest single immigrant groups from non-Western countries came from Turkey (3100), China (3000), Morocco (2000), Surinam (1338), and from Thailand (1122). It is interesting to note that the more or less 'traditional' immigrant

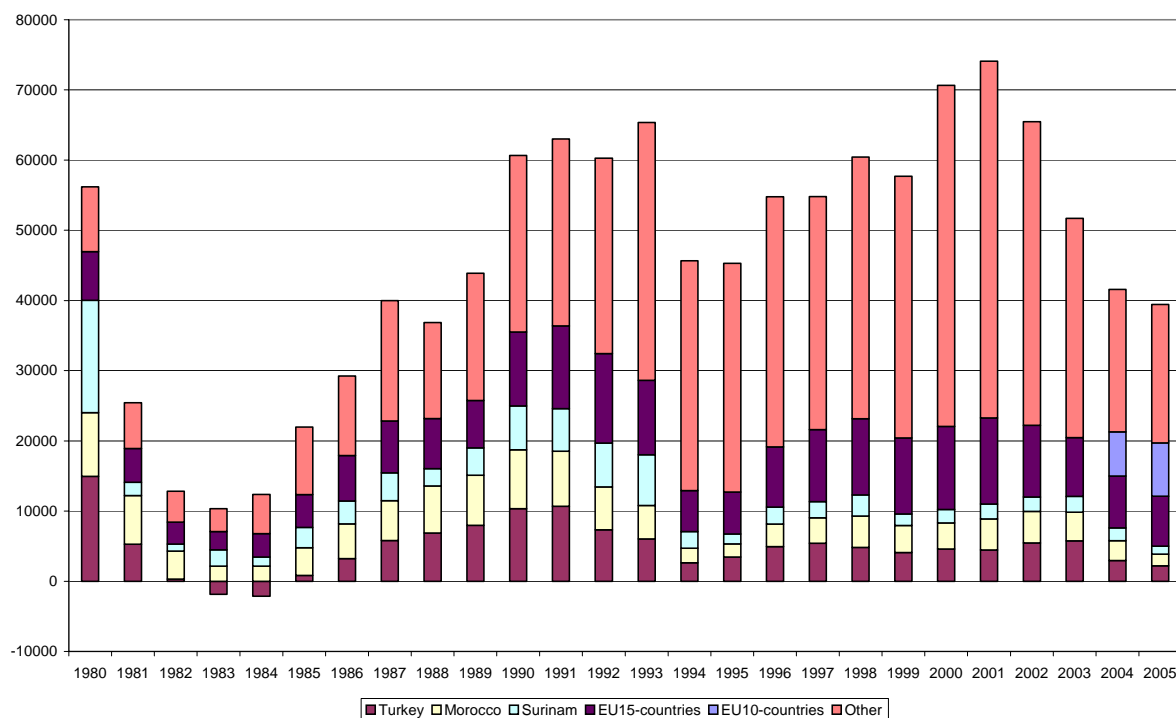
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<sup>17</sup> Statistics Netherlands distinguishes between Western and non-Western countries. Western countries are all European countries including Central and Eastern Europe except Turkey, North American countries, some Asian countries (Japan and Indonesia) and the countries in Oceania (Australia, New Zealand). Turkey and all the countries in Latin and South America, Africa and Asia are considered non-Western.



groups in the Netherlands (Turks, Moroccans, Surinamese, and Antilleans) still constitute a large proportion of the non-Western immigrants, but their share in the overall immigration to the Netherlands declined to 12%. In 1990 the proportion of these four traditional immigrant groups in the overall immigration to the Netherlands was still 30%. Simultaneously with the declining immigration from these traditional immigration countries for the Netherlands, new immigrants arrived from a variety of countries all over the world. The arrival of new immigrant groups to the Netherlands, in addition to the declining 'traditional' immigration, can be interpreted as a sign of the growing differentiation in the flow of immigrants to The Netherlands. Figure 2.3 shows this trend in a historical perspective.

Figure 2.3: Migration Surplus of Non-Dutch Immigrants by Country of Origin, 1980-2005



Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

In the early 1980s, immigration to the Netherlands was still rather homogeneous: more than two thirds of all non-Dutch immigrants to the Netherlands came from just three countries (Turkey, Morocco and Suriname). Since the mid-1990s, the proportion of these three non-Dutch immigrant groups in the overall immigration of foreign nationals is at a much lower level (from 15 to 20%). The proportion of non-Dutch immigrants from other EU countries in the overall immigrant population increased from 20% in 2003 to 29% in 2005. This increase in immigration from other EU-countries can

completely be explained by immigration from the 10 new-EU countries (immigration from these new EU-countries almost tripled from 3300 persons in 2003, before they became an EU-member, to almost 9000 in 2005). Immigration from the old EU-countries (EU10) actually declined a little. The percentage of immigrants from the other countries increased from less than 30% in the early 1980s to 70% or more in the late 1990s. All the figures show an increasing heterogeneity of the immigrant population in The Netherlands (see also table 2.3).

What were the fastest growing and declining immigrant groups in the Netherlands over the past decade? Table 2.3 shows historical patterns in immigration from selected countries from 1995 to 2004. Here immigrants are defined as foreign-born if they were born outside the Netherlands, regardless of their nationality. (That is: the category of foreign-born includes Dutch nationals born abroad.) The countries of origin are again divided into Western and non-Western countries. The table, again, shows the continual decline in the number of foreign-born immigrants in recent years (from 110,000 in 2001 to 72,000 in 2005). The total number of foreign-born immigrants in 2005 was never this low in the period under examination (since 1995).

The fastest growing immigrant category of the last decade is no doubt immigrants from the new EU-countries (EU10). The total number of immigrants from the new EU-countries went up from an ample 1800 in 1995 to almost 9000 in 2005 (an increase of 480 percent). Also the number of immigrants from other Western countries (USA, Canada, etc.) increased from 5900 in 1995 to almost 7100 in 2005 (an increase of 48%). The number of immigrants coming from non-Western countries (here including Dutch nationals from the Netherlands Antilles) fell from 38,000 in 1995 to 31,000 in 2005 (a decrease of 19%).

Migration to and from The Netherlands

Table 2.3: Immigration of foreign-born to the Netherlands by country of origin (1995-2005)

	1995	1997	1999	2001	2002	2003	2004	2005
<b>Total</b>	<b>74,703</b>	<b>87,145</b>	<b>94,177</b>	<b>110,254</b>	<b>99,808</b>	<b>84,686</b>	<b>74,572</b>	<b>72,110</b>
<i>of whom from</i>								
<b>Western countries</b>	<b>36,517</b>	<b>37,467</b>	<b>42,609</b>	<b>48,340</b>	<b>43,434</b>	<b>38,956</b>	<b>40,195</b>	<b>41,039</b>
<i>of whom from</i>								
<b>EU-countries (25)</b>	<b>20,088</b>	<b>25,160</b>	<b>25,899</b>	<b>28,637</b>	<b>26,926</b>	<b>25,064</b>	<b>28,466</b>	<b>29,806</b>
<i>of whom from</i>								
<b>EU-countries (15) (2000+)</b>	<b>18,261</b>	<b>22,600</b>	<b>23,642</b>	<b>24,844</b>	<b>23,354</b>	<b>21,757</b>	<b>21,075</b>	<b>20,852</b>
<i>of whom from</i>								
Germany	6470	6374	5892	5826	5625	5487	5905	6059
United Kingdom	3629	4669	5276	6226	5357	4539	4125	3639
Belgium	2087	2809	2882	2609	2459	2364	2200	2221
France	1467	2298	2368	2297	2233	2056	2018	2070
<b>EU-countries (10) (500+)</b>	<b>1827</b>	<b>2560</b>	<b>2257</b>	<b>3793</b>	<b>3572</b>	<b>3307</b>	<b>7391</b>	<b>8954</b>
<i>of whom from</i>								
Poland	1158	1430	1090	2067	2155	2022	4972	6562
Hungary	231	444	461	588	469	444	590	609
Tsjechië	182	285	269	411	317	290	510	501
Slowakije	85	128	211	368	248	167	455	508
<b>Other Europe</b>	<b>10,504</b>	<b>5072</b>	<b>8317</b>	<b>10,767</b>	<b>7868</b>	<b>6289</b>	<b>4860</b>	<b>4159</b>
<i>of whom from</i>								
Soviet Union (former)	1986	1872	2743	5706	4267	3098	2138	1836
Yugoslavia (former)	7323	1551	3884	3035	1652	1189	792	641
Romania	285	389	425	660	596	679	675	519
<b>other Western countries</b>	<b>5925</b>	<b>7235</b>	<b>8393</b>	<b>8936</b>	<b>8640</b>	<b>7603</b>	<b>6869</b>	<b>7074</b>
<i>of whom from</i>								
United States	2781	3558	3991	3777	3811	3267	2850	3117
Canada	489	649	731	862	702	629	614	728
Indonesia	757	949	1313	1674	1641	1467	1252	1136
Japan	1212	1221	1209	1240	1208	1194	1180	1098
Australia	495	591	849	1048	1003	829	768	789
<b>Non-Western countries</b>	<b>38,160</b>	<b>49,671</b>	<b>51,568</b>	<b>61,914</b>	<b>56,374</b>	<b>45,730</b>	<b>34,377</b>	<b>31,071</b>
<i>of whom from</i>								
Turkey	4803	6488	4917	5904	6103	6579	4441	3254
Morocco	3017	4510	4398	4927	4849	4561	3367	2128
Somalia	2691	1397	1360	1397	742	307	236	294
South Africa	561	1047	1307	1334	1030	830	736	626
Angola	673	281	609	1819	3428	1085	280	103
Sudan	211	571	785	1337	783	393	168	165
Egypt	531	856	676	611	676	721	589	486
Sierra Leone	95	174	410	1518	1863	578	165	105
Ghana	344	627	406	374	320	468	377	860
Congo (Democric Republic)	1015	397	309	497	512	324	167	115
Nigeria	258	508	433	459	468	512	379	551
Ethiopia	497	340	368	524	483	330	314	306
Netherlands Antilles	3600	5186	9546	9131	6737	4811	3570	2726
Suriname	2419	3229	2777	3134	3098	3163	2614	1897
Brazil	515	734	687	765	819	847	812	935
Colombia	361	565	518	586	606	636	494	460
Iraq	2412	5544	2925	2807	1273	1051	907	853
Afghanistan	1367	3279	4913	4061	2410	1406	609	436
China	1340	1668	1845	3643	3901	3998	3450	3111
Iran	2526	1581	1072	2068	1344	876	576	502
Thailand	404	523	636	1045	1069	1004	950	822
Pakistan	627	802	1005	689	688	588	419	899
India	540	730	742	693	607	599	560	1129
Philippines	554	595	499	590	640	609	512	535
Syria	323	369	713	1132	673	429	304	221
Sri Lanka	579	513	632	597	495	354	195	142
Israel	291	389	422	515	650	579	425	344
Vietnam	187	244	285	563	706	533	458	308

Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

Table 2.4 summarizes table 2.3 and gives a picture of the five to seven countries with the largest growth and the largest decline of immigration to the Netherlands over the last decade. The table shows again that the largest growth of immigration to the Netherlands comes from the new EU-countries in Middle and Eastern Europe. Four of five countries with the largest growth of immigration to the Netherlands belong to this category (Slovakia, Poland, Czech Republic, Hungary). Only Ghana is, as an African country, an outsider in this line of Middle and Eastern European countries. However, in absolute numbers immigration from Ghana to the Netherlands is still limited (860 persons in 2005).

**Table 2.4: Countries with the fastest growing and fastest declining number of immigrants (1995-2005)**

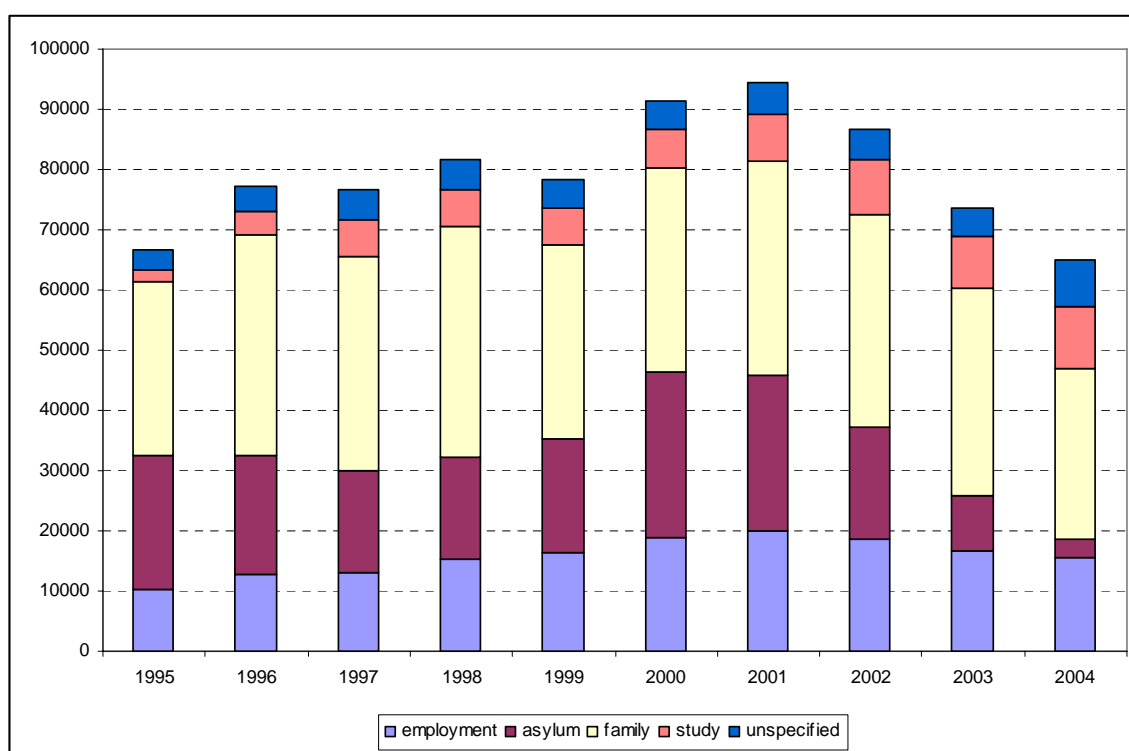
	Number of immigrants in 1995	Number of immigrants in 2005	% of all immigrants in 2005	Increase since 1995 (1995=100)
<b>Growing number of immigrants</b>				
1 Slovakia	85	508	0,7	598
2 Poland	1158	6562	9,1	567
3 Czech Republic	182	501	0,7	275
4 Hungary	231	609	0,8	264
5 Ghana	344	860	1,2	250
<b>Declining number of immigrants</b>				
1 Suriname	2419	1897	2,6	78
2 Netherlands Antilles	3600	2726	3,8	76
3 Morocco	3017	2128	3,0	71
4 Turkey	4803	3254	4,5	68
5 Iraq	2412	853	1,2	35
6 Iran	2526	502	0,7	20
7 Yugoslavia (former)	7323	641	0,9	9

Source: Statistics Netherlands (processed by RISBO)

Table 2.4 also shows the seven countries with the largest declining immigration to the Netherlands, including those countries we labelled earlier as 'traditional immigration countries' for the Netherlands (Surinam, Netherlands Antilles, Turkey, and Morocco). The other three countries with the fastest decline in immigration to the Netherlands are Iran, Iraq, and (former) Yugoslavia. During the 1990s, the Netherlands experienced a large influx of asylum migrants from the latter three countries (because of the wars in former Yugoslavia and the political suppression in Iran and Iraq). Migration from former Yugoslavia was at its height in 1995 (with 7300 immigrants in 1995 alone). Migration from Iraq moved up further until 1999 (2900 immigrants), but after that continually declined to the level of 2005 (853 immigrants).

Table 2.3 also makes it possible to examine more carefully the decline in immigration since 2001. As mentioned before, the total number of immigrants to the Netherlands fell from 2001 to 2005 by more than 39,000. The decline of overall migration can to a large extent be explained by the falling numbers of immigrants from countries that are considered as 'typical refugee countries', such as Angola, Congo, Ethiopia, Somalia, Sudan, Sierra Leone, Afghanistan, Iraq, Iran, former Yugoslavia, and the former Soviet Union. In 2001, the total number of immigrants coming from these eleven countries was 24,769. In 2005, this figure was 5356 – 19,413 less than four years earlier. This means that 51 percent of the overall decline in immigration to the Netherlands between 2001 and 2005 can be explained by the decreased immigration from 'typical refugee countries'.

Figure 2.4: Migration Motives of Foreign Nationals, 1995-2004 (figures 2005 not yet available)



Subjects	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
employment	10,211	12,656	13,193	15,369	16,299	19,025	19,937	18,535	16,621	15,637
asylum <sup>a</sup>	22,182	19,901	16,820	16,936	19,102	27,347	25,967	18,789	9272	2966
family	29,073	36,494	35,676	38,329	32,144	33,846	35,519	35,225	34,351	28,350
study	1855	4074	5998	6081	6178	6361	7778	9136	8773	10,194
unspecified	3438	4037	5053	4910	4638	4803	5309	4935	4549	7961

Source: Statistics Netherlands (figures are based on data of the Ministry of Justice, Immigration and Naturalization Service)

<sup>a</sup> not all asylum seekers in a particular year are counted as immigrants in that year because entry in a municipal population register which is only realised after some time or not at all (if the request is turned down), is required.

The assumption that the decline in overall immigration to the Netherlands since 2001 is largely due to the falling number of refugees and asylum-

seekers is confirmed by figure 2.4. This figure shows the main immigration motives of immigrants over the last decade. When immigrants enter the country they are asked what their reason for settling in The Netherlands is. This information is registered at the Central Register of Aliens of the Dutch Immigration and Naturalization Service (IND).

As mentioned before, the number of immigrants settling in the Netherlands for asylum dropped from 26,000 in 2001 to not more than 3,000 in 2004 (data for 2005 not yet available). This means that the decline in asylum migration explains 60 percent of the overall decline in immigration to the Netherlands in these years for. Immigration for family reasons also declined in these years (from ample 35,000 in 2001 to 28,000 in 2004). This accounts for another 20 percent of the overall decline in immigration to the Netherlands in this period. It is also remarkable that immigration for employment reasons decreased from almost 20,000 persons in 2001 to less than 16,000 persons in 2004. Meanwhile, the number of immigrants coming to the Netherlands to study and for other unspecified reasons increased. We can conclude that the declining immigration to the Netherlands since 2001 is mainly the result of the decline in asylum migration to the Netherlands, which in turn can be explained by the stricter asylum policies and procedures since the new Alien Act of 2001. Chapter 7 of this Dutch SOPEMI report 2005 gives further information of the Alien Act 2001 and its consequences.

Table 2.5 distinguishes different family-related migration motives. Marital migration or 'family formation' means that an immigrant comes to the Netherlands to start a new household with his or her spouse that already lives in the Netherlands. Family reunification means that a family already existed prior the migration and that one or more family members (spouse, children) are joining the immigrant that already lives in the Netherlands. In 2004, 28,350 migrants came to the Netherlands for family reasons. The largest subcategory (15,377 persons or 54% of all family-related immigration) concerns marital migrants: migrants that come to the Netherlands to marry or to start a household with his or her spouse that already lives in the Netherlands.

Among immigrants from Central and Eastern Europe and immigrants from non-Western countries, the percentage of marital migrants is even larger.

Table 2.5: Immigration of Foreign Nationals for Family Reasons by Country of Birth, 2004 (figures 2005 not yet available)

	Family reunification	Family members	Marital migration	Total	Percentage male	Percentage female
<b>Total</b>	<b>10,623</b>	<b>2350</b>	<b>15,377</b>	<b>28,350</b>	<b>36,1</b>	<b>63,9</b>
<i>of whom from</i>						
<b>Western Countries</b>	<b>6129</b>	<b>1794</b>	<b>7098</b>	<b>15,021</b>	<b>35,8</b>	<b>64,2</b>
<i>of whom from</i>						
<b>EU-countries (25)</b>	<b>3698</b>	<b>1040</b>	<b>1689</b>	<b>6427</b>	<b>35,2</b>	<b>64,8</b>
<i>of whom from</i>						
<b>old EU-countries (15)</b>	<b>2748</b>	<b>875</b>	<b>587</b>	<b>4210</b>	<b>40,0</b>	<b>60,0</b>
<i>of whom from</i>						
Germany	566	152	212	930	36,8	63,2
United Kingdom	635	280	74	989	38,8	61,2
Belgium	200	39	53	292	41,8	58,2
France	180	85	51	316	33,9	66,1
<b>new EU-countries<sup>a</sup></b>	<b>950</b>	<b>165</b>	<b>1102</b>	<b>2217</b>	<b>26,1</b>	<b>73,9</b>
<i>of whom from</i>						
Poland	783	138	825	1746	28,2	71,8
Hungary	65	14	86	165	18,2	81,8
<b>other Europe</b>	<b>1785</b>	<b>198</b>	<b>4159</b>	<b>6142</b>	<b>38,5</b>	<b>61,5</b>
<i>of whom from</i>						
Yugoslavia (former) <sup>b</sup>	129	13	295	437	31,1	68,9
Soviet Union (former) <sup>c</sup>	531	67	900	1498	21,0	79,0
Romania	63	7	257	327	19,6	80,4
<b>other Western</b>	<b>646</b>	<b>556</b>	<b>1250</b>	<b>2452</b>	<b>30,6</b>	<b>69,4</b>
<i>of whom from</i>						
United States	281	260	446	987	37,9	62,1
Canada	37	30	81	148	31,1	68,9
Indonesia	128	10	361	499	19,0	81,0
Japan	120	207	253	580	24,1	75,9
Australia	56	38	86	180	38,3	61,7
<b>Non-Western countries</b>	<b>4494</b>	<b>556</b>	<b>8279</b>	<b>13,329</b>	<b>36,4</b>	<b>63,6</b>
<i>of whom from</i>						
Turkey	905	62	2539	3506	49,3	50,7
Morocco	891	19	1967	2877	43,7	56,3
Somalia	91	3	23	117	53,0	47,0
South Africa	49	42	100	191	30,9	69,1
Ghana	66	1	211	278	44,2	55,8
Netherlands Antilles	-	-	-	-	-	-
Suriname	557	12	754	1323	42,3	57,7
Brazil	135	21	367	523	20,5	79,5
Colombia	113	17	127	257	31,5	68,5
Iraq	321	20	242	583	41,5	58,5
Afghanistan	361	22	300	683	31,3	68,7
China	212	23	357	592	38,9	61,1
Iran	143	22	143	308	37,3	62,7
Thailand	154	12	476	642	13,6	86,4
Pakistan	66	3	87	156	48,7	51,3
India	45	25	164	234	38,0	62,0
Philippines	58	2	211	271	15,5	84,5

Source: Statistics Netherlands (figures are based on data of the Ministry of Justice, Immigration and Naturalization Service)

<sup>a</sup>figures do not include data of Malta, Cyprus, Slovenia and Baltic States,

<sup>b</sup>including Slovenia

<sup>c</sup>including Baltic States

Unfortunately, table 2.5 gives no information about the partners of marital migrants that already live in the Netherlands. This means we do not know whether they are native Dutch with a foreign bride or groom *or* that they are first or second-generation immigrants themselves that find their spouse abroad (mostly in the country of origin). However, we do know from other research that many first and second-generation migrants from the largest

immigrant groups (Turks, Moroccan, and Surinamese) often find their spouse in their country of origin. Marital immigrants from those three countries together account for one third of the marital immigrants of 2004 (more than 5000). Lastly, Table 2.5 shows the percentages of men and women among the migrants for family reasons. In general, family-related migration is a more female than male phenomenon. Almost two thirds of the immigrants for family reasons in 2004 were women. However, in the immigrant groups with most family-related immigration (Turks and Moroccans) this is different. In both groups, the number of male family-related immigrants more or less equals the number of females immigrating to the Netherlands for family reasons.

We conclude this section with a breakdown of the data on immigration motives by country of birth (Table 2.6). Obviously, there are significant differences in migration motives between different categories of the immigrant population. For immigrants from the other EU countries, specifically the old EU countries, employment is clearly the dominant reason for coming to the Netherlands. For immigrants from the so-called 'other Western countries' (USA, Canada, etc.) the different motives for immigration more or less balance each other. For immigrants from 'other European countries' (non-EU) family reasons are clearly the dominant motive for immigration. This also goes for most non-Western immigrant groups. For some single immigrant groups (Turks, Moroccans, Ghanians, Surinamese, and Thais) the large majority of all immigrants came to the Netherlands for family reasons. Table 2.6 describes the situation in 2004; data for 2005 are not available yet.



Migration to and from The Netherlands

Table 2.6: Immigration of Foreign Nationals by Country of Birth and Motive, 2004 (figures 2005 not yet available)

	Employment	Asylum	Family	Study	Other
<b>Absolute numbers</b>	<b>15,637</b>	<b>2966</b>	<b>28,350</b>	<b>10,194</b>	<b>7961</b>
<i>in %</i>					
<b>Western Countries</b>	<b>35,0</b>	<b>1,6</b>	<b>39,3</b>	<b>15,2</b>	<b>8,9</b>
<i>of whom from</i>					
<b>EU-countries (25)</b>	<b>48,8</b>	<b>0,2</b>	<b>29,4</b>	<b>15,1</b>	<b>6,6</b>
<i>of whom from</i>					
<b>old EU-countries (15)</b>	<b>50,7</b>	<b>0,0</b>	<b>25,6</b>	<b>15,5</b>	<b>8,1</b>
<i>of whom from</i>					
Germany	46,9	0,0	23,7	28,8	0,5
United Kingdom	62,9	0,0	32,8	2,1	2,1
Belgium	27,5	0,0	12,9	6,3	53,3
France	44,8	0,0	18,8	18,6	17,8
<b>new EU-countries<sup>a</sup></b>	<b>43,1</b>	<b>0,7</b>	<b>40,6</b>	<b>13,6</b>	<b>2,0</b>
<i>of whom from</i>					
Poland	45,5	0,4	41,9	11,1	1,1
Hungary	31,6	0,7	29,8	28,7	9,2
<b>other Europe</b>	<b>12,5</b>	<b>6,0</b>	<b>64,1</b>	<b>13,0</b>	<b>4,5</b>
<i>of whom from</i>					
Yugoslavia (former) <sup>b</sup>	7,7	22,0	55,0	12,7	2,6
Soviet Union (former) <sup>c</sup>	15,6	10,8	54,4	18,1	1,1
Romania	19,8	0,0	42,8	18,6	18,8
<b>other Western</b>	<b>22,1</b>	<b>0,0</b>	<b>36,5</b>	<b>18,7</b>	<b>22,7</b>
<i>of whom from</i>					
United States	31,2	0,0	47,3	21,2	0,3
Canada	31,9	0,0	39,4	25,3	3,5
Indonesia	3,1	0,1	25,7	25,0	46,1
Japan	36,6	0,0	48,2	14,2	1,0
Australia	37,8	0,0	42,3	10,6	9,4
<b>Non-Western countries</b>	<b>8,5</b>	<b>8,7</b>	<b>49,5</b>	<b>16,3</b>	<b>17,0</b>
<i>of whom from</i>					
Turkey	6,5	2,3	86,5	4,2	0,4
Morocco	4,0	1,7	90,1	3,9	0,3
Somalia	1,0	54,5	38,6	0,0	5,9
South Africa	38,5	0,2	40,4	11,6	9,3
Angola	6,9	32,7	8,3	1,1	51,0
Sudan	0,6	44,4	43,2	3,0	8,9
Sierra Leone	0,9	30,7	19,9	5,3	43,2
Ghana	10,9	2,1	65,9	9,5	11,6
Congo (democratic republic)	4,8	42,4	41,0	2,9	9,0
Ethiopia	1,0	11,6	13,2	21,6	52,7
Suriname	2,1	2,5	88,4	5,4	1,6
Brazil	4,4	0,0	22,2	2,8	70,6
Colombia	8,3	1,5	62,8	24,4	2,9
Iraq	0,5	38,8	56,2	2,3	2,2
Afghanistan	0,1	5,1	26,3	0,1	68,4
China	9,0	2,3	23,8	64,9	0,0
Iran	7,0	23,2	49,2	9,7	10,9
Thailand	2,5	0,3	84,4	12,0	0,9
Pakistan	4,5	1,8	16,0	6,0	71,6
India	17,3	0,3	20,2	10,6	51,6
Phillipines	7,7	0,2	44,1	7,0	41,0
Syria	6,7	33,3	51,1	3,3	5,6
Sri Lanka	2,4	12,1	58,7	18,4	8,3

Source: Statistics Netherlands (figures are based on data of the Ministry of Justice, Immigration and Naturalization Service)

<sup>a</sup>figures do not include data of Malta, Cyprus, Slovenia and Baltic States,

<sup>b</sup>including Slovenia

<sup>c</sup>including Baltic States

### 2.3 Emigration from The Netherlands

Earlier in this chapter we already mentioned that emigration from the Netherlands has increased in recent years. As table 2.1 showed, emigration from the Netherlands fluctuated in most years prior to 2001 between 50,000 and 60,000. However, after 2002 the emigration figures continuously increased from 67,000 (in 2003) to 67,000 (in 2004) and finally to 75,000 (in 2005). These figures do not include the so-called administrative corrections (explained earlier in this chapter). When using the corrected figures, emigration from the Netherlands is even higher than the data in table 2.1 suggest (see Appendix 1 to this chapter). According to new information of Netherlands Statistics, emigration from the Netherlands went up even further in the first nine months of 2006. In the first nine months of 2006, almost 100,000 persons emigrated from the Netherlands; 12,000 more than in the first nine months of 2005 (these figures include administrative corrections). Netherlands Statistics warns that ongoing high emigration may become an impediment for population development in the Netherlands.<sup>18</sup>

Table 2.7 gives further details about the emigrants of 2005 (our figures do not include administrative corrections!). More than 70% of all emigrants of 2005 were Dutch nationals. Of course, this category includes both native Dutch and foreign-born residents that received Dutch citizenship. However, there are strong indications that the current emigration flows are not only an issue of former immigrants leaving the country. The two most popular countries of settlement for Dutch immigrants appear to be Belgium and Germany. With more than 10,000 emigrants each, Belgium and Germany together take 27% of all Dutch emigrants of 2005. It is assumed that these emigrants are predominantly native Dutch persons that settle in Belgium or Germany near the Dutch border for cheaper housing and a more attractive tax climate, while still working in the Netherlands. Another reason for the increased emigration to Belgium may be that first of second-generation immigrants with a Turkish or Moroccan background temporarily settle in Belgium to welcome their spouse from their country of origin. In this way they avoid the new obligatory language test that immigrants coming from non-EU countries have to take in their country of origin prior to their arrival

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<sup>18</sup> Statistics Netherlands, Press release 10 November 2006.

in the Netherlands (see chapter 1 of this report). After the foreign bride or groom arrives in Belgium and a new household is created, they can return to the Netherlands without taking the language test (the compulsory language tests do not apply for immigrants from other EU-countries). How many first or second generation immigrants temporarily emigrate to other EU-countries to return to the Netherlands with their foreign bride or groom is not known.

The third largest country of emigration for the Netherlands is the UK (8400 emigrants from the Netherlands in 2005). Unfortunately there is little information about the backgrounds of emigration from the Netherlands. We assume that the emigrants to the UK are both native Dutch persons and persons with an immigrant background themselves that leave for the UK for employment reasons. However, there are also rumours of relatively large flows of Somalian immigrants (mostly with Dutch citizenship) that move to the UK to join the relatively large Somalian community in that country. The fourth largest country of emigration for the Netherlands are the Nederlandse Antilles and Aruba (7100 emigrants in 2005). We assume that these are mainly Antillean and Aruban people (Dutch nationals) returning to their home country. The fifth largest country of emigration for the Netherlands is the USA (4500 emigrants in 2005). When emigration to the USA reflects immigration from that country to the Netherlands, the main motives for emigration will be both employment and family reasons. The sixth largest country of emigration is Spain (almost 4000 emigrants in 2005). It is assumed that these are mainly elderly people spending their retirement on the Spanish coasts.

Finally we would like to point out that emigration flows to typical immigration countries for the Netherlands (Turkey, Morocco, Surinam) are relatively small. This means that return migration to these countries is not well developed yet.

Table 2.7: Emigration of Dutch and Non-Dutch Nationals by Country of Destination and Gender, 2005

	Dutch nationals			non-Dutch nationals			total		
	male	female	total	male	female	total	male	female	total
<b>2005</b>	<b>31,798</b>	<b>27,617</b>	<b>59,415</b>	<b>11,956</b>	<b>12,028</b>	<b>23,984</b>	<b>43,754</b>	<b>39,645</b>	<b>83,399</b>
in %	38.1	33.1	71.2	14.3	14.4	28.8	52.5	47.5	100.0
<b>Western countries</b>	<b>22,569</b>	<b>19,431</b>	<b>42,000</b>	<b>8,909</b>	<b>9,247</b>	<b>18,156</b>	<b>31,478</b>	<b>28,678</b>	<b>60,156</b>
<i>of whom to</i>									
<b>25 EU-countries</b>	<b>17,799</b>	<b>15,315</b>	<b>33,114</b>	<b>6,096</b>	<b>6,275</b>	<b>12,371</b>	<b>23,895</b>	<b>21,590</b>	<b>45,485</b>
<i>of whom to</i>									
Germany	4128	3140	7268	1408	1569	2977	5536	4709	10,245
Belgium	4790	4310	9100	722	781	1503	5512	5091	10,603
United Kingdom	3198	3038	6236	1133	1062	2195	4331	4100	8431
Spain	1696	1379	3075	501	525	1026	2197	1904	4101
France	1556	1441	2997	464	496	960	2020	1937	3957
Italy	279	347	626	335	261	596	614	608	1222
Sweden	353	273	626	129	146	275	482	419	901
Portugal	258	196	454	216	180	396	474	376	850
Ireland	239	210	449	110	100	210	349	310	659
Austria	301	231	532	82	120	202	383	351	734
Denmark	152	108	260	96	111	207	248	219	467
Greece	138	197	335	203	108	311	341	305	646
Poland	177	113	290	356	355	711	533	468	1001
Hungary	139	107	246	79	84	163	218	191	409
<b>other Europe</b>	<b>1176</b>	<b>989</b>	<b>2165</b>	<b>759</b>	<b>851</b>	<b>1610</b>	<b>1935</b>	<b>1840</b>	<b>3775</b>
<i>of whom to</i>									
Switzerland	433	390	823	124	136	260	557	526	1083
Norway	313	276	589	105	128	233	418	404	822
Yugoslavia (former)	162	163	325	237	204	441	399	367	766
Soviet Union (former)	146	85	231	181	228	409	327	313	640
<b>other Western countries</b>	<b>3594</b>	<b>3127</b>	<b>6721</b>	<b>2054</b>	<b>2121</b>	<b>4175</b>	<b>5648</b>	<b>5248</b>	<b>10,896</b>
<i>of whom to</i>									
United States	1452	1291	2743	879	894	1773	2331	2185	4516
Australia	840	804	1644	248	281	529	1088	1085	2173
Canada	661	499	1160	177	212	389	838	711	1549
Japan	75	40	115	481	430	911	556	470	1026
Indonesia	218	145	363	207	249	456	425	394	819
New Zealand	329	332	661	59	51	110	388	383	771
<b>Non-Western countries</b>	<b>9229</b>	<b>8186</b>	<b>17,415</b>	<b>3047</b>	<b>2781</b>	<b>5828</b>	<b>12,276</b>	<b>10,967</b>	<b>23,243</b>
<i>of whom to</i>									
Turkey	501	549	1050	527	410	937	1028	959	1987
South Africa	302	269	571	85	202	287	387	471	858
Morocco	267	200	467	217	136	353	484	336	820
Netherlands Antilles	2556	2876	5432	21	18	39	2577	2894	5471
Aruba	818	806	1624	5	6	11	823	812	1635
Suriname	682	525	1207	82	94	176	764	619	1383
Brazil	225	108	333	66	118	184	291	226	517
China	358	269	627	306	325	631	664	594	1258
Thailand	352	138	490	49	100	149	401	238	639
Iraq	301	172	473	42	33	75	343	205	548

Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

Table 2.8 gives some further insight in the extent of return migration. The table shows the proportion of immigrants that arrived in the Netherlands in a certain year (1999-2002) that leave the Netherlands again in the following

years (Alders and Nicolaas 2003 and Nicolaas et al. 2004).<sup>19</sup> The main conclusion of table 2.8 is that although most of the immigrants settle in the Netherlands permanently, a significant proportion of them leave again within a relatively short period of time.

Of all immigrants that arrived in the Netherlands in the years 1995-1997 around one-third left again in the subsequent four to six years. In later years, the proportion of immigrants leaving the country gradually fell to from 26% (of all immigrants that arrived in 1999) to less than 4% (of all immigrants that arrived in 2002). These findings, however, do not imply that immigrants to the Netherlands have a declining tendency to leave the country again. It only means that they have had less possibilities to leave the country in the years under examination. Unfortunately we have no recent information (after 2002) about the proportion of immigrants that have left the country. In the whole period under examination (from 1995 to 2002), a total of more than 760,000 immigrants arrived in the Netherlands. Of this group almost 25% left again before 2003.

**Table 2.8: Emigration of Foreign-born Immigrants by Years of Residence in The Netherlands (data of 2003-2005 not available)**

Settled down:	Total x 1000	Of which % left in :								Total
		1995	1996	1997	1998	1999	2000	2001	2002	
1995	74.8	3.1	9.5	7.4	5.4	3.5	2.8	2.4	2.6	36.8
1996	86.2		3.6	10.2	7.9	4.7	3.5	2.9	2.8	35.6
1997	87.0			4.0	10.5	7.5	5.0	3.5	3.5	34.0
1998	96.5				3.8	10.1	7.1	5.0	5.0	30.9
1999	94.3					3.7	8.5	7.1	6.2	26.4
2000	109.1						3.4	8.5	8.2	20.0
2001	110.3							3.4	10.3	13.7
2002	99.9								3.8	3.8

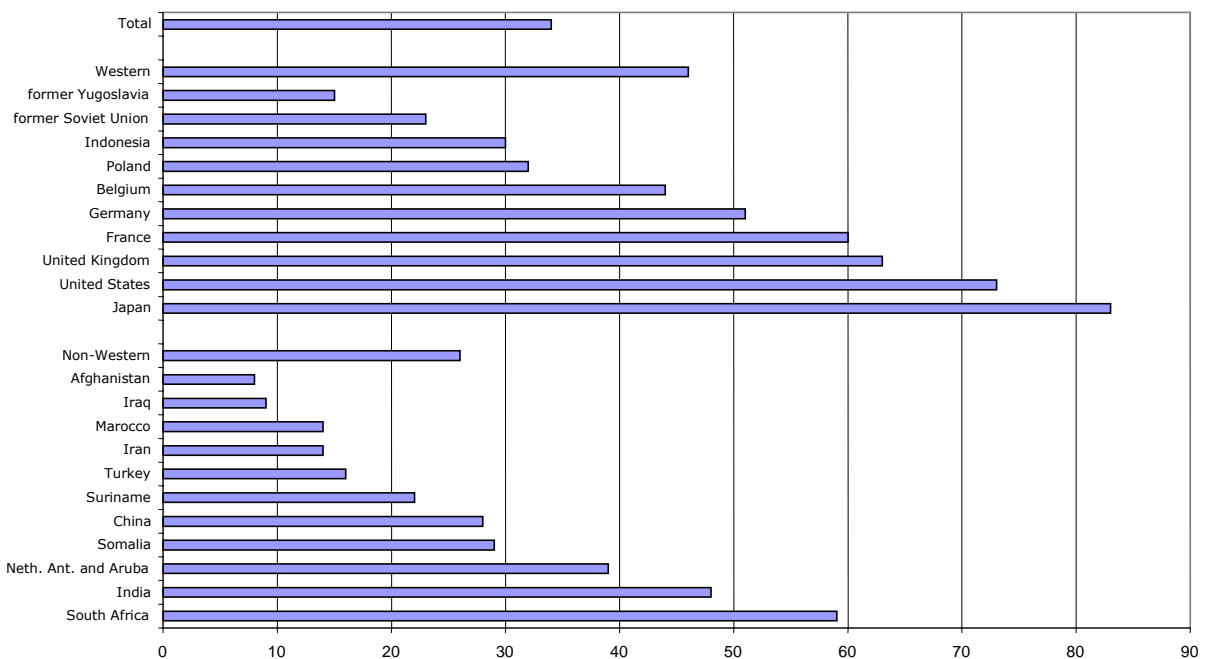
Source: Nicolaas et al., *Bevolkingstrends 2004* (2)

Although the patterns of departure for Western and non-Western migrants are similar, there are considerable differences in the level of the departure percentages. For example, almost half of all 35,000 Western immigrants that came to the Netherlands in 1995 left again within seven years. Of the 40,000 non-Western immigrants that arrived in the same year, about 25% left again in the following seven years. Of the 1997 immigration cohort, almost 50% of all Western immigrants left within only four years. For the non-Western immigrants this figure was 20%. This means that significantly more Western immigrants to the Netherlands tend to depart from the country and quicker than non-Western immigrants.

<sup>19</sup> The following is taken from: (Alders and Nicolaas 2003 and Nicolaas et al. 2004). These studies are a so-called cohort analysis that covers the period from 1995 to 2002 (more recent updates of the data are not available). The data are taken from the municipal population registers (Dutch acronym GBA).

Figure 2.5 shows the differences in departure figures between several Western and non-Western immigrant categories. The figure first shows that departure is more common among Western than among non-Western immigrants: whereas about 45% of the Western immigrants left the Netherlands in the years examined, this is true for only a little more than 25% of the non-Western immigrants. However, there are also differences within both broad categories. Within the category of Western immigrants, the departure figures are much lower for immigrants from former Yugoslavia and the former Soviet Union than for immigrants from countries such as the UK, USA and Japan. Within the category of non-Western immigrants, the departure figures are lower for immigrants from Afghanistan, Morocco, Iraq, Iran and Turkey and higher than average for immigrants from the Netherlands Antilles, India, and South Africa.

**Figure 2.5: Percentage of Immigrants who Arrived in 1995 and Emigrated within 6 Years (data of 2004 not available)**



Source: Alders and Nicolaas, Statistics Netherlands, 2003

These departure figures for each immigrant group seem to be related to the dominant immigration motives for each group (*cf.* Table 2.5). Immigrant groups that primarily come to the Netherlands for employment are much more apt to leave again within a relatively short period than immigrant groups that predominantly come to The Netherlands to seek asylum or for family reasons. This distinction goes for Western as well as non-Western

immigrant groups. Of the Western immigrants, people from former Yugoslavia and the former Soviet Union predominantly came to The Netherlands for asylum or more recently for family reasons and have the lowest departure figures of all Western immigrants. Immigrants from Western countries such as the UK and Japan mainly come to the Netherlands for employment and have the highest percentages of departure. Immigrants from the USA seem to be an exception. Although half of all US immigrants came to the Netherlands for family reasons, more than 70% of them leave in the next few years. The same goes for non-Western immigrant groups. Non-Western immigrant groups that mainly come to the Netherlands for asylum or family reasons such as Afghans, Iraqis, Iranians, Turks and Moroccans exhibit much less departure in the following years than typical non-Western labour immigrant groups such as Indians and South Africans.

## Appendix for Chapter 2

### Definitions and data sources<sup>20</sup>

#### Migration

External migration statistics refer to all persons who enter the Netherlands with the intention of staying in the country for a certain period of time, or who leave the Netherlands to live in another country for a certain period of time. For people arriving in the Netherlands, registration is obligatory if they stay in the country for at least four months during the first six months following registration. People leaving the country are obliged to notify the authorities if they intend to live outside the Netherlands for at least eight months in the first year following this notification.

#### Western countries

All countries in Europe (except Turkey), North America, Oceania, Indonesia and Japan.

#### Non-western countries

Non-western countries include Turkey and countries in Africa, South America and Asia except Indonesia and Japan. The latter two countries are included with the western countries on the basis of their socio-economic and socio-cultural position.

#### Population

All data mentioned concern the registered population of the Netherlands. The figures shown in this publication relate to the resident ('de jure') population: persons who reside habitually in the Netherlands and who are recorded in the municipal population registers. In principle all those residing in the Netherlands for an indefinite period are entered into the population register of the municipality where they usually live.

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<sup>20</sup> source Statistics Netherlands



### **Used external sources**

The figures are based on information as reported to Statistics Netherlands by the municipal population registrations.

### **Immigration**

Immigration relates to all individuals arriving in the Netherlands whose arrival results in an entry in a municipal population register.

### **Emigration**

Emigration relates to all individuals departing from the Netherlands whose departure results in a removal from a municipal population register.

### **Emigration (incl. net adm. corrections)**

Administrative corrections consist of inclusions in and withdrawals from the municipal population registers for other reasons than birth, death, migration or redefinition of municipal borders. Most of these administrative corrections refer to people for whom it has been demonstrated that they have left the municipality, often to live abroad. Entries often concern people who reappear in the same or in a different municipality and are then included in the population register. This explains why the net administrative corrections are included in emigration (and net migration) but not in immigration. This means that in some cases (like specific ages) the value of emigration including net administrative corrections may be negative.

### **Net migration**

Immigration minus emigration.

### **Net administrative corrections**

Migration figures in The Netherlands need to be corrected by the number of net administrative corrections, a figure that is largely influenced by the unreported emigration of foreigners. If the net administrative corrections are deducted from the registered migration surplus, the result is a lower corrected migration surplus. Statistics Netherlands [Dutch acronym: CBS] presents the registered migration statistics as well as the net administrative corrections. The corrected migration surplus (1980-2004) as stated in this appendix should be regarded as an unofficial figure.

Table A2.1: Development of External Migration 1972-2005 (Total)

	Immigration (1)	Emigration (2)	Surplus (1 – 2)	Emigration (incl. adm.corr.) (3)	Surplus (incl. Adm.corr.) (1-3)
1972	81,329	62,200	19,129	-	-
1973	84,691	63,623	21,068	-	-
1974	93,796	60,655	33,141	-	-
1975	127,264	55,209	72,055	-	-
1976	82,953	61,530	21,423	-	-
1977	83,899	61,051	22,848	63,555	20,344
1978	89,184	61,117	28,067	62,579	26,605
1979	104,553	59,779	44,774	61,517	43,036
1980	112,504	59,470	53,034	61,948	50,556
1981	80,183	63,195	16,988	65,814	14,369
1982	70,740	67,507	3,233	72,024	-1,284
1983	66,762	60,784	5,978	64,431	2,331
1984	66,907	58,854	8,053	61,774	5,133
1985	79,362	55,215	24,147	59,475	19,887
1986	87,387	54,718	32,669	60,607	26,780
1987	95,935	52,011	43,924	60,844	35,091
1988	91,238	55,791	35,447	63,996	27,242
1989	98,914	59,707	39,207	72,063	26,851
1990	117,350	57,344	60,006	68,939	48,411
1991	120,249	57,328	62,921	70,639	49,610
1992	116,926	58,834	58,092	73,808	43,118
1993	119,154	59,222	59,932	74,788	44,366
1994	99,311	62,155	37,156	79,228	20,083
1995	96,099	63,321	32,778	82,195	13,904
1996	108,749	65,325	43,424	91,945	16,804
1997	109,860	62,218	47,642	81,973	27,887
1998	122,407	60,441	61,966	79,289	43,118
1999	119,151	59,023	60,128	78,779	40,372
2000	132,850	61,201	71,649	78,977	53,873
2001	133,404	63,318	70,086	82,566	50,838
2002	121,250	66,728	54,522	96,918	24,332
2003	104,514	68,885	35,629	104,831	-317
2004	94,019	75,049	18,970	110,235	-16,216
2005	92,297	83,399	8,898	119,725	-27,428

Source: Statistics Netherlands, Statline

*Migration to and from The Netherlands*

**Table A2.2: Development of External Migration 1972-2005 (Dutch Nationals)**

	Immigration (1)	Emigration (2)	Surplus (1 – 2)	Emigration (incl. adm.corr.) (3)	Surplus (incl. Adm.cor.) (1-3)
1972	39,698	36,908	2,790	-	-
1973	40,438	37,673	2,765	-	-
1974	48,420	37,028	11,392	-	-
1975	72,016	33,123	38,893	-	-
1976	34,019	35,801	-1,782	-	-
1977	34,020	36,355	-2,335	37,212	-3,192
1978	33,587	37,009	-3,422	37,668	-4,081
1979	32,381	35,396	-3,015	35,831	-3,450
1980	32,684	35,837	-3,153	36,423	-3,739
1981	29,767	38,216	-8,449	38,636	-8,869
1982	29,810	39,413	-9,603	40,625	-10,815
1983	30,321	32,810	-2,489	33,510	-3,189
1984	29,616	31,824	-2,208	32,603	-2,987
1985	33,196	31,009	2,187	32,297	899
1986	34,585	31,155	3,430	32,847	1,738
1987	35,080	31,139	3,941	32,862	2,218
1988	32,976	34,403	-1,427	35,888	-2,912
1989	33,529	38,218	-4,689	40,845	-7,316
1990	36,086	36,749	-663	39,059	-2,973
1991	35,912	35,998	-86	38,888	-2,976
1992	33,904	36,101	-2,197	38,680	-4,776
1993	31,581	37,019	-5,438	40,584	-9,003
1994	30,887	39,409	-8,522	42,807	-11,920
1995	29,127	41,648	-12,521	48,495	-19,368
1996	31,572	42,921	-11,349	49,544	-17,972
1997	33,124	40,278	-7,154	47,554	-14,430
1998	40,706	39,175	1,531	45,078	-4,372
1999	40,786	38,358	2,428	46,485	-5,699
2000	41,467	40,474	993	47,871	-6,404
2001	38,897	42,921	-4,024	50,714	-11,817
2002	34,631	45,571	-10,940	57,324	-22,693
2003	30,948	47,015	-16,067	60,970	-30,022
2004	28,898	51,500	-22,602	64,161	-35,263
2005	28,882	59,415	-30,533	72,537	-43,655

Source: Statistics Netherlands, Statline

Table A2.3: Development of External Migration 1972-2005 (Foreigners)

	Immigration (1)	Emigration (2)	Surplus (1 – 2)	Emigration (incl. adm.corr.) (3)	Surplus (incl. Adm.corr.) (1-3)
1972	41,631	25,292	16,339	-	-
1973	44,253	25,950	18,303	-	-
1974	45,376	23,627	21,749	-	-
1975	55,248	22,086	33,162	-	-
1976	48,934	25,729	23,205	-	-
1977	49,879	24,696	25,183	26,343	23,536
1978	55,597	24,108	31,489	24,911	30,686
1979	72,172	24,383	47,789	25,686	46,486
1980	79,820	23,633	56,187	25,525	54,295
1981	50,416	24,979	25,437	27,178	23,238
1982	40,930	28,094	12,836	31,399	9,531
1983	36,441	27,974	8,467	30,921	5,520
1984	37,291	27,030	10,261	29,171	8,120
1985	46,166	24,206	21,960	27,178	18,988
1986	52,802	23,563	29,239	27,760	25,042
1987	60,855	20,872	39,983	27,982	32,873
1988	58,262	21,388	36,874	28,108	30,154
1989	65,385	21,489	43,896	31,218	34,167
1990	81,264	20,595	60,669	29,880	51,384
1991	84,337	21,330	63,007	31,751	52,586
1992	83,022	22,733	60,289	35,128	47,894
1993	87,573	22,203	65,370	34,204	53,369
1994	68,424	22,746	45,678	36,421	32,003
1995	66,972	21,673	45,299	33,700	33,272
1996	77,177	22,404	54,773	42,401	34,776
1997	76,736	21,940	54,796	34,419	42,317
1998	81,701	21,266	60,435	34,211	47,490
1999	78,365	20,665	57,700	32,294	46,071
2000	91,383	20,727	70,656	31,106	60,277
2001	94,507	20,397	74,110	31,852	62,655
2002	86,619	21,157	65,462	39,594	47,025
2003	73,566	21,870	51,696	43,861	29,705
2004	65,121	23,549	41,572	46,074	19,047
2005	63,415	23,984	39,431	47,188	16,227

Source: Statistics Netherlands, Statline

## 3.1 Introduction

The desirability of labour migration is a much-discussed topic in member countries of the EU. Recently both the European Commission and some European governments have argued that labour migration in EU countries is indispensable to alleviate existing and future tensions on the European labour markets. Proponents of further labour migration argue that the influx of labour migrants is necessary to compensate for the decreasing birth rates in most European countries and to restore the balance between the number of economically active and inactive citizens in the ageing European populations.

In response to these discussions the Dutch government has always stated that labour migration is only desirable for vacancies for which there are no Dutch or European job seekers available. Even during the period of job growth in The Netherlands during the second half of the 1990's the Dutch cabinet accepted labour migration only when there was insufficient labour supply available on the Dutch/EU labour market. The Dutch government argued there were still unacceptable large numbers of job seekers in the Netherlands. Furthermore, it wants to stimulate labour market participation of women and older workers. As a consequence, work permits were only issued in specific economic sectors that have a high need and short supply of manpower (for instance in the ICT-sector).

This conservative labour migration position is now changing. In May 2006 the Dutch government published a position paper 'Towards a modern migration policy' in which the government argues that a more selective and offensive labour market policy is needed to attract the highly skilled and to make better use of the international graduates who study in the Netherlands (see chapter 1). Furthermore, specific measures are planned to regulate temporary labour migration for specific economic sectors (health, education, personal and commercial services, ICT). There is a shortage of these workers in the Dutch labour market. On the other hand there is at the same time also

a need for low-qualified workers in specific economic sectors in which Dutch job seekers are often not willing to work and employers are looking for cheap labour (especially in horticulture and to a lesser extent in the hotel and catering industry). Illegal foreign immigrants often find employment in these sectors. For both kind of jobs – highly skilled and low skilled - Dutch employers are increasingly looking for qualified employees from the new EU countries and from outside the EU.

In reaction to national and international trends and practises in labour migration, the Dutch Cabinet has developed a programme to stimulate highly qualified labour migration to The Netherlands. Since 1 October 2004 the admission rules for highly skilled migrants are relaxed. A highly skilled migrant is a migrant who comes to the Netherlands in order to perform work in salaried employment and earns a gross income (yearly) of at least € 45,495 or € 33,363 if he is under thirty. Highly skilled workers are issued a residence permit for a period of five years if they are in possession, or about to be granted possession, of a contract of unlimited duration. In the case of a contract for a limited period, the permit will be granted for the duration of the contract, with a maximum of five years. Highly skilled migrants are no longer required to apply for a special work permit at the Centre for Work and Income (CWI). Instead, they are placed outside the Aliens Employment Act so that the Immigration and Naturalization Service (IND) will take sole responsibility for their admission to the Netherlands and to the Dutch labour market.

Furthermore, the Dutch government is willing to develop a point system for talented self employed immigrants, and is trying to improve the residence opportunities for international students after graduating in the Netherlands (see chapter 1).

In March 2006, the Dutch government decided also to formally open its borders to eastern European workers, in line with EU agreements, with effect from 1 May 2006. However, a transitional arrangement currently applies, allowing for the introduction of a less stringent work permit, and will be maintained until 1 January 2007. At the same time, the government is expected to assess some economic sectors in terms of employment trends. Employers believe that this arrangement is unnecessary, while the unions are in favour of introducing a trial period. A majority of members of parliament also favour stricter policies during the transition period. The social partners

are expected to assess, sector by sector, whether Dutch employees are being displaced due to an increase of foreign workers. In 2005, nearly 30,000 people from Poland and other new EU Member States were working in the Netherlands. Studies estimate that this number could double when existing limitations are lifted. The jobs filled by these workers are mainly in the agriculture, gardening and manufacturing sectors – jobs that are currently not being filled by Dutch workers

This new legislation and the new proposals on labour migration show that different categories of labour migrants will be treated in different ways. The Netherlands is developing a selective labour migration system in which a more liberal entry policy is pursued for certain (highly qualified) labour groups who will get straightforward access to permanent residence because of their positive (financial) contribution to the Dutch economy and society, while at the same time the job and residence opportunities for low or medium skilled labour migrants are given on a strictly temporal basis (Engbersen 2003). The intention behind this differential policy is to strengthen the Dutch economy and to safeguard the Dutch welfare state from labour migrants who run a high risk of becoming dependent of the care of the state.

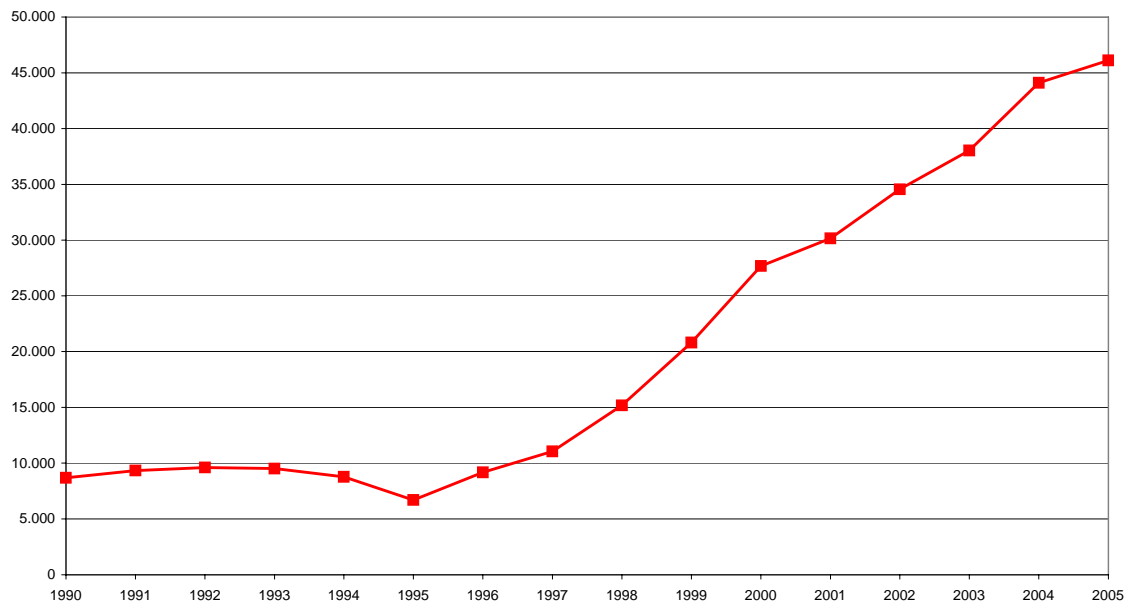
### **3.2 Increase in work permits**

The WAV was described in detail in the SOPEMI-Netherlands report of 1995. A Dutch employer who is unable to find an employee in the so-called priority workforce can apply for a work permit (TWV) for a foreign employee. The priority workforce consists of Dutch job seekers and other job seekers from the European Economic Area (EEA). Workers from within the EEA are not obliged to obtain a work permit to work in The Netherlands. They are free to move in the labour market. Applications made by employers for employees on a work permit are assessed by the Central Organisation for Work and Income (Public Employment Service), a local employment agency (CWI), which, among other things conducts a labour market check to assess whether job seekers from the priority workforce are available. If so, or if the employer has made insufficient efforts to hire a Dutch or European job seeker the application will be refused. Employees for whom a work permit has been granted must apply for a residence permit for The Netherlands. In order to enter The Netherlands, they first require a temporary residence permit. This residence permit is granted for a maximum of three years. It is also possible

for a work permit to become permanent. After three years, the foreign worker becomes eligible for a residence permit stating 'no restrictions on work'.

Figure 3.1 shows that the number of work permits granted in recent years increased significantly.

**Figure 3.1: The number of work permits and 'declarations' issued on the ground of the Dutch Foreign Nationals Labour Act (WAV) in the period 1990-2005**



Source: CWI

In the rest of this paragraph a more detailed picture is given of the number of foreign temporary workers coming to The Netherlands. It is important to note that these figures only provide insight into the labour migration of employees from outside the European Economic Area

From 1990 to 1997 the number of work permits was fairly stable. In 1997 the number of work permits exceeded 10,000 per year for the first time. In the period 1997-2004 the number of work permits increased every year with an average of approximately of 5,000 a year to reach 44,000 in 2004. In 2005 the number of work permits continued to rise but at a slower pace. In 2005, a total of 46,000 work permits were issued, 2,000 more than in 2004.

Table 3.1 shows the countries of origin for labour migrants who came to The Netherlands with a work permit. In 2005 more than 80 percent of the temporary labour migrants came from Western countries and one-fifth came from non-Western countries. In particular, the number of temporary labour



migrants from new EU-countries has increased sharply over the last few years. In 2002 about 9,400 temporary workers came from countries that now are part of the European Union to The Netherlands. Three years later, in 2005, their number tripled to more than 29,000. This means that two-thirds of all temporary labour migrants who came to The Netherlands in 2005, came from the 10 new European Union countries, whereas in 2002 this was only 27 percent. Especially the number of temporary workers from Poland has increased sharply (from 2,800 in 2001 thru 26,000 in 2005) i.e. due to a project of the Dutch Organisation for Agriculture and Horticulture (LTO) and the Centre for Work and income, which was supported by the Dutch government, that made formal recruitment of Polish seasonal workers possible. In 2001, the highest number of labour migrants came from the former Soviet Union (3,784) closely followed by the United States (2,918). In 2005 the five countries with the highest number of temporary labour migrants in The Netherlands were: Poland (26,076), the People's Republic of China (2,494), the former Czechoslovakian Republic (2,193), Romania (1,885) and the former Soviet Union (1,621). The number of the temporary labour migrants from Non-Western countries decreased for the second year from 11,000 in 2004 to 9,000 in 2005. Remarkable is the strong decrease in the number of work permits, issued for people from Sierra Leone (mostly (former) asylum seekers, who are allowed to work for at most 12 weeks a year with a work permit during the application for asylum).

Table 3.1: Number of work permits (WAV) by nationality (1996-2005)

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
<b>Total</b>	<b>9,173</b>	<b>11,062</b>	<b>15,181</b>	<b>20,816</b>	<b>27,678</b>	<b>30,153</b>	<b>34,558</b>	<b>38,036</b>	<b>44,113</b>	<b>46,113</b>
<b>Western countries</b> <i>of whom from</i>	-	-	-	<b>11,994</b>	<b>16,234</b>	<b>17,633</b>	<b>20,175</b>	<b>22,663</b>	<b>32,538</b>	<b>37,011</b>
<b>Europe</b>	-	-	-	-	-	-	<b>14,880</b>	<b>17,222</b>	<b>28,303</b>	<b>33,881</b>
<b>New EU-Countries<sup>a</sup></b>	-	-	-	-	-	-	<b>9,400</b>	<b>12,542</b>	<b>24,424</b>	<b>29,443</b>
Poland	735	928	1,184	1,501	2,497	2,831	6,572	9,511	20,190	26,076
Czechoslovakia (former) <i>of whom from</i>	174	256	282	606	1,058	1,673	1,494	1,653	2,690	2,193
Czech Republic	-	-	-	-	-	-	879	967	1,454	1,163
Slovak Republic	-	-	-	-	-	-	615	686	1,236	1,030
Hungary	275	349	502	662	718	1,063	1,000	953	1,080	646
Lithuania	-	-	-	-	-	-	157	213	302	378
Latvia	-	-	-	-	-	-	60	48	72	61
Slovenia	-	-	-	-	-	-	68	104	49	56
Estonia	-	-	-	-	-	-	27	50	37	32
Malta	-	-	-	-	-	-	19	9	3	1
<b>other Europe</b> <i>of whom from</i>	-	-	-	-	-	-	<b>5,492</b>	<b>4,680</b>	<b>3,877</b>	<b>4,437</b>
Soviet Union (former) <sup>b</sup>	-	-	-	2,121	3,572	3,784	3,309	2,547	1,741	1,621
Yugoslavia (former) <sup>c</sup>	-	-	-	746	1,146	1,098	944	627	414	354
Romania	287	193	299	458	643	741	860	1,095	1,300	1,885
Bulgaria	-	-	-	317	387	427	324	381	400	544
<b>other Western countries</b> <i>of whom from</i>	-	-	-	<b>5,556</b>	<b>6,186</b>	<b>5,980</b>	<b>5,295</b>	<b>5,443</b>	<b>4,235</b>	<b>3,131</b>
United States	1,945	2,275	2,603	2,822	3,133	2,918	2,595	2,564	2,024	1,232
Canada	286	412	439	604	628	504	408	405	446	400
Japan	949	893	871	890	945	909	1,008	1,204	823	768
Indonesia	146	148	211	482	547	799	795	870	578	555
Australia	240	263	312	444	505	515	376	324	300	145
<b>Non-Western countries</b> <i>of whom from</i>	-	-	-	<b>8,695</b>	<b>11,229</b>	<b>12,245</b>	<b>14,012</b>	<b>14,977</b>	<b>11,311</b>	<b>8,964</b>
Turkey	467	442	661	710	1,007	931	1,108	1,276	478	369
South Africa	197	223	588	479	566	646	377	402	358	264
Cameroon	-	-	-	45	92	144	222	322	251	228
Angola	-	-	-	31	110	268	583	754	428	170
Sierra Leone	-	-	-	31	81	222	1,047	1,252	560	161
Liberia	-	-	-	-	-	-	32	79	123	120
Nigeria	-	-	-	-	-	-	149	139	170	106
Morocco	-	-	-	198	230	198	211	195	129	102
Suriname	-	-	-	261	364	445	387	313	240	217
Brasil	-	-	-	-	-	-	166	176	204	185
China	578	489	512	701	980	1,161	1,741	2,252	2,402	2,494
India	390	519	830	901	1,006	974	776	845	1,050	1,279
Iraq	12	30	964	1,520	1,627	1,176	782	786	663	260
Korea Republic of	-	-	-	-	-	-	148	168	187	217
Vietnam	-	-	-	-	-	-	191	225	207	216
Afghanistan	8	15	238	651	580	699	973	1,008	555	163
Iran	-	-	-	160	300	448	533	470	250	163
Taiwan	-	-	-	-	-	-	113	152	124	151
Thailand	-	-	-	-	-	-	129	94	124	143
Philippines	-	-	-	-	-	-	136	128	140	133
Israel	-	-	-	-	-	-	187	187	155	124
<b>unknown</b>	-	-	-	-	-	-	<b>368</b>	<b>396</b>	<b>263</b>	<b>138</b>

Source: CWI

<sup>a</sup> figures includes Slovenia and Baltic States,<sup>b</sup> without Slovenia<sup>c</sup> without Baltic States

The increase in the number of issued work permits does not necessarily mean that more labour migrants come to The Netherlands. One should distinguish between 'real' labour migrants and foreigners already living in The Netherlands (asylum seekers, admitted asylum seekers, foreign students, trainees, artists and musicians etc.) that want to work and need a work permit. Figures of the CWI show however that the growth in employees from Middle and Eastern European countries (mainly working in the agricultural sector) is responsible for 99 percent of the increase in work permits. Table 3.2 shows the types of jobs for which work permits were issued. Contrary to the popular idea that work permits are primarily issued for highly qualified professions, the data reveal that the highest number of work permits is issued for work in the agricultural and horticultural sectors and that this number increased strongly over the last five years. In 2000 more than one-quarter of all work permits were issued for agricultural and horticultural work and in 2005 this was more than half. The increase in the number of Polish temporary labour migrants from the year 2002 seems to be related to the growing need for agricultural and horticultural workers in The Netherlands. The increasing number of foreign agricultural and horticultural workers is striking, since the idea of employing Dutch unemployed in this sector is frequently discussed. Other lower-qualified professions that attract a relatively large number of labour migrants are various industrial production jobs, chauffeurs and personnel for the hotel and catering industry.

**Table 3.2: Number of work permits (WAV) by type of profession (2000-2005)**

	Absolute						in percentages					
	2000	2001	2002	2003	2004	2005	2000	2001	2002	2003	2004	2005
agriculture / horticulture	7694	8046	11,141	12,792	21,161	26,208	27.8	26.7	32.2	33.6	48.0	56.8
artistic professions	4324	4408	3971	3569	2992	2106	15.6	14.6	11.5	9.4	6.8	4.6
production work	1996	2828	4735	5749	6258	4542	7.2	9.4	13.7	15.1	14.2	9.8
science	2851	2715	2576	3246	3360	2814	10.3	9.0	7.5	8.5	7.6	6.1
computer specialists	2209	2291	1193	900	984	1199	8.0	7.6	3.5	2.4	2.2	2.6
executive professions	1889	1972	1712	1677	1762	1411	6.8	6.5	5.0	4.4	4.0	3.1
advisors	1919	1749	1443	1510	1114	899	6.9	5.8	4.2	4.0	2.5	1.9
drivers	1088	1358	1396	1285	1681	1814	3.9	4.5	4.0	3.4	3.8	3.9
hotel and catering industry	672	1019	1543	1557	1142	1245	2.4	3.4	4.5	4.1	2.6	2.7
other services	2032	2192	3240	3485	2269	1926	7.3	7.3	9.4	9.2	5.1	4.2
construction	278	615	294	810	393	950	1.0	2.0	0.9	2.1	0.9	2.1
health care	291	429	605	722	495	396	1.1	1.4	1.8	1.9	1.1	0.9
sports	256	210	199	203	219	277	0.9	0.7	0.6	0.5	0.5	0.6
unskilled work	43	111	310	295	127	183	0.2	0.4	0.9	0.8	0.3	0.4
mechanics	59	91	125	99	89	55	0.2	0.3	0.4	0.3	0.2	0.1
other professions	76	119	75	137	67	89	0.3	0.4	0.2	0.4	0.2	0.2
unknown	1	0					0.0	0.0	0.0	0.0	0.0	0.0
<b>All professions</b>	<b>27,678</b>	<b>30,153</b>	<b>34,558</b>	<b>38,036</b>	<b>44,113</b>	<b>46,114</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

Source: CWI

In addition to these low-skilled professions, labour migrants are also attracted to certain more highly-skilled jobs. A relatively large proportion of work permits are issued for the artistic professions and scientists.

Table 3.3 shows the types of jobs in which temporary workers from different countries are employed. It is no surprise there are clear differences between the sectors temporary workers from the more developed Western countries and temporary workers from Eastern Europe and developing countries in Africa, Latin America and Asia, work in.

**Table 3.3: Work permits(WAV) by economic activity and region 2005 (percentages)**

	Western						Non-western			
	Total (N)	new EU-countries	other Europe	Northern-America	Japan and Indonesia	Oceania	Turkey	Africa	Other America	Other Asia
agriculture / horticulture	26,131	76.9	44.9	0.6	2.2	0.0	8.4	37.2	3.6	10.8
artistic professions	2105	2.2	16.9	14.0	5.0	5.1	0.3	4.2	14.6	3.6
production work	4531	8.7	11.8	13.9	4.8	4.6	11.1	16.4	11.5	12.0
science	2812	1.2	9.4	9.9	17.6	16.6	22.5	8.4	31.0	19.5
computer specialists	1197	0.2	1.5	3.6	2.9	7.4	1.1	1.5	2.4	15.9
executive professions	1411	0.5	0.9	24.9	22.4	26.3	7.0	1.7	4.1	6.7
advisors	899	0.4	2.0	11.1	5.7	21.7	8.1	2.5	4.7	5.1
drivers	1814	5.3	3.3	0.1	0.0	0.0	11.9	0.4	0.3	0.7
hotel and catering industry	1243	0.5	1.1	0.5	21.7	0.0	4.6	1.8	3.8	11.7
other services	1897	0.7	4.5	8.4	12.6	6.9	20.1	15.9	19.2	11.0
construction	949	2.9	1.6	0.0	0.0	0.6	0.3	0.4	0.0	0.2
health care	391	0.1	0.8	1.5	3.8	2.9	1.1	7.2	1.8	1.4
sports	277	0.1	0.5	10.3	0.5	6.3	0.0	0.9	2.0	0.2
unskilled work	181	0.3	0.1	0.0	0.5	0.0	1.1	0.9	1.0	0.9
mechanics	54	0.0	0.2	0.6	0.0	0.0	2.2	0.2	0.0	0.2
other professions	89	0.1	0.5	0.6	0.2	1.7	0.3	0.2	0.0	0.2
total		100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0
(n)	45.981	29.448	4437	1634	1325	175	369	2027	786	5780

Source: CWI

Temporary workers from the developed Western countries (USA, Canada, Japan, Oceania, including Australia and New Zealand) predominantly work in high-skilled jobs such as executive professions and advisors. American temporary workers are also frequently employed in artistic professions and sports. Temporary workers from the new EU-countries (in particular Poland), other European (mainly workers from the former Soviet Union and Romania) and from African countries predominantly work in the agricultural and horticultural sectors. Other European and Latin American temporary workers also frequently work in artistic professions. African and Asian temporary workers frequently work in production jobs. African, Latin American and Asian temporary workers are also frequently employed in the so-called 'other services' such as cleaning jobs.

### 3.3 Labour migration policies for low and high skilled workers

The recent Dutch labour migration policy proposals make clear that with respect to highly skilled workers, the adage of temporariness is increasingly

less adhered to. The reason for this is the increased competition between OECD countries attracting the necessary human capital to be internationally competitive. The worldwide shortage in highly educated, technical and medical personnel stimulates migration to countries where the conditions for taking up residence are the most favourable. An important condition is guaranteeing a quick route towards permanent residence (and consequently access to comprehensive social rights). Such a policy is without risk for the welfare state because these immigrants perform better on European labour markets than average residents. An inflow of such immigrants would positively affect the public budget (Roodenburg et al. 2003). It is also acknowledged that highly educated employees are geographically very mobile. Recent Dutch studies estimates that highly skilled immigrants from western countries and countries such as Japan and India will leave again within six years (Statistics Netherlands 2003; Veld 2004).

As far as immigrants with a low or intermediate level of education are concerned, temporariness of permits remains the basic principle in The Netherlands. This principle should enable a flexible labour market policy and prevent temporary immigrants from gaining access to public provisions. It also prevents extensive forms of chain migration from following in the wake of initial migration. In most West European countries employers have to hire available labour supply (i.e. within the national borders or within the European Economic Area (EEA)), before they may hire (temporary) labour migrants. This labour market test is applied in a flexible way due to the fact that even in countries with substantial numbers of unemployed, shortages in workforce still exist in specific sectors. Examples are the vacancies in nursing and other forms of care (requiring an intermediate level of education) and those in domestic services, agriculture, and horticulture (requiring low and unskilled workers). These sectors already give an indication of the diversity of temporary labour migration, ranging from short-term labour migration in the case of seasonal labour (for three months) to long-term labour migration in the health care sector (for more than two years).

Two relevant points need to be made with respect to labour migration (cf. ACVZ 2004). The first involves the problematic maintenance of temporary labour migration. There are several systems for encouraging migrants to return to their country of origin, but none of these systems actually guarantees their return. That is why in practice, labour migrants find ways to stay longer or even permanently. Thus, temporary work and residence may

result in permanent residence. Labour migrants can also lengthen their stay through marriage or may choose to remain illegally in a country once their permit has expired. Another point is that regulated temporary labour migration only partially limits illegal employment, in the secondary labour market. This applies particularly to advanced Scandinavian and continental welfare states, and to a lesser extent to countries such as Spain and Italy. The idea that illegal labour in the underside of the labour market will be pushed back by regulating the recruitment of (temporary) labour migrants is dubious. Illegal immigrants are economically appealing to many employers because they are illegal and can be paid wages below the statutory minimum wage levels (cf. Engbersen 1999 en 2003).

## Appendix for chapter 3

**Table A3.1: Number of work permits (WAV) by economic activity (2000-2005)**

	Absolute						in percentages					
	2000	2001	2002	2003	2004	2005	2000	2001	2002	2003	2004	2005
Agriculture,hunting,forestry,fishing	6253	6078	9711	11,597	20,332	25,459	22.6	20.2	28.1	30.5	46.1	55.2
Mining and quarrying	61	95	156	153	126	100	0.2	0.3	0.5	0.4	0.3	0.2
Manufacture, public utilities	2523	2712	2614	2826	2990	2623	9.1	9.0	7.6	7.4	6.8	5.7
Construction	213	275	488	812	191	789	0.8	0.9	1.4	2.1	0.4	1.7
Trade and repair consumer articles	1249	1066	1059	1164	1006	959	4.5	3.5	3.1	3.1	2.3	2.1
Hotels and restaurants	648	856	1267	1448	1142	1277	2.3	2.8	3.7	3.8	2.6	2.8
Transport, storage and communications	1886	2004	2108	1874	1992	2312	6.8	6.6	6.1	4.9	4.5	5.0
Financial intermediation	387	391	332	300	326	273	1.4	1.3	1.0	0.8	0.7	0.6
Renting, commercial services	6735	9019	8663	9552	9647	7306	24.3	29.9	25.1	25.1	21.9	15.8
Pub. admin., defence, social security	14	19	21	32	60	26	0.1	0.1	0.1	0.1	0.1	0.1
Education	1984	2119	2821	3388	2404	1703	7.2	7.0	8.2	8.9	5.4	3.7
Health and social work	564	541	782	881	527	429	2.0	1.8	2.3	2.3	1.2	0.9
Environment, culture,other services	5161	4978	4536	4009	3370	2857	18.6	16.5	13.1	10.5	7.6	6.2
<b>Total</b>	<b>27,678</b>	<b>30,153</b>	<b>34,558</b>	<b>38,036</b>	<b>44,113</b>	<b>46,113</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

source: CWI

**Table A3.2: Work permits(WAV) by economic activity and region 2005 (percentages)**

	Western						Non-western			
	Total (N)	new EU-countries	Eastern Europe	Northern-America	Japan and Indonesia	Oceania	Turkey	Africa	Other America	Other Asia
Agriculture,forestry,fishing	25,379	75.0	41.8	0.6	2.1	0.0	7.3	36.3	4.2	10.7
Mining and quarrying	100	0.0	0.6	2.3	0.1	2.9	0.0	0.4	0.1	0.3
Manufacture, public utilities	2620	4.8	4.3	12.9	11.3	10.9	7.0	3.6	6.1	8.3
Construction	789	2.1	2.8	0.1	0.0	0.6	4.6	0.0	0.6	0.2
Trade and repair consumer articles	957	1.0	1.0	5.1	9.2	1.1	2.7	1.4	6.5	5.3
Hotels and restaurants	1272	0.4	1.2	0.2	18.6	0.0	3.5	1.7	4.2	13.6
Transport, storage and comm.	2312	4.8	3.8	2.5	10.7	6.3	10.6	0.8	1.5	8.1
Financial intermediation	273	0.1	0.5	2.2	0.0	4.6	9.2	0.2	2.5	1.8
Renting, commercial services	7289	9.0	18.6	25.2	23.5	42.3	23.3	29.4	31.1	36.3
Pub. adm. social security	26	0.0	0.1	0.0	0.0	-	0.0	0.1	1.4	0.1
Education	1683	0.4	5.9	0.0	9.6	10.9	14.9	12.4	17.2	9.7
Health and social work	428	0.1	1.1	2.3	5.8	0.0	1.4	5.0	5.6	1.3
Environment, culture,other services	2847	2.3	18.3	37.9	7.2	16.6	15.4	8.6	18.9	4.3
<b>total</b>		<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>(n)</b>	<b>45,975</b>	<b>29,444</b>	<b>4437</b>	<b>1632</b>	<b>1323</b>	<b>175</b>	<b>369</b>	<b>2028</b>	<b>787</b>	<b>5780</b>

Source: CWI

Table A3.3: Immigration of foreign nationals by reasons of labour by country of birth 1995-2004 (2005 not yet available)

	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
<b>Absolute numbers</b>	10,211	12,656	13,193	15,369	16,299	19,025	19,937	18,535	16,621	15,637
<i>in %</i>										
<i>including</i>										
<b>Western Countries</b>	<b>86.7</b>	<b>86.9</b>	<b>86.4</b>	<b>85.1</b>	<b>85.6</b>	<b>86.5</b>	<b>84.9</b>	<b>84.3</b>	<b>84.5</b>	<b>85.4</b>
<i>of whom from</i>										
<b>EU-countries (25)</b>	<b>67.0</b>	<b>66.7</b>	<b>66.3</b>	<b>65.6</b>	<b>66.3</b>	<b>68.7</b>	<b>67.3</b>	<b>66.8</b>	<b>64.7</b>	<b>68.3</b>
<i>of whom from</i>										
<b>old EU-countries (15)</b>	<b>65.7</b>	<b>64.5</b>	<b>64.2</b>	<b>62.2</b>	<b>64.0</b>	<b>64.4</b>	<b>61.3</b>	<b>61.6</b>	<b>58.9</b>	<b>53.3</b>
<i>of whom from</i>										
Germany	11.8	10.8	10.9	10.8	10.7	11.3	11.0	12.6	11.6	11.7
United Kingdom	18.6	20.3	19.6	17.1	18.0	18.7	18.3	15.6	14.5	12.1
Belgium	5.7	5.3	6.0	5.4	5.3	5.0	4.3	4.5	4.6	4.0
France	4.6	5.4	5.5	6.2	6.2	5.7	5.3	5.4	4.9	4.8
<b>new EU-countries<sup>a</sup></b>	<b>1.3</b>	<b>2.2</b>	<b>2.2</b>	<b>3.4</b>	<b>2.3</b>	<b>4.3</b>	<b>6.0</b>	<b>5.2</b>	<b>5.8</b>	<b>15.1</b>
<i>of whom from</i>										
Poland	0.9	1.6	1.4	2.0	1.5	3.0	4.0	3.9	4.6	12.1
Hungary	0.3	0.3	0.3	0.6	0.4	0.6	1.0	0.6	0.6	1.1
<b>other Europe</b>	<b>5.8</b>	<b>5.5</b>	<b>5.6</b>	<b>6.2</b>	<b>6.0</b>	<b>5.8</b>	<b>7.0</b>	<b>7.5</b>	<b>9.8</b>	<b>7.6</b>
<i>of whom from</i>										
Yugoslavia (former) <sup>b</sup>	0.4	0.2	0.4	0.5	0.6	0.7	0.7	0.4	0.4	0.4
Soviet Union (former) <sup>c</sup>	1.3	1.2	1.1	2.0	1.9	1.9	2.2	2.0	2.0	2.7
Romania	0.3	0.3	0.4	0.7	0.6	0.8	1.1	1.0	0.9	1.0
<b>other Western</b>	<b>13.8</b>	<b>14.7</b>	<b>14.4</b>	<b>13.4</b>	<b>13.3</b>	<b>12.0</b>	<b>10.7</b>	<b>10.0</b>	<b>10.0</b>	<b>9.5</b>
<i>of whom from</i>										
United States	6.2	7.6	7.7	7.0	6.8	6.0	4.9	4.4	4.7	4.2
Canada	1.0	1.3	1.3	1.2	1.0	1.2	1.0	0.9	0.9	0.8
Indonesia	0.2	0.2	0.4	0.4	0.5	0.3	0.5	0.3	0.3	0.4
Japan	5.0	4.3	3.6	3.0	2.9	2.6	2.4	2.8	2.8	2.8
Australia	1.1	1.1	1.0	1.3	1.6	1.3	1.4	1.3	1.0	1.0
<b>Non-Western countries</b>	<b>13.3</b>	<b>13.1</b>	<b>13.6</b>	<b>14.9</b>	<b>14.4</b>	<b>13.5</b>	<b>15.1</b>	<b>15.7</b>	<b>15.5</b>	<b>14.6</b>
<i>of whom from</i>										
Turkey	2.1	2.2	2.0	1.4	1.0	1.2	1.5	2.3	5.2	1.7
Morocco	1.2	1.2	1.3	1.1	0.8	0.9	0.7	0.8	1.0	0.8
Somalia	0.0	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.0
South Africa	0.7	1.2	1.0	2.2	1.4	1.5	1.7	1.0	1.1	1.2
Angola	0.2	0.3	0.2	0.2	0.3	0.3	0.4	0.6	0.4	0.3
Sudan	0.0	-	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Ghana	0.2	0.3	0.3	0.2	0.3	0.4	0.6	0.9	0.6	0.3
Congo (democratic republic)	0.1	0.0	0.0	0.0	0.0	0.0	0.1	0.1	0.0	0.1
Suriname	0.4	0.3	0.1	0.2	0.2	0.3	0.3	0.3	0.2	0.2
Brazil	0.3	0.3	0.4	0.4	0.5	0.4	0.5	0.5	0.5	0.7
Colombia	0.1	0.1	0.2	0.1	0.1	0.1	0.2	0.2	0.3	0.2
Iraq	-	0.0	0.0	0.1	0.1	0.1	0.1	0.0	0.0	0.0
Afghanistan	-	0.0	0.0	-	0.0	0.0	0.0	0.0	0.0	0.0
China	1.5	1.3	1.0	1.0	1.1	0.9	1.4	1.2	1.3	1.4
Iran	0.3	0.2	0.3	0.2	0.2	0.2	0.2	0.3	0.3	0.3
Thailand	0.1	0.2	0.1	0.2	0.1	0.2	0.1	0.1	0.1	0.1
Pakistan	0.7	0.5	0.4	0.3	0.3	0.4	0.3	0.4	0.4	0.3
India	1.5	1.4	1.6	2.2	2.1	1.4	1.4	1.3	1.4	1.3
Phillipines	0.3	0.3	0.4	0.3	0.1	0.2	0.5	0.3	0.3	0.3
Syria	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1
Sri Lanka	0.0	0.1	0.1	0.1	0.0	0.1	0.1	0.0	0.1	0.0

Source: Statistics Netherlands (figures are based on data of the Ministry of Justice, Immigration and Naturalization Service)

<sup>a</sup>figures do not include data of Malta, Cyprus, Slovenia and Baltic States<sup>b</sup>including Slovenia<sup>c</sup>including Baltic States



## 4.1 Introduction

This chapter briefly describes recent developments with respect to the influx of asylum seekers and asylum policy. The most striking aspect is the sharp decrease in the number of asylum seekers until 2004. However, 2005 showed an increase again. The new Dutch Aliens Act, which came into effect in 2000, is held responsible for the decrease. In this chapter we will mainly focus on the influx of asylum seekers to the Netherlands and changes in the composition of this category. Finally, we will examine the concluding part of the asylum policy, the return policy.

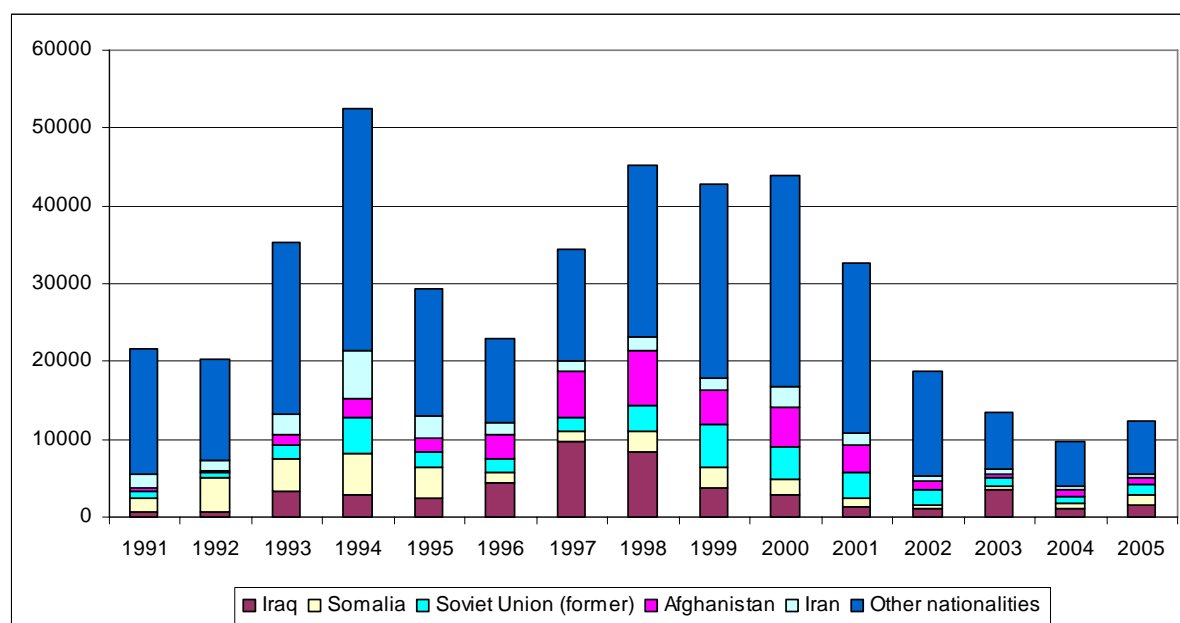
## 4.2 Asylum requests

The Dutch government's restrictive asylum policy is probably the most important reason for the decrease in the number of asylum applications (especially the high percentage of rejections in the accelerated procedure and the strict policy for solitary underage asylum seekers). The number of asylum requests decreased from nearly 44,000 in 2000 to some 12,347 in 2005 (see table 4.1). Since five years of decreasing numbers of asylum requests, 2005 showed an increase again compared to 2004. The number of asylum requests in 2005 is however still more than three and a half times lower than in 2000. In table 4.1 we can see the sizeable monthly differences between the years 2000 and 2005 and in figure 4.1 we can see the trends over a period of 15 years.

**Table 4.1: Total number of individual asylum seekers who arrived, with monthly breakdown and percentage variation between years 2004-2005**

Month	2000	2001	2002	2003	2004	2005	Variation +/- 2004-2005	
							absolute	percentage
January	4125	3697	2377	1234	976	886	-90	-9%
February	3840	2805	1972	1042	836	933	97	12%
March	3571	3086	1950	1398	940	877	-63	-7%
April	3104	2781	1767	1570	681	903	222	33%
May	3053	2549	1590	1391	627	747	120	19%
June	3473	2219	1479	831	772	938	166	22%
July	3702	2475	1419	1127	672	837	165	25%
August	3997	2462	1350	989	787	984	197	25%
September	3451	2551	1432	1103	849	1164	315	37%
October	3981	3401	1374	1015	904	1436	532	59%
November	3927	2399	1037	931	956	1459	503	53%
December	3668	2154	920	771	782	1183	401	51%
<b>Total</b>	<b>43,892</b>	<b>32,579</b>	<b>18,667</b>	<b>13,402</b>	<b>9,782</b>	<b>12,347</b>	<b>2565</b>	<b>26%</b>

Source: Ministry of Justice, Immigration and Naturalization Service

**Figure 4.1: Asylum requests by country of nationality, 1991-2005**

Source: Ministry of Justice, Immigration and Naturalization Service

In 2004, many countries of origin especially Iraq exhibited an absolute decrease in asylum influx in comparison to previous years (see table 4.2). However this year (except for former Yugoslavia) all of the countries of origin in table 4.2 exhibited an increase again. Especially the increases of Somalia, Afghanistan and Colombia over the last years stand out.

**Table 4.2: Asylum requests by country of nationality, 1997-2005 (top ten countries 2005)**

Country of nationality	1997	1998	1999	2000	2001	2002	2003	2004	2005
Iraq	9640	8300	3710	2780	1329	1022	3472	1043	1620
Somalia	1280	2780	2740	2110	1098	538	451	792	1315
Soviet Union (former)	1960	3230	5520	4200	3235	1891	1100	916	1177
Afghanistan	5920	7120	4400	5050	3614	1077	492	688	902
Iran	1250	1680	1530	2550	1519	665	555	450	557
Yugoslavia (former)	3790	8330	8520	5700	2184	847	539	497	437
Burundi	60	150	200	330	427	452	402	405	419
Colombia	*	*	*	*	48	26	34	170	342
Sudan	680	1880	1700	1420	869	513	293	255	339
China	1160	920	1240	1400	703	541	295	265	333
Other nationalities	8700	10,830	13,170	18,350	17,553	11,095	5769	4301	4906
<b>Total</b>	<b>34,440</b>	<b>45,220</b>	<b>42,730</b>	<b>43,890</b>	<b>32,579</b>	<b>18,667</b>	<b>13,402</b>	<b>9782</b>	<b>12,347</b>

Source: Ministry of Justice, Immigration and Naturalization Service

A closer examination of the figures from the former Soviet Union countries reveals that most of the asylum applications come from Azerbaijan, Russia and Georgia (see table 4.3).

**Table 4.3: Asylum applications from former Soviet Union en Yugoslavia in The Netherlands**

Country of origin	1997	1998	1999	2000	2001	2002	2003	2004	2005
Soviet Union (former)	1960	3230	5520	4200	3235	1891	1100	916	1177
<i>of which from</i>									
Armenia	430	710	1249	812	529	427	204	247	197
Azerbaijan	320	1270	2449	1163	634	335	265	253	287
Belarus	*	*	40	113	115	131	55	25	31
Estonia	*	*	0	2	3	3	*	*	*
Georgia	290	290	321	291	298	219	116	73	213
Kazakhstan	*	*	102	180	133	43	8	23	22
Kyrgyzstan	*	*	6	119	71	55	21	7	33
Latvia	*	*	10	9	9	10			*
Lithuania	*	*	12	11	12	9	10	7	*
Moldova	*	*	31	28	20	31	36	30	8
Russia	460	520	960	1016	911	420	245	206	285
Tajikistan	*	*	21	42	56	12	8	9	*
Turkmenistan	*	*	0	1	1	0	*	*	*
Ukraine	230	230	306	218	191	156	85	17	44
Uzbekistan	*	*	13	197	252	40	47	19	57
Total applications former S.U.	1960	3230	5520	4200	3235	1891	1100	916	1177
Total applications	34,440	45,220	39,299	43,895	32,579	18,667	13,402	9782	12,347
Percentage former S.U.	6%	7%	14%	10%	10%	10%	8%	9%	10%
Yugoslavia (former)	3790	8330	8520	5700	2184	847	539	497	437
<i>of which from</i>									
Bosnia-Herz.	1970	3770	1170	1650	1026	221	103	57	94
Croatia	70	150	140	140	63	31	13	15	7
Macedonia	0	0	80	60	187	79	30	30	*
Serbia & Montenegro	1650	4290	7130	3850	908	516	393	395	336
Total applications Yugoslavia	3790	8330	8520	5700	2184	847	539	497	437
Total applications	34,440	45,220	39,299	43,895	32,579	18,667	13,402	9782	12,347
Percentage former Yugoslavia	11%	18%	22%	13%	7%	5%	4%	5%	4%

Source: Ministry of Justice, Immigration and Naturalization Service

The influx of indicated solitary underage asylum seekers [Dutch acronym: AMA's] in the Netherlands decreased from 3504 in 1998 to 515 in 2005. The figure of solitary underage asylum seekers as a percentage of the total influx of asylum seekers was rather high and stable in the 2000-2002 period (17 percent). This has changed since 2003. The figure is now 4,2 percent. In 2005, the main countries of origin were India, China and Iraq.

**Table 4.5: Influx of indicated Solitary underage asylum seekers in The Netherlands**

Country of origin	1998	1999	2000	2001	2002	2003	2004	2005
India	*	*	409	248	28	40	57	88
China	477	793	942	344	177	116	99	59
Iraq	*	*	261	117	56	108	27	39
Somalia	534	496	410	248	87	75	46	28
Angola	192	756	1058	1991	854	146	28	23
D.R. Congo	105	77	123	116	101	37	11	21
Burundi	*	*	54	55	51	30	32	20
Afghanistan	223	215	303	228	141	41	23	20
Taiwan	*	*	*	*	*	*	*	18
unknown	*	*	48	54	31	33	21	18
others	1973	2672	3097	2550	1706	590	250	181
Total applications UMA	3504	5009	6705	5951	3232	1216	594	515
Total applications	44,393	37,921	43,895	32,579	18,667	13,402	9782	12,347
Percentage UMA	7,9	13,2	15,3	18,3	17,3	9,1	6,1	4,2

Source: Ministry of Justice, Immigration and Naturalization Service

\* = unknown

### 4.3 Asylum requests in Europe

If we compare the Dutch data with data from 12 other European countries with respect to the influx of asylum requests under consideration, the Netherlands is the only country that experienced an increase in the number of asylum seekers in 2005. Table 4.6 presents the influx in asylum requests under consideration from 2004-2005. It is estimated that in 2005 more than 192,000 asylum applications were submitted in the countries stated, a decline of 25 percent with respect to the same period in 2003. There were particularly strong decreases in the United Kingdom, Norway, Denmark and Switzerland.

**Table 4.6: Asylum requests in Europe compared; 2005 with 2004**

	2001	2002	2003	2004	2005*	mutation	mutation in %
France	88,287	51,004	61,993	65,614	54,499	-11,115	-17
Germany	90,244	71,127	50,563	35,607	25,113	-10,494	-29
United Kingdom	47,260	103,080	61,051	40,623	23,154	-17,469	-43
Austria	30,135	39,354	32,364	24,676	20,148	-4528	-18
Sweden	23,499	32,995	31,355	23,161	15,661	-7500	-32
Belgium**	14,782	18,768	16,940	15,357	14,562	-795	-5
The Netherlands	32,579	18,667	13,402	9782	11,164	1382	14
Switzerland	20,633	26,125	20,806	14,248	9256	-4992	-35
Norway	24,527	17,480	15,613	7945	4896	-3049	-38
Spain	9219	6179	5918	5553	4701	-852	-15
Finland	1650	3443	3221	3861	3352	-509	-13
Ireland	10,325	11,634	7900	4766	3261	-1505	-32
Denmark	12,512	5947	4593	3222	2122	-1100	-34
Total	405,652	405,803	325,719	254,415	191,889	-62,526	-25

\*2005, number of applications for December aren't available, figures are estimates

\*\* Data do not include accompanied underage asylum seekers

## 4.4 Granted asylum requests

The submission of an asylum request is the first step in a process where only some of the asylum requests are actually approved. Table 4.7 shows the number of asylum requests approved per year for ten different groups. The number of asylum requests approved has shown a marked decrease in the period 1997-2004. In 1997 almost 17,000 requests were approved, whereas in 2004 less than 60 percent of this number was approved. In 2005 it sharply increased to the highest number in the last decade, to 17,900.

**Table 4.7: Asylum requests granted by country of nationality, 1997-2005**

Country of nationality	1997	1998	1999	2000	2001	2002	2003	2004	2005
Iraq	4340	5990	550	510	-	-	-	-	-
Afghanistan	4240	3990	4380	3410	-	-	-	-	-
Soviet Union (former)	650	530	510	480	-	-	-	-	-
Somalia	1180	880	1030	920	-	-	-	-	-
Burundi	30	70	50	170	-	-	-	-	-
Iran	1100	600	530	350	-	-	-	-	-
Angola	200	140	200	580	-	-	-	-	-
Yugoslavia (former)	2260	350	420	730	-	-	-	-	-
Sierra Leone	50	130	160	280	-	-	-	-	-
Sudan	530	820	300	420	-	-	-	-	-
Other nationalities	2410	1600	1360	1880	-	-	-	-	-
<b>Total</b>	<b>16,990</b>	<b>15,100</b>	<b>9490</b>	<b>9730</b>	<b>10,580</b>	<b>8820</b>	<b>9760</b>	<b>10,170</b>	<b>17,880</b>

Source: Statistics Netherlands, Statline, numbers rounded in units of five, 1997-2005

Table 4.8 provides additional information about the type of status awarded. From the data presented it is clear that there has been a strong decrease in the number of 'A statuses' awarded during the period 1997-2000, whereas the granting of residence permits with a humanitarian status has decreased much less. The figures since 2001 concern statuses awarded under the new Aliens Act and they therefore cannot be simply compared with the situation before 2001. The period 2001 – 2005 shows a strong increase in both granted residence permits for fixed term as well as indefinite term. In five years the residence permits for fixed term has risen from 7200 in 2001 to 11,000 in 2005, the residence permits for indefinite term from 500 in 2001 to 6800 in 2005.

**Table 4.8: Refugees admitted and the humanitarian or refugee status granted 1997-2005 (1)**

	1997	1998	1999	2000	2001	2002	2003	2004	2005
<i>Before new Aliens Act 2000</i>									
<b>Refugees</b>									
Individual requests 'A status' granted	6630	2356	1507	1808	444				
<b>Humanitarian status</b>									
Granted (VtV)	5176	3591	3471	4791	1567				
Provisional status temporary protection (VVtV)	5182	9152	8512	3127	806				
<i>After new Aliens Law 2000 (April 2001)</i>									
<b>VV fixed term (total)</b>					<b>7231</b>	<b>8008</b>	<b>8335</b>	<b>6120</b>	<b>11,090</b>
<i>of which</i>									
VV asylum fixed term					4906	4008	5620	-	-
VV regular fixed term (2)					2325	4000	2715	-	-
<b>VV asylum indefinite term</b>					<b>532</b>	<b>746</b>	<b>1408</b>	<b>4050</b>	<b>6790</b>
<i>of which</i>									
VV asylum indefinite term					508	721	1402	-	-
VV regular indefinite term (2)					24	25	6	-	-
<b>Refused (old and new Aliens Law)</b>	<b>28,318</b>	<b>28,173</b>	<b>41,367</b>	<b>57,418</b>	<b>51,317</b>	<b>52,889</b>	<b>21,935</b>	<b>12,955</b>	<b>-</b>

1) refers to outcomes after a first decision as well as revised decisions.

2) regular residence permits granted in asylum affairs concern e.g. solitary underage asylum seekers and residence permits on account of the so-called three years policies.

Source: -Ministry of Justice, Immigration and Naturalization Service  
-Statistics Netherlands, Statline (2005)

The figures presented in the previous tables concern the decision taken during the year in question (approved or rejected), irrespective of the year in which the asylum request was submitted. Therefore the figures presented about approvals cannot be directly compared with the figures presented in table 4.2 about the asylum requests submitted and thus do not provide any insight into the percentage approved. In order to delineate the percentage approved cohort studies are needed. In the 2001-Sopemi study we have presented the results of a cohort study conducted by Van der Erf (2002). On the basis of material made available by the INS concerning the completion of asylum procedures according to the year of submission (1994-2000), Van der Erf concluded that the percentage of asylum requests approved in the Netherlands has significantly decreased. The results of a more recent cohort study performed by the INS (Cohortanalyse asielprocedure 1994-2003, 2005) show that the approval percentage decreased from almost 49 percent for asylum seekers who submitted their request in 1997 to no more than 11 percent for asylum seekers who submitted their request in 2002 (see table 4.9a and 4.9b). For those who submitted their request in 2003 the figure is however a little higher. At the end of the first quarter of 2004 around 12 percent was approved. If we take a closer look at the asylum seekers who submitted their request in 2003 we see that asylum seekers from Iraq (24%) and Somalia (18%) have a high approval percentage while asylum seekers from Bosnia (0,9%), Turkey (2,3%) and Sri Lanka (3,2%) have relative low approval percentages (INS, Cohortanalyse asielprocedure 1994-2003, 2005).

**Table 4.9a: Influx of asylum seekers 1994-2003 (top ten countries 1994-2003) (data of 2004 and 2005 not available)**

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Iraq	2850	2419	4328	9605	8266	3720	2730	1281	988	3373
Afghanistan	2473	1894	3003	5926	7026	4321	4886	3395	1044	464
Yugoslavia (former)	4238	1489	771	1563	4015	7093	3694	864	490	386
Bosnia- Herz	8501	4158	949	2000	3915	1154	1557	938	199	113
Somalia	5332	3923	1437	1259	2715	2684	2070	1046	519	445
Iran	5995	2664	1491	1219	1660	1481	2477	1450	624	529
Angola	1365	727	410	364	589	1547	2132	3955	1795	354
Turkey	615	686	677	1104	1176	1455	2179	1314	608	391
Sri Lanka	1802	1298	1463	1484	1040	846	941	646	282	95
Sierra Leone	82	388	247	386	479	1278	1992	2349	1578	306
Total	52,033	28,891	22,531	34,103	44,684	42,053	42,504	30,768	17,786	12,884

Source: Ministry of Justice, Immigration and Naturalization Service

**Table 4.9b: Percentage of asylum requests granted cohort 1994-2003 (top ten countries 1994-2003) (data of 2004 and 2005 not available)**

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003
Iraq	82.8	86.9	77.6	70.9	36.1	26.6	20.0	15.9	30.9	24.0
Afghanistan	78.0	71.9	84.0	82.6	71.9	55.0	54.6	26.5	12.0	13.4
Yugoslavia (former)	28.0	22.0	15.2	8.6	21.0	55.4	10.4	5.7	5.1	5.7
Bosnia- Herz.	80.3	77.0	64.7	21.3	12.5	8.6	9.3	5.7	0.5	0.9
Somalia	56.7	50.0	57.9	52.3	42.1	28.4	19.0	11.7	12.7	18.0
Iran	39.9	33.0	31.5	31.3	29.9	17.8	12.9	12.1	9.5	9.8
Angola	37.4	27.2	19.8	23.4	36.8	34.5	29.2	10.1	13.1	7.9
Turkey	32.2	26.8	18.3	10.2	12.5	7.9	4.0	4.1	8.2	2.3
Sri Lanka	14.9	8.4	8.0	9.2	13.3	12.1	6.0	9.0	8.9	3.2
Sierra Leone	54.9	34.8	27.9	39.1	45.3	50.5	48.4	43.8	17.4	5.6
Total	43.0	42.2	44.5	48.4	34.1	29.8	19.9	14.6	10.9	12.3
Deviation Margin +10%	47.3	46.5	48.9	53.2	37.5	32.8	21.8	16.1	12.0	13.6
Deviation Margin -10%	38.7	38.0	40.0	43.5	30.7	26.8	17.9	13.1	9.8	11.1

Source: Ministry of Justice, Immigration and Naturalization Service

## 4.5 Return and expulsion of asylum seekers

The majority of aliens who request asylum in the Netherlands do not receive a residence permit and therefore there is a constant stream of aliens leaving the Netherlands. Most of these aliens depart of their own volition and a small number need to be forcibly expelled. If the asylum seeker does not leave of his own accord then enforced departure can be effected. There are different types of expulsion such as; Check of addresses, Expulsion, Controlled departure (see Figure 4.2). One can also voluntarily depart with assistance from the International Organisation for Migration (IOM). In 2005, the number of people (asylum seekers and non-asylum seekers) who were assisted by the IOM in their return to the country of origin or to resettle in another country was 3553<sup>21</sup>. In 2004, 3828 persons departed voluntarily with help from the IOM. Another type of support is the country specific projects in

<sup>21</sup> <http://www.iom-nederland.nl/cijfers/terugkeer.asp>

which the Dutch government cooperates with the countries of origin and a range of organisations that are active in the field of migration.

The number of people that voluntarily departed with help from the IOM is relatively small compared to the total number of 'expelled asylum seekers' in 2005, namely 12,500. From table 4.10 it can be seen that the number of expelled asylum seekers rose considerably in 2002 and 2003. In 2005 it was strongly declined, with 43 percent compared to 2003. Most expelled asylum seekers come from the former Soviet Union, Angola and Afghanistan (see table 4.10). However, we do not know the degree in which these groups actually left the Netherlands. In figure 4.2 the removals for the period 1992-2005 are detailed according to the type of removal.

**Table 4.10: Expelled asylum seekers by country of nationality, 1997-2005 (top ten countries 2005)**

Country of nationality	1997	1998	1999	2000	2001	2002	2003	2004	2005
Soviet Union (former)	1360	960	950	1420	1350	1880	2138	1218	1241
Angola	430	180	110	170	250	760	1618	1528	1215
Afghanistan	480	670	980	650	1090	882	750	673	823
Yugoslavia (former)	2910	3280	6210	4140	2180	2300	2183	1180	755
Iraq	1040	1190	1940	1310	1780	2421	1158	956	712
Sierra Leone	160	150	190	290	490	801	826	663	621
Iran	1070	440	460	730	770	1012	1336	606	563
China	690	490	480	490	420	700	799	529	545
Sudan	160	150	280	350	420	700	944	644	476
Guinee	40	50	60	220	430	470	594	481	444
Turkey	790	820	660	880	1250	1047	864	623	421
Other nationalities	9740	5960	6020	5970	5590	8282	8686	5828	4694
<b>Total</b>	<b>18,870</b>	<b>14,340</b>	<b>18,340</b>	<b>16,620</b>	<b>16,020</b>	<b>21,255</b>	<b>21,896</b>	<b>14,929</b>	<b>12,510</b>

Source: Ministry of Justice, Immigration and Naturalization Service

**Table 4.11: Expelled asylum seekers by type of expulsion 1992-2005**

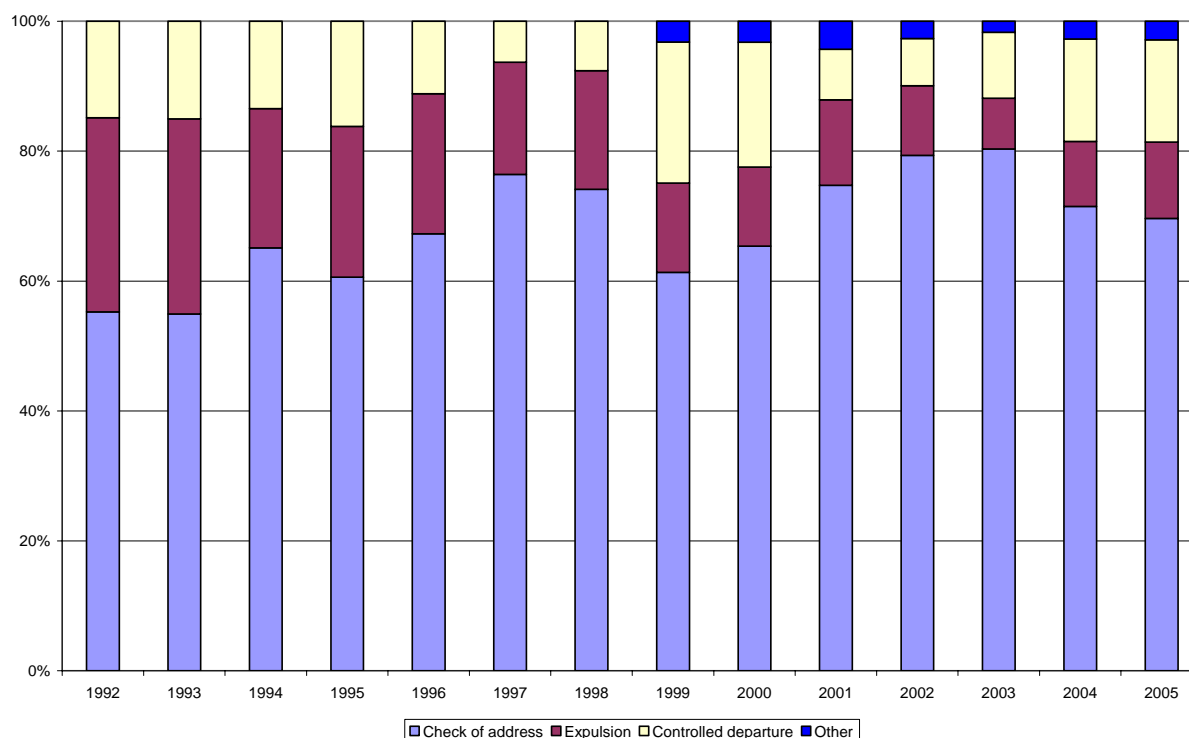
	Total <sup>22</sup>	Check of address	Expulsion	Controlled departure	Other
1992	7530		2250	1120	
1993	7190	3950	2160	1080	
1994	13,290	8660	2850	1790	
1995	14,510	8790	3370	2350	
1996	16,480	11,090	3550	1840	
1997	18,870	14,420	3260	1190	
1998	14,340	10,640	2620	1090	
1999	18,340	11,250	2520	3980	590
2000	16,620	10,870	2030	3190	540
2001	16,020	11,970	2110	1250	690
2002	21,260	16,880	2280	1540	570
2003	21,860	17,560	1710	2220	370
2004	14,910	10,660	1490	2350	410
2005	12,510	8720	1470	1970	360

Source: Statistics Netherlands, Statline, numbers rounded in units of five, 1992-2005

<sup>22</sup> The total of table 4.11 and table 4.10 may in some cases differ. This is caused by the use of two different sources; Ministry of Justice, Immigration and Naturalization Service and Statistics Netherlands, Statline.



Figure 4.2: Expelled asylum seekers by type of expulsion, 1992-2005



Source: Statistics Netherlands, Statline

The chart shows that the proportion of compulsory removals (Controlled departure and Expulsion) has strongly decreased during the period 1999-2003. In 1999, more than one-third of all removals occurred in this manner, whereas in 2003 18 percent of the rejected asylum seekers were forcibly expelled from the country. In the last years this percentage increased again to 26 percent in 2004 and 27 percent in 2005. However, in absolute terms the number of compulsory removals is decreasing (from 3930 in 2003 to 3440 in 2005). Also the total number of expelled asylum seekers decreased sharply from 22,000 in 2003 to 12,500 in 2005.

By far the greatest numbers of rejected asylum seekers are still removed by means of checking the address. Although this is in accordance with the policy's objectives, the asylum seeker bearing responsibility for his return, it is not clear whether these persons actually leave the country or continue to remain in the Netherlands as illegal immigrants. There are clear indications that a significant proportion will continue to remain in the Netherlands on an illegal basis (Engbersen et al. 2002; Leerkes et al. 2004). Figures about detained illegal aliens in the period 1997-2002 reveal, for example, that substantial numbers of illegal aliens from 'asylum countries' such as Iraq, (former) Yugoslavia, (former) Soviet Union and Somalia were detained (Leerkes et al. 2004).

Due to the problems in returning, two tendencies are visible. Firstly, more use has been made of enforced return by means of building special centres. The capacity for alien detention is being expanded. The capacity to detain illegal aliens will increase in the period 2003-2007. In 2007 there will be a structural capacity of 2000 places for detained aliens. Furthermore, two repatriation centres for illegal immigrants and rejected asylum seekers are established in Rotterdam and Amsterdam-Schiphol.<sup>23</sup> Secondly, use has also been made of the expertise of local organisations that offer help to rejected asylum seekers. We end this chapter by presenting some results of a local voluntary return programme in the city of Rotterdam.

#### **4.6 Voluntary return**

In the Dutch Sopemi report 2003 a voluntary return project of Pauluskerk (Paul's Church) and IOM was described. This project was successful in that it promoted the return (or consideration to return) of a substantial amount of asylum seekers and illegal migrants from the target countries, namely the states of Armenia, Azerbaijan, Georgia, the Russian Federation, Ukraine and Belarus. In 2003 a new cooperative project was set up: the Randstad Return Initiative. The formal term of the project was September 2003 until December 2004. The aim of this project is to continue and fortify the cooperation in Rotterdam, and to expand the cooperation to the other big cities (Amsterdam, The Hague and Utrecht), other NGO's and other target groups. The project is financed by the European Refugee Fund, within the framework of the 'Return and Emigration of Aliens from the Netherlands (REAN)' programme.

The general aim is to contribute to the voluntary return of (often homeless) (refused) asylum seekers by offering approachable and confidential counselling for the preparation and enforcement of voluntary return in Rotterdam, Amsterdam, Utrecht and The Hague. More specifically, it consists of counselling by native counsellors and intensive cooperation between IOM and several NGO's that are specialised in the support of homeless people in big cities.

The native counsellors are social workers who are themselves from the target-areas, so are able to speak the language and are acquainted with the

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<sup>23</sup> On October 27 2005 a fire broke out in the Repatriation Centre at Schiphol Airport, killing 11 illegal immigrants awaiting expulsion.

culture of the area of origin. The target areas are chosen on the basis of an analysis of IOM-data on the nationalities of their departed clients. From this analysis and the experience of IOM-employees it became clear that many of the (rejected) asylum seekers in the large cities come from the West and Central African countries, Afghanistan and Iran, and the former Soviet-Union. The counsellors hired for the project therefore come from, or are acquainted with these areas. The counsellor in Rotterdam can counsel in Russian, English, Dutch, Ukrainian, Polish, Bulgarian and some Yugoslavian languages. The native counsellor in Utrecht comes from Sudan and speaks English, Dutch and Arabic. He is able to counsel people from the English-speaking African countries, from the Middle East and the Maghreb. The native counsellor who works in The Hague and Amsterdam comes from Burundi and speaks, apart from Swahili, the language that is spoken in West African countries, Kirundi, French and Russian. The native counsellors can contact each other when a client comes from an area where one of the other counsellors comes from.

In Rotterdam IOM has already been in cooperation with the Pauluskerk since 2002. In Amsterdam, Utrecht and The Hague new partner organisations had to be found. It was sometimes difficult to find NGO's willing to cooperate in a project on return migration. But by the end of the project period (December 2004) partners were found in all cities.<sup>24</sup> Due to the different backgrounds and capabilities of the NGO's, the character of the cooperation with IOM differed. For some organisations the cooperation was limited to IOM having consulting hours at the location of the NGO, in the case of Pauluskerk the cooperation was extensive. The extensive cooperation between Pauluskerk and IOM can be explained by their earlier cooperation during the former project. Moreover, also the specific character of Pauluskerk contributes to the successful and extensive cooperation. Pauluskerk already has a lot of experience with asylum seekers, is positive about voluntary return and offers its clients a broad package of aid. Apart from help with return, it offers shelter, financial aid and practical help such as food-aid, clothes and medical aid. This allows Pauluskerk and IOM in Rotterdam to help the client more quickly and directly, as well as offering the client more custom-made aid. Pauluskerk's success factors with regard to return are also connected with its approachability and the trust the institution emanates.

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<sup>24</sup> In Rotterdam: Pauluskerk, in Utrecht: Vluchtelingenwerk Utrecht, in The Hague: Vluchtelingenwerk Den Haag, and in Amsterdam: Leger de Heils, het Afikahuis and Werkgroep Ondersteuning Uitgerpocedeerden.

The aim of the project is operationalised with indicators. With regard to return the indicators for the period September 2003 - December 2004 were:

- For Rotterdam to have 60 (rejected) asylum seekers return to their country of origin and to assist these people to the end.
- For Utrecht, The Hague and Amsterdam: to have 20 (rejected) asylum seekers per city return to their country of origin and to assist these people to the end.

The project has been evaluated (Rodenburg et al. 2005). The evaluation covers the formal term of the project; September 2003 until December 2004. In Rotterdam 130 (rejected) asylum seekers returned within the project, so the project indicator pertaining to return has been achieved. Apart from these returnees 311 illegal migrants returned with the help of IOM and the native counsellor. In Utrecht 41 asylum seekers and 18 illegal aliens returned within the project. In The Hague and Amsterdam the project indicators have not been achieved. In The Hague only 8 (rejected) asylum seekers returned, in Amsterdam only 3. The numbers were higher for illegal migrants. In The Hague and Amsterdam, respectively 21 and 9 illegal migrants returned. Part of the reason the project indicators have not been achieved is that the project could not flourish from the beginning in these cities, because of the delayed start of the project, as well as the limited working hours of the native counsellors in these cities.

The Randstad Return Initiative is prolonged in a second project term. There are currently 8 native counsellors employed in the four cities.

## Foreign nationals and immigrants in The Netherlands

### Main findings

- Non-native residents of The Netherlands are defined in Dutch statistics by their own and their parents' country of birth. The term *non-native* refers to people who were born outside the Netherlands of at least one foreign-born parent (first-generation immigrants) or in The Netherlands of two foreign-born parents (second generation).
- At the end of 2005, there were 3.1 million non-native residents of The Netherlands, accounting for 19% of the Dutch population. About half of the non-native residents originate from Western countries (incl. Central and Eastern Europe), and the other half from non-Western countries. The largest immigrant groups in the Netherlands are Indonesians (393 thousand), Germans (384 thousand), Turks (364 thousand), Surinamese (332 thousand) and Moroccans (323 thousand).
- In 1996 there were 2.5 million non-native residents. This means the non-native population in The Netherlands increased by 22% in eight years time. The number of non-native residents from non-Western countries increased even more rapidly from 1.2 million in 1996 to 1.7 million in 2005, an increase of 40% in eight years. In 2005, non-Western immigrants accounted for 10.5 of the total Dutch population. The percentage of non-Western immigrants in the Netherlands is expected to grow to 11% in 2010 and almost 17% in 2050.
- On the average, non-Western immigrants are much younger than the native Dutch population. Almost one in five of the native Dutch population is above the age of 65, which is only true of 3% of the residents of non-Western descent. The relatively young non-Western immigrants are a welcome counterweight to the aging Dutch population.
- Non-Western immigrants in The Netherlands are heavily concentrated in the main urban centres. Whereas only one in eight of all Dutch residents live in the four main Dutch cities, this is true

for 40% of the non-Western immigrant population. It is expected that in the cities of Amsterdam and Rotterdam non-Western immigrant groups will be the majority of the population in the foreseeable future (around 2020).

- Unfortunately, we have not received new information of the number of naturalized immigrants. In the Dutch 2003 SOPEMI report we reported a sharp fall in the number of non-Dutch residents who obtained Dutch citizenship. We do not know yet whether the situation was the same in 2004.
- A sizeable number of undocumented immigrants live in The Netherlands (125 thousand to 225 thousand), most of them in cities such as Amsterdam and Rotterdam. Due to stricter regulations, the possibilities for undocumented immigrants to be engaged in formal work have diminished. Although they still often work, they are now more engaged in informal work (including domestic labour). On the other hand we see growth in the criminal activities of undocumented immigrants. Although most of them do not engage in criminal activities, there is a significant trend towards more forms of survival crime.

## 5.1 Introduction

In chapter 2 we described the immigration flows to and from The Netherlands. Here we address the stock of foreign nationals and immigrants living in the Netherlands. Before providing any specific data, we need to clear up the problem of definitions. How are foreign nationals and immigrants defined and counted in the Dutch statistics? International migration statistics usually provide information on either foreign nationals or on foreign-born residents who - regardless of their nationality - were born outside the country. In the Netherlands, a third, more complicated definition is used for immigrants or the non-Dutch. We first explain the limitations of both approaches noted above and then explain the Dutch definition of immigrants ("allochtonous")

The most obvious way to describe immigrants in a country is to say they are residents with a different citizenship (foreign nationals). However, there are several reasons why this would present an incomplete picture of the immigrant population in the Netherlands. As a former colonial power, The Netherlands has a relatively high number

of immigrants from its former colonies. Many people from Suriname or the Netherlands Antilles have Dutch citizenship, so they would not be considered immigrants if we only examine non-Dutch nationals. The same goes for other immigrants that have acquired Dutch citizenship, which is relatively easy and common in the Netherlands. According to the present regulations, children born in the Netherlands of at least one Dutch parent including naturalized immigrants automatically have Dutch citizenship, so this category of second-generation immigrants would not be considered non-Dutch.

Another approach to describe the immigrant population would be to include everyone born outside the country (foreign-born). Although this definition is often used in international statistics, it also has its limitations. On the one hand it includes the foreign-born children of Dutch parents and on the other hand excludes children of immigrants born in the Netherlands (the so-called second generation). However, within the framework of their immigrant integration policies the Dutch authorities want to keep track of this second generation of immigrants. For all these reasons, in Dutch statistics immigrants - in Dutch official publications, immigrants are referred to as *allochtonous* - are defined by their parents' as well as their own country of birth and therefore include both first and second generation immigrants.

In Dutch statistics, a person is considered as an immigrant or non-native Dutch resident either if they and at least one of their parents were born outside the Netherlands or if they themselves were born in the Netherlands out of two foreign-born parents. This means that a child born outside the Netherlands of two Dutch parents is considered native Dutch, but a child born outside the Netherlands of one foreign parent is not. A child born in the Netherlands of one Dutch and one foreign parent is also considered native Dutch, but a child born in the Netherlands of two foreign parents is non-native. Lastly, the official Dutch statistics draw a distinction between non-native residents from Western and from non-Western countries. This distinction was already explained in Chapter 2. The Dutch immigrant integration policies in general refer to the non-Western immigrant population (including the so-called second generation).

In this chapter we refer to Dutch residents with non-Dutch citizenship as 'foreign nationals'. When we speak of 'immigrants' we not only mean foreign-born residents but also their offspring born in the Netherlands (according to the official Dutch definitions). It will become clear that

these different definitions and approaches result in a variety of figures (5.2). We describe the various demographic characteristics of the non-native population in the Netherlands (5.3), and the naturalization figures (5.4).

## 5.2 Numbers of non-Dutch residents and immigrants in The Netherlands

Table 5.1 shows that it makes a difference which definition is used for the non-Dutch population. In 2005, 691,000 foreign nationals lived in the Netherlands. The number of foreign-born residents (including the foreign-born children of Dutch parents) in 2005 was 1.7 million. Following the official Dutch definitions, the total number of non-Dutch residents (first and second-generation immigrants) in 2005 was 3.1 million. If we only look at foreign nationals, 4.2% of all Dutch residents are non-Dutch. Using the official definitions, almost one in five (19%) of all Dutch residents are considered as non-Dutch. Almost half of all non-Dutch residents (according to their ethnic origin) come from Western countries (1.4 million or almost 9% of the Dutch population), a little more than half come from non-Western countries (1.7 million or 10,5% of the total Dutch population). The five largest non-Dutch population categories were from are Indonesians (393 thousand), Germans (384 thousand), Turks (364 thousand), Surinamese (332 thousand) and Moroccans (323 thousand). (People born in Indonesia before 1940 when the country was still under Dutch rule are considered as immigrants coming from Western countries)

We can conclude that definitions do make a difference in statistics. Using the official Dutch definitions, the number of non-Dutch or non-native residents living in the Netherlands is four times as high as if we only look at foreign nationals. The reason for this huge difference is that many immigrants obtained Dutch citizenship or were given Dutch citizenship by birth. An additional factor is 130 thousand people from the Netherlands Antilles have Dutch citizenship but are considered non-Dutch as far as their ethnic decent is concerned.



Table 5.1: Non-Dutch / Non-native Population in The Netherlands 2005 (= 1-1-2006)

	Foreign nationals		Foreign-born		Ethnic origin	
	number	percentage	number	percentage	number	percentage
<b>Total</b>	<b>16,334,210</b>	<b>100.0</b>	<b>16,334,210</b>	<b>100.0</b>	<b>16,334,210</b>	<b>100.0</b>
<b>Dutch Nationals</b>	<b>15,642,853</b>	<b>95.8</b>	<b>14,599,488</b>	<b>89.4</b>	<b>13,186,595</b>	<b>80.7</b>
<b>Non-Dutch nationals</b> <i>from</i>	<b>691,357</b>	<b>4.2</b>	<b>1,734,722</b>	<b>10.6</b>	<b>3,147,615</b>	<b>19.3</b>
<b>Western countries</b> <i>of whom from</i>	<b>303,413</b>	<b>1.9</b>	<b>663,970</b>	<b>4.1</b>	<b>1,427,565</b>	<b>8.7</b>
<b>25 EU countries</b> <i>of whom from</i>	<b>233,810</b>	<b>1.4</b>	<b>332,961</b>	<b>2.0</b>	<b>815,968</b>	<b>5.0</b>
<b>old EU countries (15)</b> <i>of whom from</i>	<b>210,463</b>	<b>1.3</b>	<b>289,842</b>	<b>1.8</b>	<b>743,013</b>	<b>4.5</b>
Germany	58,503	0.4	116,862	0.7	383,841	2.3
United Kingdom	41,508	0.3	46,636	0.3	76,017	0.5
Belgium	25,994	0.2	47,068	0.3	112,315	0.7
<b>new EU countries (10)</b> <i>of whom from</i>	<b>23,347</b>	<b>0.1</b>	<b>43,119</b>	<b>0.3</b>	<b>72,955</b>	<b>0.4</b>
Poland	15,202	0.1	30,018	0.2	45,402	0.3
Hungary	2271	0.0	5813	0.0	12,860	0.1
Czechoslovakia (former)	3497	0.0	6738	0.0	11,033	0.1
<b>Other Europe</b> <i>of whom from</i>	<b>30,110</b>	<b>0.2</b>	<b>126,305</b>	<b>0.8</b>	<b>147,763</b>	<b>0.9</b>
Yugoslavia (former) <sup>a</sup>	10,215	0.1	53,660	0.3	76,322	0.5
Soviet Union (former) <sup>b</sup>	9985	0.1	35,328	0.2	46,001	0.3
Romania	3006	0.0	6531	0.0	8788	0.1
<b>other Western countries</b> <i>of whom from</i>	<b>39,493</b>	<b>0.2</b>	<b>204,704</b>	<b>1.3</b>	<b>463,834</b>	<b>2.8</b>
United States	14,643	0.1	22,769	0.1	30,726	0.2
Canada	3403	0.0	8914	0.1	13,073	0.1
Australia	3213	0.0	10,027	0.1	14,431	0.1
Indonesia	11,479	0.1	152,808	0.9	393,057	2.4
Japan	5801	0.0	6155	0.0	7347	0.0
<b>Non-Western countries</b> <i>of whom from</i>	<b>291,401</b>	<b>1.8</b>	<b>1,070,752</b>	<b>6.6</b>	<b>1,720,050</b>	<b>10.5</b>
Turkey	98,920	0.6	195,971	1.2	364,333	2.2
Morocco	86,229	0.5	168,626	1.0	323,239	2.0
Somalia	1313	0.0	13,700	0.1	19,893	0.1
South Africa	3047	0.0	12,221	0.1	15,487	0.1
Ghana	4480	0.0	12,425	0.1	19,537	0.1
Cape Verde	1490	0.0	11,526	0.1	20,103	0.1
Egypt	2804	0.0	11,241	0.1	18,995	0.1
Ethiopia	1230	0.0	7979	0.0	10,339	0.1
Angola	834	0.0	8119	0.0	10,476	0.1
Sudan	955	0.0	5310	0.0	6913	0.0
Congo	481	0.0	5423	0.0	8124	0.0
Suriname	8548	0.1	189,209	1.2	331,890	2.0
Neth, Antilles and Aruba	0	0.0	87,450	0.5	129,683	0.8
Colombia	2113	0.0	11,971	0.1	10,335	0.1
Brazil	3912	0.0	10,767	0.1	13,091	0.1
Dominican Republic	1201	0.0	7110	0.0	10,115	0.1
Iraq	3680	0.0	35,300	0.2	43,757	0.3
Afghanistan	3818	0.0	32,003	0.2	37,246	0.2
China	15,007	0.1	34,788	0.2	44,713	0.3
Iran	2664	0.0	23,814	0.1	28,722	0.2
India	4322	0.0	12,664	0.1	14,682	0.1
Vietnam	2698	0.0	12,196	0.1	18,271	0.1
Pakistan	2769	0.0	11,002	0.1	18,184	0.1
Hongkong	0	0.0	10,382	0.1	18,132	0.1
Sri Lanka	1535	0.0	10,019	0.1	9724	0.1
Philippines	3147	0.0	8940	0.1	13,499	0.1
Thailand	5274	0.0	10,300	0.1	13,112	0.1
Syria	705	0.0	6649	0.0	9191	0.1
South Korea	1642	0.0	5985	0.0	3889	0.0
unknown/stateless	96,543					

Source: Statistics Netherlands, population register, a. Slovenia not included, b. Baltic states not included

Tables A5.1 and A5.2 (Appendix) show the trends in the number of non-Dutch residents of the Netherlands. As Table A5.1 shows, the number of foreign nationals residing in the Netherlands declined from 725,000 in 1995 to almost 691,000 in 2005. This decrease in the number of foreign nationals in The Netherlands, despite the immigration surpluses in the second half of the 1990s (see Chapter 2), can be explained by the fact that so many immigrants have obtained Dutch citizenship (see par. 5.4). Table A5.2 shows the trends in the number of native and non-native residents in the Netherlands according to the official Dutch definitions of ethnic origin (first and second-generation immigrants) from 1995 to 2005. The number of non-native residents in the Netherlands increased from 2.5 million in 1996 to 3.1 million in 2005 (an increase of 22% in eight years time). In the same period the native Dutch population was more or less stable (around 13 million persons in 1995 and 13,2 million in 2005). The increase in the number of non-native residents is mainly due to the growing influx from Central and Eastern European and from non-Western countries. In 1995, 131 thousand non-Dutch residents (first and second-generation immigrants) originated from Central and Eastern Europe. The largest subcategory was immigrants from former Yugoslavia (56 thousand persons or 43% of all Central and Eastern European immigrants). Ten years later, in 2005, the number of non-Dutch residents originating from Central and Eastern Europe went up to 220 thousand (70 percent more as in 1995). More than three quarters of these Central and Eastern European countries came from only three countries (former Yugoslavia, the former Soviet Union, and Poland). The number of non-Dutch residents (first and second-generation immigrants) originating from non-Western countries increased from 1,2 million in 1995 to 1,7 million in 2005 (an increase of more than 40 percent in ten years time). Lastly, Table A5.2 also distinguishes between the first and second generation of non-native residents in 2005, i.e. between people born outside the Netherlands of at least one foreign born parent and people born in the Netherlands of two foreign-born parents. Both categories are about the same size. Generally speaking the percentage of the second generation is larger among immigrant groups from Western countries (59%) than among immigrant groups from non-Western countries (40%). The largest percentages of the second generation are to be found among immigrants from neighbouring countries such as

Germany (74%) and Belgium (68%). Remarkable is that the percentage of the second generation among traditional immigrant groups such as the Turks and Moroccans is still relatively low (45% with the Turks, 47% with the Moroccans). This can be explained that many of the Turkish and Moroccan youth that grew up in the Netherlands were actually born in their country of origin and came to the Netherlands during their youth (they are therefore often referred to as the 1,5 generation). On the other hand, there is still a large influx of Turkish and Moroccan immigrants in The Netherlands (mainly marital immigrants; see chapter 2 of this report).

*Population forecast*

We conclude this section with a forecast of the non-native population in the Netherlands. Here again, the non-native population includes first and second-generation immigrants from Western and non-Western countries (Table 5.2). Whereas the total Dutch population is expected to remain rather stable between 2005 and 2050, the non-native population is expected to increase. The number of first and second-generation immigrants coming from Western countries will increase from 1.4 million in 2005 to 2.2 million in 2050 (an increase of 57%), the number of first and second-generation immigrants coming from non-Western countries is expected to increase even more quickly, from 1.7 million in 2005 to 2.8 million in 2050 (an increase of 67% in the coming decades). This means that the percentage of non-Western immigrant groups in the total Dutch population in the Netherlands will gradually rise from 10,5% in 2005 to 13,8% in 2030 and 16,6% in 2050.

**Table 5.2 Population Forecast: Western and Non-Western Non-native Population (1990-2050)**

	1990	2006*	2010	2030	2050
	X1000				
Total population	14,893	16,328	16,462	17,022	16,906
Western	-	1,426	1,463	1,812	2,226
Non-Western	831	1,722	1,831	2,354	2,800
Turkey	203	365	389	479	514
Morocco	164	322	352	436	460
Suriname	224	331	342	374	368
Neth. Antilles and Aruba	69	129	132	181	249
other Non-Western	171	574	614	884	1,209
Non-Western as % of the total population	8.3%	10.5%	11.1%	13.8%	16.6%

\*2006= 1 January 2006

Source: CBS

Table 5.2 also shows that the traditional immigrant groups in the Netherlands (Turks, Moroccans, Surinamese and Antilleans) will

continue to grow in the future. However, the greatest increase will be among the other non-Western immigrant groups. In 1990, these so-called other non-Western immigrants were only a fifth of the total non-Western immigrant population in the Netherlands. In 2020 the percentage of these other non-Western immigrants in the total non-Western immigrant population living in The Netherlands will have increased to 35%, and in 2050 to 43%. This is a clear indication of the growing diversification of the non-Western immigrant population living in the Netherlands. The time when immigrants came from a limited number of sending countries is increasingly something of the past. Table 5.2 does not distinguish between first and second-generation immigrants. If we do draw this distinction (see Table A5.3 in the Appendix,) it becomes clear that in the coming years specifically the second generation of non-Western immigrant groups is expected to grow. Between 2005 and 2010, the number the second generation of non-Western immigrants will increase from 844 to 980 (that is an increase of 16% in the coming five years). The increase of the number of second-generation immigrants from Latin America and Asian countries will even be a little higher. The number of non-Western first generation immigrants living in the Netherlands will also increase, but far more moderately. The growth of the non-Western immigrant population in the Netherlands is therefore mainly due to the growth of the second generation of immigrant youth that are born in the country.

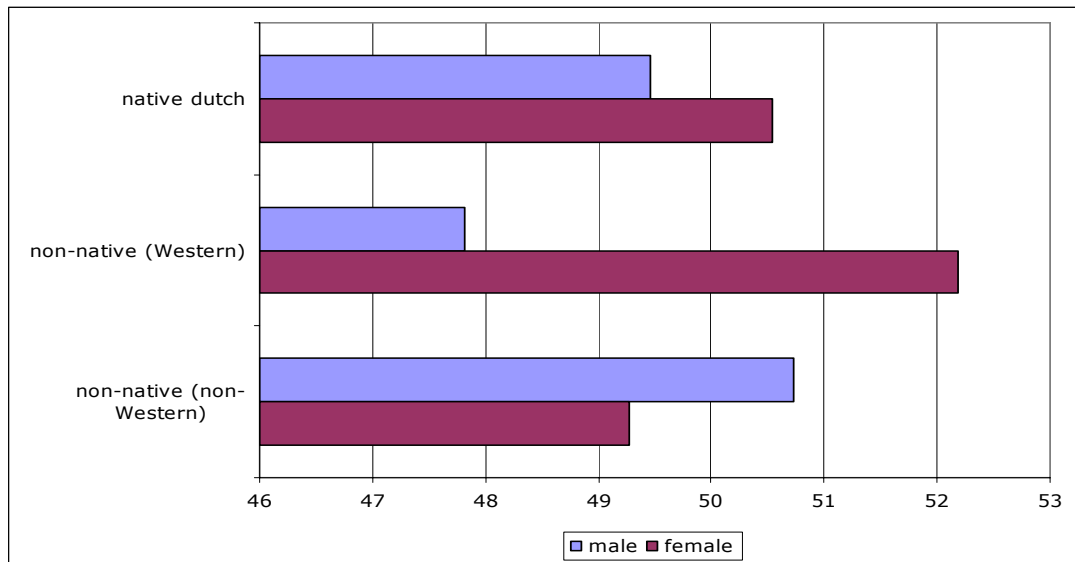
### **5.3 Some demographic characteristics of the immigrant population**

In this section we discuss some demographic characteristics of the non-native population in the Netherlands. We examine the distribution according to age, sex, and region.

Figures 5.1 and 5.2 show the distribution of the native and non-native Dutch population according to gender and age. Here as well, the non-native population includes the first and second-generation and is split into Western and non-Western immigrants. With respect to gender distribution, there are few if any differences between the population groups. In the native Dutch population as well as among non-Western immigrants, the percentage of men is more or less half (49 and 51.5% respectively). This is striking in so far as typical immigrant groups

might be expected to have a higher percentage of men than women. Yet this is not the case.

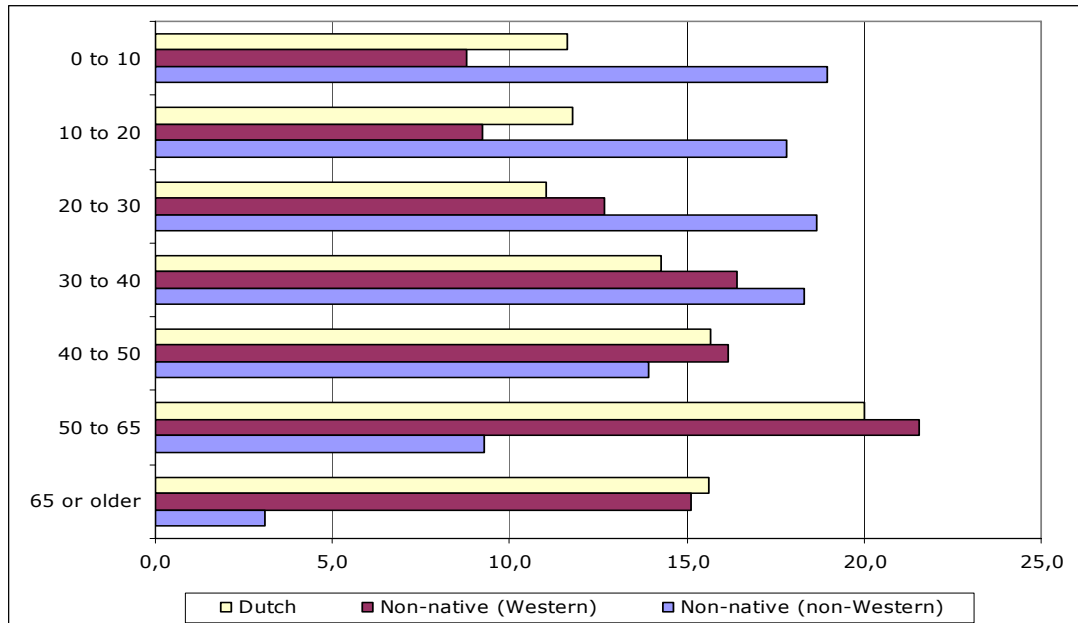
Figure 5.1: Dutch and Non-native Population By gender in % (2005)



Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

However, as Figure 5.2 shows, there are large differences in the age structure of various population groups. Non-Western immigrants are predominantly young. Almost half of all Dutch residents with a non-Western background are younger than 20, as are only about one in four in the native Dutch population. On the other hand, the share of elderly is much higher in the native Dutch population than in non-Western immigrant groups. Whereas 16% of the native Dutch population is above 65, this is true for only 3% of all Dutch residents with a non-Western background. The presence of the non-Western immigrant population therefore is a strong counterbalance against the ageing Dutch society.

Figure 5.2: Age Distribution of Native Dutch and Non-native Populations (2005)



Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

Another issue is the regional distribution of the immigrant population in The Netherlands (Table 5.3). Despite current public debates, the Netherlands can hardly be called a multicultural society as only one in ten of all Dutch residents have a non-Western immigrant background. But since non-Western immigrants are heavily concentrated in the four largest Dutch cities (Amsterdam, Rotterdam, The Hague and Utrecht), the country does have a number of multicultural cities. In three of the four main Dutch cities the non-Western immigrant population is one third of the total population or more. According to Amsterdam and Rotterdam municipal population forecasts non-Western immigrant population will become a majority of the population in the foreseeable future (around 2020). Of the four main cities in The Netherlands, only in the smallest one, Utrecht, is there a smaller percentage of non-Western immigrants (21%). In other medium-sized Dutch cities, the percentage of non-Western immigrants is significantly lower.

**Table 5.3: Regional Distribution of Non-native Population (Western and Non-Western) (2005)**

	Total						
		Western	Non-Western	Turkey	Morocco	Suriname	Neth. Antilles
<b>Netherlands</b>	<b>16,334,210</b>	<b>1,427,565</b>	<b>1,720,050</b>	<b>364,333</b>	<b>323,239</b>	<b>331,890</b>	<b>129,683</b>
Amsterdam	743,079	104,899	255,099	38,339	65,462	69,624	11,346
The Hague	475,627	61,130	153,452	32,795	24,916	45,922	10,928
Rotterdam	588,697	58,492	208,550	45,173	36,685	52,097	19,403
Utrecht	280,949	27,845	58,522	12,656	24,667	7,198	2,276
<i>as % of the total</i>							
Netherlands	100	8.7	10.5	2.2	2.0	2.0	0.8
Amsterdam	100	14.1	34.3	5.2	8.8	9.4	1.5
The Hague	100	12.9	32.3	6.9	5.2	9.7	2.3
Rotterdam	100	9.9	35.4	7.7	6.2	8.8	3.3
Utrecht	100	9.9	20.8	4.5	8.8	2.6	0.8
% total population in all 4 cities	12.8	17.7	39.3	35.4	46.9	52.7	33.9

Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

The concentration of non-Western immigrants is also clear in the last row of Table 5.3, which shows the percentage of the total population in each of the four main cities. Living in a large city is not particularly popular among the native Dutch; only one in eight live in Amsterdam, Rotterdam, The Hague or Utrecht. Immigrants from Western countries are slightly more city-oriented than the overall average. About one in six of the immigrants from Western countries live in one of these four large cities. Non-Western immigrants are much more oriented to the main cities. Almost 40% of the non-Western immigrants live in one of the four main cities and this percentage is even higher among Surinamese and Moroccans. About half the Surinamese and Moroccans live in one of the four main cities. Turks and Antilleans appear to be more dispersed in other municipalities.

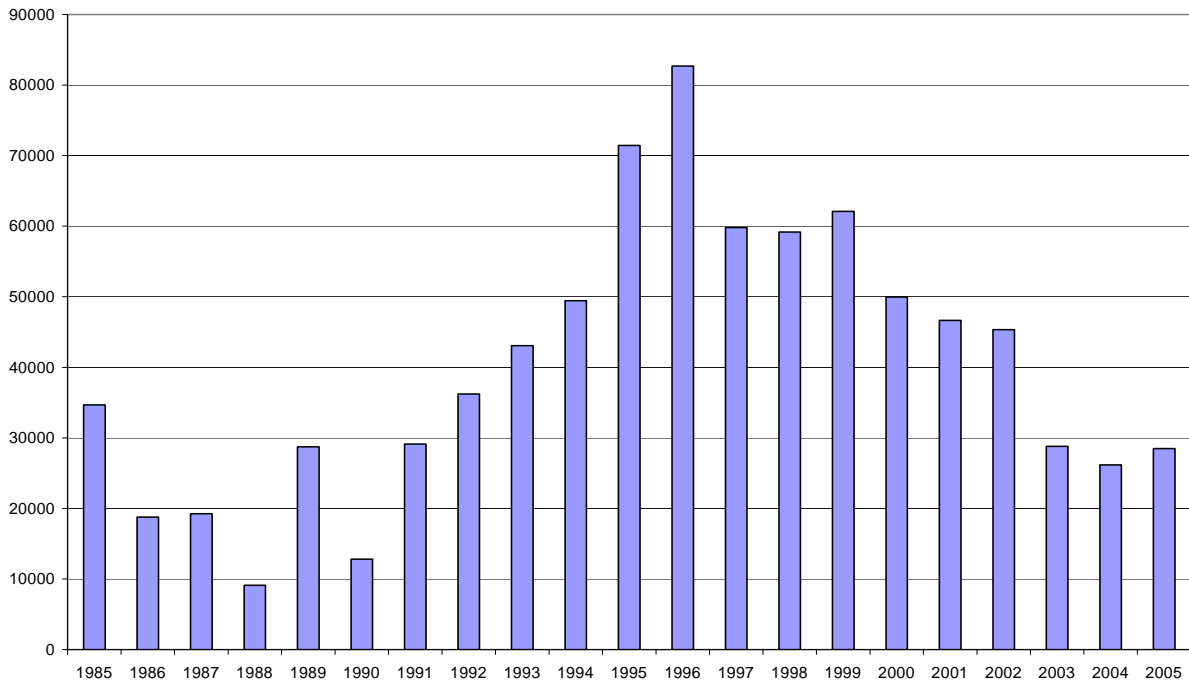
## 5.4 Acquisition of Dutch citizenship

As can be concluded from table 5.1 the large majority of non-Dutch residents (first and second-generation immigrants) of the Netherlands have Dutch citizenship, in some cases next to having the nationality of the country of origin. All Antillean and most Surinamese first and second-generation immigrants have Dutch citizenship. Around 75% of the traditional immigrant groups such as Turks and Moroccans have Dutch citizenship. However, it is striking that most members (at least

90%) of the so-called 'new immigrant groups' such as Afghans, Iraqis, Iranians, Somalians and Angolans have Dutch citizenship.

Figure 5.3 shows the number of persons that obtained Dutch citizenship for other reasons than birth in the past two decades (1985-2005). The figure shows sharp annual fluctuations. In general, the number of persons obtaining Dutch citizenship increased between the mid 1980s until 1996, and then gradually declined again to a level comparable to that of the mid 1980s. In the last ten years (1996-2005), a total 489,000 foreign nationals obtained Dutch citizenship. At its peak, in 1996, more than 80,000 persons obtained Dutch nationality. In the following years these numbers gradually declined. In 2005, 28,500 persons obtained Dutch citizenship.

**Figure 5.3: Persons obtaining Dutch citizenship for other reasons than birth (1985-2005)**



Source: Statistics Netherlands (figures are based on data of the Ministry of Justice, Immigration and Naturalization Service)

There are different ways to obtain Dutch citizenship. As described in chapter 1 of this Dutch SOPEMI-report the Dutch regulations concerning naturalization became stricter with the revision of the Act on Dutch Citizenship (RWN) of 2003. The most common, other than by birth, is naturalization. Other ways to acquire Dutch citizenship are adoption (foreign-born children adopted by Dutch nationals are entitled



to Dutch citizenship) or the so-called option procedure. The latter procedure gives foreign nationals that have lived in the Netherlands for a long period of time the possibility to obtain Dutch citizenship without the obligation of taking the so-called naturalization test and of renouncing one's original nationality. Table 5.4 shows the number of persons that obtained Dutch citizenship by year and by type of regulation. The table shows a steep decline in the number of naturalizations in recent years. After the revision of the Act on Dutch Citizenship in 2003 the number of naturalizations almost halved (from almost 42.000 in 2002 to ample 21.000 in 2005). The increased number of persons that used the option procedure to obtain Dutch citizenship (from 2200 persons in 2002 to 5800 in 2005) somewhat compensated the decline in naturalizations.

Available evaluation research<sup>25</sup> claims that the declining number of naturalizations in the Netherlands since 2002 to a large extent results from the stricter regulations concerning naturalization of the revised Act on Dutch Citizenship, particularly the introduction of the so-called naturalization test. This naturalization test examines both the command of Dutch language and knowledge of Dutch society. When applying for naturalization, foreign nationals not only have to take, but to pass the test. In the first two years after the introduction of the test (2003-2004), around 30% of all candidates failed to pass the test at first instance. More than 40% of all participants had to take at least one resit to pass the test. The declining number of naturalization requests after 2002 appears to be a direct consequence of stricter preconditions to obtain Dutch citizenship (especially the naturalization test) of the revised Act on Dutch Citizenship of 2003.

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<sup>25</sup> INDIAC (2004), *Evaluatie Naturalisatietoets. Onderzoek naar uitvoering en effect van de invoering van de Naturalisatietoets.*

**Table 5.4: Persons obtaining Dutch Nationality by year and kind of regulation**

Period Year	Total	of which by: Naturalization	Option	Adoption/ recognition
1985	34,671	15,743	17877	1051
1986	18,758	11,798	5831	1129
1987	19,258	9,827	8297	1134
1988	9,114	7,310	430	1374
1989	28,730	27,435	504	791
1990	12,794	11,544	672	578
1991	29,112	27,291	924	897
1992	36,237	33,961	1489	787
1993	43,069	40,015	2176	878
1994	49,448	46,590	2214	644
1995	71,444	67,912	2538	994
1996	82,687	78,731	2797	1159
1997	59,831	55,743	2760	1328
1998	59,173	55,679	2175	1319
1999	62,093	58,144	2523	1426
2000	49,968	45,940	2292	1736
2001	46,667	42,742	2324	1601
2002	45,321	41,879	2201	1241
2003	28,799	24,581	3300	918
2004	26,173	20,589	4670	914
2005	28,488	21,300	5776	1412

Source: Statistics Netherlands

Table A5.4 in the Appendix specifies the country of origin of new Dutch citizens. It shows the largest decline in the number of naturalizations among Moroccans. In 2004 the number of persons obtaining Dutch citizenship was about 2500 less than a year earlier; 50% of the difference can be explained by the declining number of Moroccan residents of the Netherlands who obtained or applied for Dutch citizenship.

## 5.5 Undocumented immigrants in The Netherlands

### Summary

A sizeable number of undocumented immigrants live in the Netherlands (125 thousand to 230 thousand), most of them in cities such as Amsterdam and Rotterdam. Due to stricter regulations, the possibilities for undocumented immigrants to be engaged in formal work have diminished. Although they still often work, they are now more engaged in informal work (including domestic labour). On the other hand we are seeing a growth in criminal activity by undocumented immigrants. Although most do not engage in criminal activities, there is a significant trend towards more forms of survival crime.

### **The extent and spatial concentration of illegality**

Illegal immigrants have become an evident part of the Dutch population. Despite the development of restrictive immigration policy, there does not seem to be any decline in the number of illegal immigrants in the Netherlands. In the Netherlands, more than ten thousand illegal immigrants are apprehended annually (Engbersen et al. 2002: 24). The total number of illegal immigrants is estimated to be between 125,000 and 230,000 on an annual basis<sup>26</sup> (Leerkes et al. 2004; Cruyff and Van der Heijden 2004). This estimate is somewhat higher than that of a number of years ago, but that is mainly due to the fact that a better method of estimation has been used (Engbersen et al. 2002).

For this purpose, the capture-recapture method was used (Cruyff and Van der Heijden 2004), which originates from biology. This technique is used to estimate the number of a certain animal species in a particular area by means of two measurements. On the basis of the number of animals that is found only the first time, the number that is found only the second time, and the number found both times, researchers can estimate the number of animals *not* found both times. The sum of these figures gives an estimate of the total number of animals present in the selected area. If there are heterogeneous populations, the analyses can be performed separately for subgroups. There are also ways to adjust the figures for distorting influences. The capture-recapture technique is a systematic estimation methodology that can also be used in human population research. This may involve either observations by two or more independent bodies or continuously collected data such as investigation data in criminology. Police records satisfy the requirements of this method. Insofar as the data do not meet these requirements, a model should be constructed which obviates the violations of the general assumptions as much as possible (Cruyff and Van der Heijden 2004).

We assume that the number of illegal immigrants in the Netherlands is about 150,000. This is equivalent to one percent of the regular Dutch population and ten percent of the foreign-born population. The Netherlands has more than sixteen million inhabitants. In 2003, 1.7

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<sup>26</sup> Estimation based on data of apprehended illegal immigrants in the period 1997-2003 thus before the expansion of the EU with the 10 new countries.

million of these inhabitants were foreign-born, whereof 1 million born in a non-western country (Snel et al. 2004). The illegal immigrants found in the Netherlands originate from more than two hundred countries. The largest groups are the Turks, Moroccans, Algerians and Surinamese. In addition, there is a growing number from Eastern and Central Europe. The larger part of these illegal immigrants entered the Netherlands illegally or on a tourist visa. Recently, the number of immigrants that become illegal after they have been rejected as asylum seekers has gone up. Although, over the past ten years, the Netherlands has taken a number of measures to prevent unauthorized residence, there are no empirical indications for a decrease in the number of illegal immigrants (Engbersen et al. 2002; Leerkes et al. 2004).

A second observation is that illegal immigrants are unevenly spread across the Netherlands. A recent study revealed that the phenomenon is mainly present in the four large cities in the Netherlands and in a number of border and rural areas (Leerkes et al. 2004). In some places illegal immigrants therefore make up a considerably larger part of the population than the national average of one percent (locally probably increasing up to about six to eight percent). The number of illegal residents in a neighbourhood is determined by the scale at which (1) legal non-western immigrants, (2) economic opportunities; (3) cheap housing opportunities and (4) single people are present in a neighbourhood – as well as by the extent to which these dimensions of the spatial opportunity structure for illegal immigrants are interrelated. Not only do the above-mentioned neighbourhood characteristics enable illegal residence, they also generate the demand for it. Many illegal immigrants satisfy the economic and affective needs of family members, friends, partners and employers. Illegal immigration can therefore not be simply qualified as 'unwanted'. It encompasses all types of migration whereof the illegal manifestations also have legal counterparts, such as chain migration, labour migration, family-forming migration and asylum migration.

#### **Labour market position**

Illegal immigrants are working in the formal and informal economy of certain industries: construction, cleaning, agriculture and horticulture, fish processing, hotel and catering, sex, commercial services, domestic

services, newspaper distribution, gardening, etc. Their labour market position demonstrates that there is a demand for cheap, illegal workers to do specific types of labour. However, this demand is not unlimited. This is made clear by the fact that we also registered sizeable numbers of 'undocumented unemployed' in two consecutive ethnographic studies. In the period 1992-1993, 170 illegal immigrants were interviewed in the city of Rotterdam. One third of them proved to be unemployed (Burgers and Engbersen 1999). In 2001, 156 illegal immigrants were interviewed. Again, one third proved to be unemployed, and a remarkable shift from the formal to the informal economy had taken place. Over this ten-year period, there indeed had been some significant shifts in the nature of the work they did. Whereas, in the early 1990s, 30 percent of the illegal immigrants had worked within the formal labour market, almost none of them still did so ten years later (Engbersen et al. 2002).

The shift into the informal labour market is strongly related to the new exclusionary migration policies. As a result of these policies, illegal immigrants became more dependent on the informal economy and on illegal labour subcontractors and fraudulent temporary employment agencies (especially agricultural agencies) (Engbersen et al. 2002). It is also striking that more illegal immigrants are working in catering and the personal service industry. These are sectors in which illegal labour is more difficult to control compared to traditional sectors such as cleaning, construction, manufacturing industry, and agriculture and horticulture. Incidentally, increased participation of illegal immigrants in the personal service industry (domestic care, nursing and care services) is a phenomenon that has existed in southern Europe and North America for many more years.

### **The importance of social capital**

A crucial support system is the support capacity of ethnic communities. This involves what sociologists call social capital. Social capital relates to the illegal immigrants' ability to mobilize resources (money, work, housing, information) from the ethnic and family networks (local and transnational) in which they are embedded. This social capital is essential for the illegal immigrants' incorporation opportunities in Dutch society. The social capital that illegal immigrants can obtain to come to and reside in the Netherlands is, however, limited. Not every

compatriot receives aid to come over and stay. Lack of social capital is particularly a problem among asylum seekers from new immigration countries who have exhausted all legal remedies to get a residence permit. They often cannot fall back on established migrant communities (such as the long established and rather large groups of Turkish, Moroccan or Surinamese migrants in the Netherlands). If they do not find a job, they have to fend for themselves. This may be a reason for some to leave the Netherlands; others who do not want to or cannot leave, resort to 'survival crime' or 'subsistence crime'.

### **Subsistence crime**

Police data show a strong increase in crime as a reason for apprehension (Engbersen et al. 2002; Leerkes et al. 2004). Over a period of almost seven years (1997-2003), the apprehension data on illegal immigrants show a marked rise in the categories of minor offences and serious offences. In 1997 nearly 30 percent of the illegal immigrants were apprehended for criminal offences. This number has now risen to about 45 percent (in 2003). This strong increase cannot be explained solely by a general trend in criminal law enforcement, in which, due to societal pressure and probably also due to changes in data recording, the police are generally more active in crime detection and in registering their findings.

This strong rise in crime among illegal immigrants indicates that the restrictive alien's policy is affecting the illegal immigrants' residence strategies. In the recent past (before 1990), illegal immigrants had relatively easy access to the formal labour market and some public services. This has now become much more difficult for them. As a result, illegal immigrants who want to or are forced to stay in the Netherlands develop forms of subsistence crime, as becomes clear from the offences committed. The increase in criminal offences for which they were apprehended mainly includes theft, aggravated theft and the use of false documents. These are crimes that are directly related to the precarious position of illegal immigrants who are excluded from public provisions and the labour market. The aim of these offences is to acquire money (theft) or access to the labour market (false documents).

## Appendix for Chapter 5

Table A5.1: Population by Nationality (1995-2005) on December 31 (=1 jan 2006)

	1995	1997	1999	2001	2003	2005
<b>Total</b>	<b>15,493,889</b>	<b>15,654,192</b>	<b>15,863,950</b>	<b>16,105,285</b>	<b>16,258,032</b>	<b>16,334,210</b>
<b>Dutch Nationals</b>	<b>14,768,468</b>	<b>14,976,115</b>	<b>15,212,418</b>	<b>15,414,892</b>	<b>15,555,847</b>	<b>15,642,853</b>
<b>Non-Dutch nationals</b> <i>from</i>	<b>725,421</b>	<b>678,077</b>	<b>651,532</b>	<b>690,393</b>	<b>702,185</b>	<b>691,357</b>
<b>Western countries</b> <i>of whom from</i>	<b>275,372</b>	<b>271,112</b>	<b>268,345</b>	<b>285,645</b>	<b>294,376</b>	<b>303,413</b>
<b>25 EU countries</b> <i>of whom from</i>	<b>199,170</b>	<b>198,881</b>	<b>205,256</b>	<b>219,159</b>	<b>224,208</b>	<b>233,810</b>
<b>old EU countries (15)</b>	<b>191,074</b>	<b>190,192</b>	<b>195,886</b>	<b>207,858</b>	<b>211,009</b>	<b>210,463</b>
Germany	53,922	53,914	54,272	55,572	56,466	58,503
United Kingdom	41,146	39,153	39,466	43,604	43,678	41,508
Belgium	24,111	24,443	25,382	26,148	26,223	25,994
<b>new EU countries (10)</b>	<b>8,096</b>	<b>8,689</b>	<b>9,370</b>	<b>11,301</b>	<b>13,199</b>	<b>23,347</b>
Poland	5,910	5,680	5,645	6,312	7,431	15,202
Hungary	1,133	1,272	1,385	1,719	1,886	2,271
Czechoslovakia (former)	891	1,210	1,593	2,297	2,508	3,497
<b>Other Europe</b> <i>of whom from</i>	<b>44,818</b>	<b>40,665</b>	<b>28,731</b>	<b>27,822</b>	<b>30,292</b>	<b>30,110</b>
Yugoslavia (former)	33,403	28,306	15,421	11,929	11,351	10,215
Soviet Union (former)	4,756	6,063	6,525	7,815	9,593	9,985
Romania	1,466	1,144	1,397	2,094	2,735	3,006
<b>other Western</b> <b>Countries</b> <i>of whom from</i>	<b>31,384</b>	<b>31,566</b>	<b>34,358</b>	<b>38,664</b>	<b>39,876</b>	<b>39,493</b>
United States	12,769	12,980	14,074	15,217	15,075	14,643
Canada	2,574	2,702	2,892	3,398	3,456	3,403
Australia	2,013	2,031	2,522	3,201	3,383	3,213
Indonesia	8,159	7,970	8,717	10,127	11,185	11,479
Japan	5,347	5,369	5,507	5,771	5,813	5,801
<b>Non-Western</b> <b>countries</b> <i>of whom from</i>	<b>435,387</b>	<b>368,637</b>	<b>316,819</b>	<b>297,749</b>	<b>296,829</b>	<b>291,401</b>
Turkey	154,310	114,696	100,688	100,309	101,845	98,920
Morocco	149,841	135,721	119,726	104,262	94,380	86,229
Somalia	17,223	13,648	5,296	2,654	1,792	1,313
South Africa	1,444	1,769	2,512	3,230	3,321	3,047
Ghana	5,150	4,375	3,887	3,756	3,807	4,480
Cape Verde	2,111	1,786	1,567	1,352	1,364	1,490
Egypt	4,084	3,101	2,771	2,425	2,649	2,804
Ethiopia	3,653	1,870	1,280	1,161	1,194	1,230
Angola	1,633	1,679	1,184	946	993	834
Sudan	676	868	1,113	1,114	1,054	955
Congo	20	29	97	270	417	481
Suriname	15,174	11,760	8,665	8,491	9,406	8,548
Neth. Antilles and Aruba						
Colombia	1,569	1,718	1,790	1,668	1,919	2,113
Brazil	2,145	2,380	2,597	2,841	3,298	3,912
Dominican Republic	1,453	1,312	1,204	1,158	1,141	1,201
Iraq	9,694	13,008	10,025	6,919	4,182	3,680
Afghanistan	3,913	5,275	4,395	4,259	3,923	3,818
China	7,912	7,260	7,473	9,395	13,330	15,007
Iran	10,150	7,831	3,892	2,520	2,589	2,664
India	2,748	2,803	3,234	3,417	3,592	4,322
Vietnam	3,765	2,032	1,546	1,885	2,496	2,698
Pakistan	3,724	3,199	2,882	2,737	2,541	2,769
Hongkong						
Sri Lanka	3,186	2,395	1,549	1,591	1,624	1,535
Philippines	2,363	2,428	2,351	2,427	2,841	3,147
Thailand	1,985	2,162	2,520	3,288	4,366	5,274
Syria	2,031	857	543	628	685	705
South Korea	722	910	1,079	1,280	1,477	1,642
unknown/stateless	14,662	38,328	66,368	106,999	110,980	96,543

Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)



Table A5.2: Population by Ethnic origin (1995-2005) on December 31 (=1 jan 2006)

	1995	1997	1999	2001	2003	2005	In 2005 of which	
							First generation	Second generation
<b>Total</b>	<b>15,493,889</b>	<b>15,654,192</b>	<b>15,863,950</b>	<b>16,105,285</b>	<b>16,258,032</b>	<b>16,334,210</b>	<b>1,604,259</b>	<b>1,543,356</b>
<b>Native Dutch</b>	<b>12,995,174</b>	<b>13,033,792</b>	<b>13,088,648</b>	<b>13,140,336</b>	<b>13,169,880</b>	<b>13,186,595</b>	<b>0</b>	<b>0</b>
<b>Of foreign descent from</b>	<b>2,498,715</b>	<b>2,620,400</b>	<b>2,775,302</b>	<b>2,964,949</b>	<b>3,088,152</b>	<b>3,147,615</b>	<b>1,604,259</b>	<b>1,543,356</b>
<b>Western countries</b>	<b>1,327,602</b>	<b>1,341,947</b>	<b>1,366,535</b>	<b>1,406,596</b>	<b>1,419,855</b>	<b>1,427,565</b>	<b>584,268</b>	<b>843,297</b>
<b>25 EU countries of whom from</b>	<b>777,157</b>	<b>781,511</b>	<b>790,734</b>	<b>805,335</b>	<b>809,116</b>	<b>815,968</b>	<b>315,103</b>	<b>500,865</b>
<b>old EU countries (15) of whom from</b>	<b>731,930</b>	<b>733,059</b>	<b>739,309</b>	<b>748,930</b>	<b>748,417</b>	<b>743,013</b>	<b>270,627</b>	<b>472,386</b>
Germany	411,504	405,991	401,119	396,316	389,912	383,841	101,586	282,255
United Kingdom	65,663	66,781	69,263	74,869	76,457	76,017	43,502	32,515
Belgium	111,228	111,537	112,604	113,239	113,081	112,315	35,950	76,365
<b>new EU countries (10) of whom from</b>	<b>45,227</b>	<b>48,452</b>	<b>51,425</b>	<b>56,405</b>	<b>60,699</b>	<b>72,955</b>	<b>44,476</b>	<b>28,479</b>
Poland	25,125	27,315	29,180	32,210	35,542	45,402	29,567	15,835
Hungary	11,454	11,742	11,917	12,359	12,564	12,860	5,697	7,163
Czechoslovakia (former)	7,106	7,616	8,274	9,456	9,813	11,033	6,651	4,382
<b>Other Europe of whom from</b>	<b>86,229</b>	<b>96,231</b>	<b>109,388</b>	<b>131,817</b>	<b>142,898</b>	<b>147,763</b>	<b>104,164</b>	<b>43,599</b>
Yugoslavia (former)	56,220	60,959	66,947	74,640	76,346	76,322	53,554	22,768
Soviet Union (former)	13,485	17,334	22,625	34,903	42,033	46,001	35,265	10,736
Romania	4,226	4,722	5,451	6,667	7,895	8,788	6,330	2,458
<b>other Western Countries of whom from</b>	<b>464,216</b>	<b>464,205</b>	<b>466,413</b>	<b>469,444</b>	<b>467,841</b>	<b>463,834</b>	<b>165,001</b>	<b>298,833</b>
United States	22,730	24,479	26,808	29,093	30,161	30,726	18,744	11,982
Australia	10,355	11,076	12,230	13,493	14,221	14,431	4,925	9,506
Indonesia	411,622	407,885	405,155	402,663	398,502	393,057	128,662	264,395
Japan	6,355	6,475	6,674	7,078	7,215	7,347	5,967	1,380
<b>Non-Western countries of whom from</b>	<b>1,171,113</b>	<b>1,278,453</b>	<b>1,408,767</b>	<b>1,558,353</b>	<b>1,668,297</b>	<b>1,720,050</b>	<b>1,019,991</b>	<b>700,059</b>
Turkey	271,514	289,777	308,890	330,709	351,648	364,333	195,711	168,622
Morocco	225,088	241,982	262,221	284,124	306,219	323,239	168,504	154,735
Somalia	20,060	25,842	28,780	28,979	25,001	19,893	13,691	6,202
South Africa	9,629	10,737	12,524	14,378	15,164	15,487	7,971	7,516
Ghana	12,480	13,973	15,609	17,232	18,727	19,537	12,223	7,314
Egypt	11,598	12,738	14,398	16,108	17,873	18,995	11,131	7,864
Ethiopia	7,978	8,460	8,997	9,783	10,236	10,339	7,038	3,301
Angola	2,594	3,352	4,477	7,962	12,281	10,476	8,093	2,383
Sudan	943	1,936	3,919	6,935	7,626	6,913	5,290	1,623
Congo	4,546	5,147	6,115	7,657	8,490	8,124	5,210	2,914
Suriname	280,615	290,467	302,514	315,177	325,281	331,890	187,483	144,407
Netherlands Antilles and Aruba	86,824	92,105	107,197	124,870	130,722	129,683	80,102	49,581
Colombia	4,937	6,002	7,025	8,122	9,366	10,335	6,842	3,493
Brazil	6,589	7,639	8,913	10,237	11,638	13,091	8,131	4,960
Dominican Republic	5,321	6,174	7,341	8,676	9,546	10,115	7,026	3,089
Iraq	11,278	22,295	33,449	41,323	42,931	43,757	35,246	8,511
Afghanistan	4,916	11,551	21,468	31,167	36,043	37,246	31,987	5,259
China	23,471	26,191	29,759	35,691	41,694	44,713	31,188	13,525
Iran	16,478	20,685	22,893	26,789	28,438	28,722	23,579	5,143
India	9,476	10,302	11,516	12,589	13,363	14,682	9,673	5,009
Vietnam	12,937	13,801	14,717	16,012	17,536	18,271	12,088	6,183
Pakistan	14,127	15,135	16,149	17,325	17,990	18,184	10,828	7,356
Hongkong	17,147	17,304	17,510	17,789	17,965	18,132	10,093	8,039
Sri Lanka	5,636	6,463	7,685	9,053	9,812	9,724	6,715	3,009
Philippines	7,738	8,868	9,857	11,100	12,401	13,499	8,574	4,925
Thailand	5,576	6,503	7,701	9,450	11,462	13,112	9,538	3,574
Syria	3,604	4,324	5,397	7,736	8,803	9,191	6,620	2,571
South Korea	1,492	1,819	2,245	2,764	3,328	3,889	2,320	1,569

Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

Table A5.3: Non-native Population Forecasts by Country of Origin in the Netherlands (2006 – 2050)

		2006	2010	2030	2050
		x1000			
Western	1st generation	582	606	862	1,132
	2nd generation	844	857	950	1,094
	Total	1,426	1,463	1,812	2,226
Non-Western	1st generation	1,016	1,021	1,160	1,266
	2nd generation	705	809	1,194	1,534
	Total	1,722	1,831	2,354	2,800
Turkey	1st generation	196	200	220	205
	2nd generation	169	189	259	309
	Total	365	389	479	514
Morocco	1st generation	168	171	183	175
	2nd generation	154	181	253	284
	Total	322	352	436	460
Suriname	1st generation	187	186	185	158
	2nd generation	144	156	189	209
	Total	331	342	374	368
Neth. Antilles and Aruba	1st generation	79	78	95	120
	2nd generation	50	55	85	129
	Total	129	132	181	249
Africa	1st generation	121	108	103	133
	2nd generation	73	84	118	155
	Total	193	192	221	289
Asia	1st generation	221	229	303	381
	2nd generation	89	111	223	339
	Total	310	341	525	720
Latin America	1st generation	44	49	71	93
	2nd generation	26	33	67	108
	Total	71	82	138	201
Indonesia	1st generation	128	118	78	54
	2nd generation	264	263	245	175
	Total	392	380	323	229
EU (24)	1st generation	305	326	534	824
	2nd generation	519	522	561	710
	Total	824	847	1,095	1,534
Other European	1st generation	111	119	168	187
	2nd generation	28	38	87	134
	Total	139	157	255	321
Other non-European	1st generation	37	44	82	66
	2nd generation	33	35	57	76
	Total	70	79	139	142

Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

Table A5.4: Foreign nationals obtaining Dutch Nationality by year and former Nationality (selection 75+, 2005)

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
<b>Total</b>	<b>82,687</b>	<b>59,831</b>	<b>59,173</b>	<b>62,093</b>	<b>49,968</b>	<b>46,667</b>	<b>45,321</b>	<b>28,799</b>	<b>26,173</b>	<b>28,488</b>
<b>Western countries</b>	<b>9764</b>	<b>11,257</b>	<b>11,927</b>	<b>13,746</b>	<b>8569</b>	<b>6214</b>	<b>5501</b>	<b>3956</b>	<b>3277</b>	<b>4673</b>
<i>of whom from</i>										
<b>25 EU countries</b>	<b>4975</b>	<b>3991</b>	<b>3337</b>	<b>3132</b>	<b>2683</b>	<b>2751</b>	<b>2803</b>	<b>2102</b>	<b>1470</b>	<b>1780</b>
<i>of whom from</i>										
<b>15 EU countries</b>	<b>3520</b>	<b>2904</b>	<b>2419</b>	<b>2127</b>	<b>1848</b>	<b>1884</b>	<b>2049</b>	<b>1621</b>	<b>1122</b>	<b>1187</b>
<i>of whom from</i>										
Germany	776	567	558	580	508	573	608	445	297	349
United Kingdom	1174	912	578	453	374	356	394	294	190	221
Italy	275	328	304	211	239	211	231	206	148	156
Belgium	287	183	200	189	164	189	223	250	122	118
France	161	119	182	173	123	123	160	100	87	85
Spain	155	137	116	108	89	98	93	84	104	84
<b>new EU countries</b>	<b>1455</b>	<b>1087</b>	<b>918</b>	<b>1005</b>	<b>835</b>	<b>867</b>	<b>754</b>	<b>481</b>	<b>348</b>	<b>593</b>
<i>of whom from</i>										
Poland	1129	827	677	688	587	597	530	318	212	347
Czechoslovakia (former)	102	77	74	132	91	99	80	73	56	97
<b>Other Europe</b>	<b>3651</b>	<b>6382</b>	<b>7799</b>	<b>9824</b>	<b>5177</b>	<b>2766</b>	<b>1966</b>	<b>1235</b>	<b>1295</b>	<b>2164</b>
<i>of whom from</i>										
Soviet Union (former)	591	586	826	1510	1103	879	758	503	538	1181
Yugoslavia (former)	2283	5412	6668	7993	3809	1647	938	539	580	607
Romania	519	203	179	157	161	162	164	106	109	287
Bulgaria	148	96	65	68	54	61	81	48	60	121
Belarus	9	10	23	38	40	41	37	30	20	87
<b>Other Western Countries</b>	<b>1138</b>	<b>884</b>	<b>791</b>	<b>790</b>	<b>709</b>	<b>697</b>	<b>732</b>	<b>619</b>	<b>512</b>	<b>729</b>
<i>of whom from</i>										
Indonesia	436	314	368	514	456	416	380	291	203	293
United States	489	410	261	161	160	168	225	181	181	267
Canada	121	109	108	74	51	65	66	54	56	85
<b>Non-Western countries</b>	<b>72,108</b>	<b>47,891</b>	<b>46,044</b>	<b>43,724</b>	<b>33,999</b>	<b>32,653</b>	<b>30,173</b>	<b>18,219</b>	<b>16,237</b>	<b>19,037</b>
<i>of whom from</i>										
Turkey	30,704	21,189	13,484	5214	4708	5513	5391	3726	4026	3493
Morocco	15,598	10,478	11,252	14,217	13,471	12,721	12,033	7126	5873	7086
Egypt	1077	551	393	496	443	528	437	190	97	238
South-Africa	137	130	95	109	102	105	113	111	127	231
Ghana	1208	737	502	432	348	360	357	157	74	199
Nigeria	268	166	98	153	143	196	214	96	69	139
Somalia	3002	2141	4918	3487	1634	873	378	180	136	133
Ethiopia	1425	353	311	320	188	153	96	87	78	111
Israel	234	142	91	78	67	104	93	62	43	102
Tunesia	296	202	150	220	148	160	159	69	68	81
Suriname	4445	3019	2991	3194	2008	2025	1957	1242	1421	2031
Brazil	319	279	227	257	231	290	249	137	131	159
Colombia	409	354	288	341	382	259	274	112	94	143
Peru	106	102	49	87	64	52	71	40	32	100
Dominican Republic	387	207	217	235	200	206	143	91	59	82
Mexico	23	29	45	54	57	49	60	31	27	82
Haiti	28	24	18	14	51	55	29	41	63	79
China	1394	975	800	977	1002	1111	908	722	739	1291
Afghanistan	360	217	905	1847	945	803	1118	982	801	550
Iraq	854	798	2721	3834	2403	2315	2367	832	489	333
Pakistan	630	296	287	277	237	255	241	132	83	204
Phillippines	401	279	298	295	300	348	263	159	129	198
India	407	249	234	235	242	309	250	138	117	187
Iran	2299	1285	1806	2560	1375	754	336	180	122	184
Thailand	319	253	235	275	277	355	289	171	161	160
Sri Lanka	592	383	643	670	272	179	182	117	90	95
Vietnam	1334	779	575	338	203	197	197	129	89	90
Thaiwan	55	57	25	57	77	42	36	47	72	78
<b>Stateless</b>	<b>815</b>	<b>683</b>	<b>1202</b>	<b>4623</b>	<b>7400</b>	<b>7800</b>	<b>9647</b>	<b>6624</b>	<b>6659</b>	<b>4778</b>

Source: Statistics Netherlands (figures are based on data of the Ministry of Justice, Immigration and Naturalization Service)

Table A5.5: Dutch and Non-native Population by Gender and Age in % (2005)

Age	Dutch			Non-native (Western)			Non-native (non-Western)		
	male	female	total	male	female	total	male	female	total
0 to 5	5.9	5.6	5.8	4.7	4.1	4.4	9.8	9.6	9.7
5 to 10	6.1	5.7	5.9	4.7	4.0	4.4	9.3	9.2	9.3
10 to 15	6.1	5.7	5.9	4.8	4.2	4.5	9.0	8.8	8.9
15 to 20	6.0	5.7	5.8	5.0	4.5	4.7	9.0	8.7	8.9
20 to 25	5.6	5.3	5.4	5.8	5.7	5.8	9.4	9.7	9.6
25 to 30	5.8	5.4	5.6	6.8	7.1	6.9	8.7	9.5	9.1
30 to 35	6.6	6.3	6.5	7.6	7.9	7.7	8.9	9.6	9.3
35 to 40	8.0	7.6	7.8	8.8	8.6	8.7	9.2	8.8	9.0
40 to 45	8.2	7.8	8.0	8.5	8.4	8.4	8.2	7.6	7.9
45 to 50	7.8	7.4	7.6	7.7	7.7	7.7	6.0	6.0	6.0
50 to 55	7.3	6.9	7.1	7.7	7.6	7.7	4.0	4.3	4.1
55 to 60	7.6	7.3	7.4	8.5	7.8	8.1	3.0	3.0	3.0
60 to 65	5.5	5.4	5.5	6.1	5.5	5.8	2.3	2.0	2.1
65 or older	13.4	17.8	15.6	13.2	16.9	15.1	3.1	3.1	3.1
Total (N)	6,522,426 (49.5%)	6,664,169 (50.5%)	13,186,595 (100%)	682,545 (47.8%)	745,020 (52.2%)	1,427,565 (100%)	872,436 (50.7%)	847,614 (49.3%)	1,720,050 (100%)

Source: Statistics Netherlands, Statline (figures are based on the municipal population registrations)

# Labour market integration of immigrants in the Netherlands

## 6.1 Introduction

This chapter examines the socio-economic position of first and second-generation immigrants in the Netherlands. As we explained earlier, in Dutch official statistics and policy documents, foreign-born residents and their offspring are officially referred to as 'allochtonous'. In this chapter we use the phrase non-Western immigrants, but the reader should bear in mind that – following official definitions of 'allochtonous' residents (described in chapter 5 of this report) - this refers to both first-generation and second-generation immigrants. Furthermore, a distinction is made between migrants coming from Western countries (other European countries, including EU, other European countries and non-European Western countries such as the USA, Canada, Australia, New Zealand, but also Japan and Israel) and non-Western countries. In previous editions of the Dutch SOPEMI-report we confined our description of immigrant labour market integration in the Netherlands to non-Western immigrants. In this edition we extend the analysis to the labour market integration of first- and second-generation immigrants coming from Middle and Eastern European countries (MOE).

Other immigrant groups in our analyses are two former guest worker groups (Turks and Moroccans) and the two groups of post-colonial Caribbean immigrants (Surinamese and Antilleans). Since the early 1980's, the Netherlands has had extensive policies in place to improve the labour market position of non-Western immigrants and more specifically the four non-Western immigrant groups just mentioned. As a part of these policies the socio-economic position of these four migrant groups has been monitored extensively during the years. More recently, there is also statistical data available about so-called 'other non-Western immigrant groups'. This category concerns, to a large extent, immigrants that came to the Netherlands as asylum seekers. In our analyses we will compare the labour market position of these various immigrant categories with the labour market position of the native Dutch population.

The main issue in this chapter is the changing labour market position of immigrant groups in the Netherlands. Since an adequate level of education is considered an important precondition for labour market participation, we first examine the level of education of non-Western immigrants in the Netherlands (6.2). We then describe various aspects of their labour market position such as labour market participation and unemployment (6.3), the extent to which non-Western immigrants depend on social assistance and other social benefits (6.4) and the labour position of non-Western immigrants (6.5). The appendix to this chapter contains some supplementary statistical information.

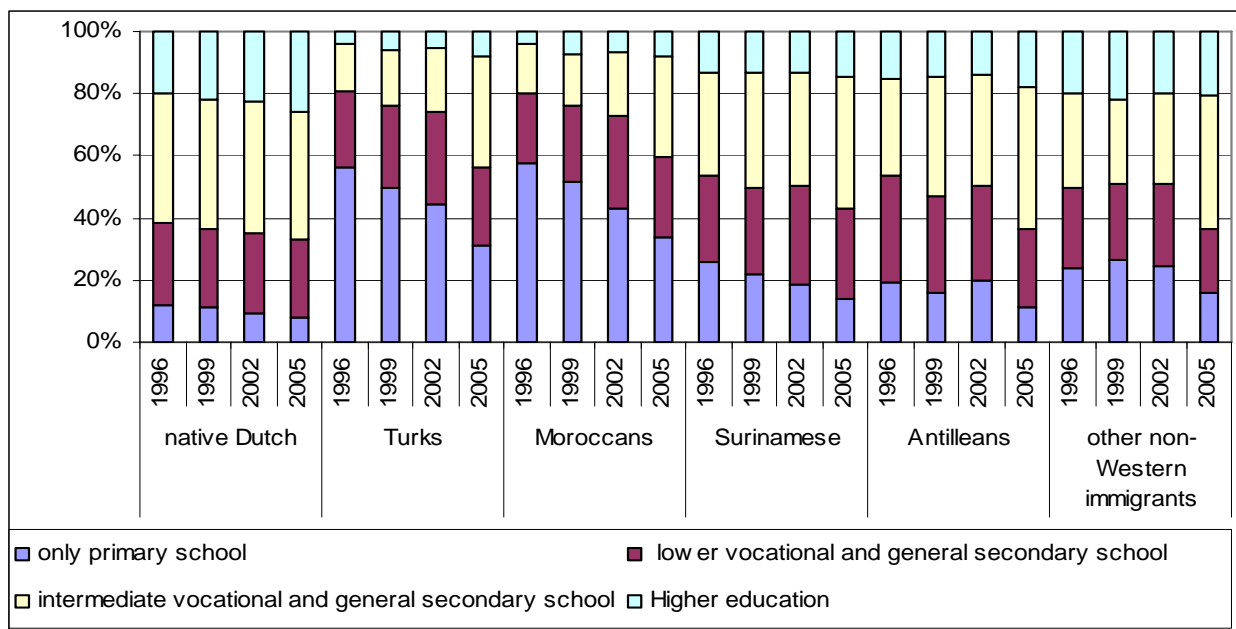
## 6.2 Level of education of non-Western immigrants

An adequate education is generally considered a precondition for a good labour market position. This is true for both the native Dutch population and for Western and non-Western immigrants living in the country. However, a major problem for many non-Western immigrants is their low level of education (unfortunately we do not have information about educational levels of migrants coming from the MOE-countries). The low educational levels of non-Western immigrants have various backgrounds. Former guest workers were, at that time, selected to do low-skilled work in the Netherlands. They were migrants with little or no educational background. Although their children are generally better educated than their parents, there is still a gap with the (rising!) average education levels in the Netherlands. Other non-Western immigrants may have higher levels of education, but their education is often still insufficient for the current post-industrial labour markets. Educations achieved in Third World countries are often not acknowledged in the Netherlands.

Figure 6.1 shows the levels of education of the native Dutch population and various non-Western immigrant groups in 1996, 1999, 2002, and 2005. The figure makes two things clear. First, the level of education of non-Western immigrant groups – and especially of the Turkish and Moroccan groups – is still significantly lower than that of the native Dutch population. Whereas around 30 percent of all Turkish and Moroccan adults (from 15 to 64 years old) have finished only primary education (and often not even that), this is true for only 8 percent of all native Dutch adults. According to official European standards, people with only primary school or with lower vocational and general secondary school do not have the minimum qualifications to enter the labour market. This is true for a little over 30 percent of both the native population and for other non-Western immigrant groups, as well as for between 36 and 42 percent of the Surinamese and Antillean postcolonial

immigrants, and for 54 percent or more of the Turkish and Moroccan immigrants (both first- and second generation) (all figures from 2003). Secondly, although the levels of education for non-western immigrants are still rather low they increased significantly in the last decade. This is especially true for the Turkish and Moroccan groups. The share of Turkish and Moroccan adults (in the age of 15 to 64 years) with only primary school fell from 56 percent in 1996 to 30 respectively 32 percent in 2005. Meanwhile, the percentage of highly educated Turkish or Moroccan adults rises slowly (from around 4 percent in 1996 to 7.5 percent in 2005 for both groups). However, the native Dutch are improving their educational levels as well. The percentage of highly educated native Dutch adults rose from 20 percent in 1996 to 26 percent in 2005. Both tendencies (rising educational levels of non-Western immigrants but faster rising educational levels of the native Dutch population) imply that the gap between both groups is only widening. Although non-Western immigrants slowly improve their educational qualifications they seem to be unable to catch up with the native Dutch population (see figure 6.1; more specific data in the appendix to this chapter).

Figure 6.1 Educational level of native Dutch and non-Dutch population (15-64 year) (1996, 1999, 2002, 2005)



Source: Netherlands Statistics, Statline (eigen bewerking)

Levels of education vary not only between different immigrant groups, but also by gender and age groups. In general men have higher educational levels than women. This is true for both the native Dutch and for various immigrant populations. On the other hand, the differences in educational

achievement between males and females in non-Western immigrant groups are not that large. For Turkish and Moroccan immigrants, in particular, both men and women are often have very low levels of education. The same is true for various new immigrant groups, especially Afghans and Somalians. For most immigrant groups the level of education increases for both men and women.

Education levels also vary by age. In general younger people were in school longer and achieved higher educational levels than older groups. This is also true for both the native Dutch and for various immigrant groups. Second-generation immigrants that were born and educated in the Netherlands generally have higher educational levels than first-generation immigrants (foreign-born). Also recently arrived first-generation immigrants, especially marital migrants from Turkey and Morocco, are often not very well educated. That the second-generation immigrant youth attain higher levels of education than their parents does not mean, however, that their situation is unproblematic. To the contrary, levels of education of young non-Western second-generation immigrants are still significantly low compared to those of young native Dutch persons. There are various reasons for the relatively low educational levels of young non-Western second-generation immigrants. On the one hand, one has to take into account that their parents were mostly low skilled or unskilled. As the educational achievement of children is strongly influenced by their parents' educational achievement, one can hardly expect young non-Western immigrants to do that much better than their parents. On the other hand the educational achievement of young non-Western second-generation immigrants is strongly tempered by their high incidence of premature school dropout. Recent research made clear that the incidence of premature school dropout (leaving school without a certificate) among young non-Western immigrants is twice as high as among native Dutch youth of the same age. In the lower vocational schools, not less than 26 percent of all non-Western immigrant pupils left school without a certificate – compared to 15 percent of all native Dutch pupils. As a result, many young (often second-generation) non-Western immigrants enter the labour market without any formal qualification and have few chances of a successful professional career.<sup>27</sup>

Another way to measure premature school dropout is to look at the proportion of a certain population that has not attained the so-called basic

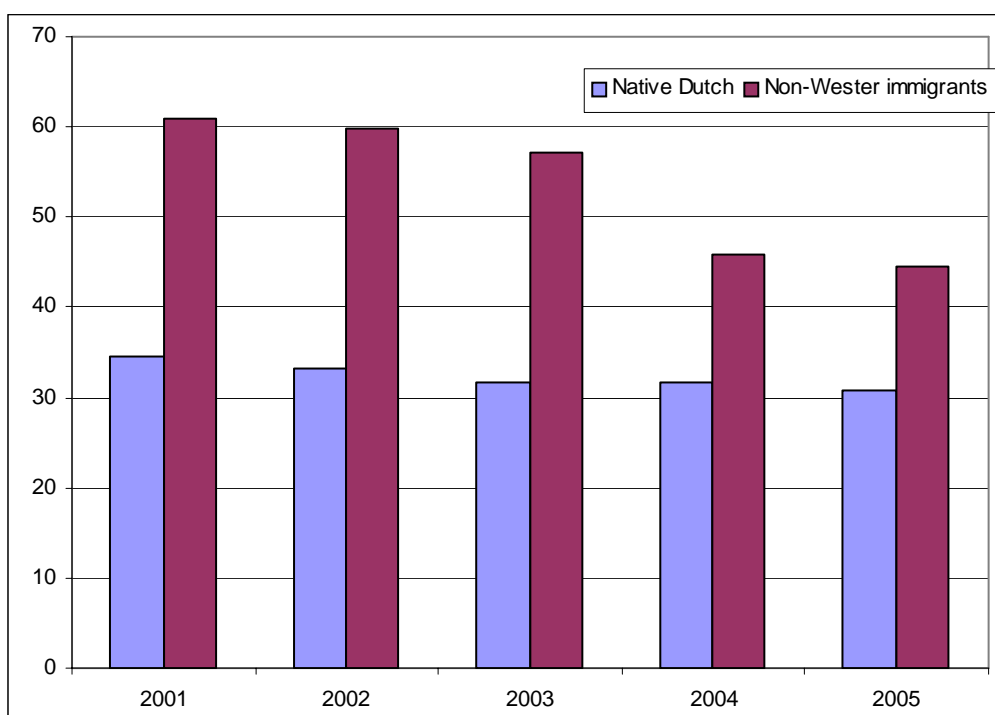
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<sup>27</sup> Netherlands Statistics, Yearbook Education (Jaarboek onderwijs) 2006, pp. 114.



qualifications to enter the labour market.<sup>28</sup> As figure 6.2 shows, more than 40 percent of the non-Western immigrant population of working age (15-65 years old) (first- and second-generation) does not possess the minimum basic qualifications to enter the labour market. The same is true for 31 percent of the native Dutch adult population. On the other hand, figure 6.2 also shows that the differences between the native Dutch and non-Western immigrants in this respect are declining over the years. Not having the minimum basic qualifications, of course, does not imply that one cannot enter the labour market. However, available statistics show that people without minimal basic qualifications have higher chances to become unemployed or to become dependent on low skilled, low-paid and often temporary and/or flexible work.

Figure 6.2: Persons without formal start qualification to enter the labour market as % of the total population not at school (15-64 year)



Source: Netherlands Statistics, Statline (own computations)

### 6.3 Employment and unemployment of immigrants

In the previous Dutch SOPEMI-reports we extensively described the changing labour market position of various non-Western immigrant groups in the

<sup>28</sup> According to EU-standards, people with only primary school and lower vocational or general education are insufficiently prepared for the current labour market.

Netherlands. We argued that changes in the labour market position of immigrants are partly the result of more general developments in the economic tide in the Netherlands. In this report we will describe the labour market position of Western and non-Western immigrants, and of the native Dutch population in the period 1996-2005. During this ten-year period, there were major changes in the Dutch economy. The second half of the 1990's are generally considered a rather favourable episode in the Dutch economic development, years of continuous economic growth, job growth and declining unemployment years. In the international literature this period is referred to as the "Dutch miracle" (cf. Visser and Hemerijck 1997). At the end of that period (in 2001/2002) the unemployment rates in the Netherlands were the lowest in the EU. However, a new economic recession started in 2003, resulting again in rising unemployment figures. The economic crisis was most severe in the years 2004 and 2005 when the official unemployment rate in the Netherlands was above 5 percent. The general feeling now (in the fall of 2006) is that the economic situation in the Netherlands is improving again and that job possibilities are arising (also because older generations of workers are leaving the labour market).

The question in this section is what these general developments in the Dutch economy of the last decade imply for the labour market position (employment and unemployment) of immigrants living in the Netherlands. We will first describe developments in the labour market participation of immigrant groups, then the unemployment figures of immigrants and native Dutch workers, and we will end this section with a statistical analysis that explains the differences in unemployment between non-Western immigrant groups and the native Dutch population.

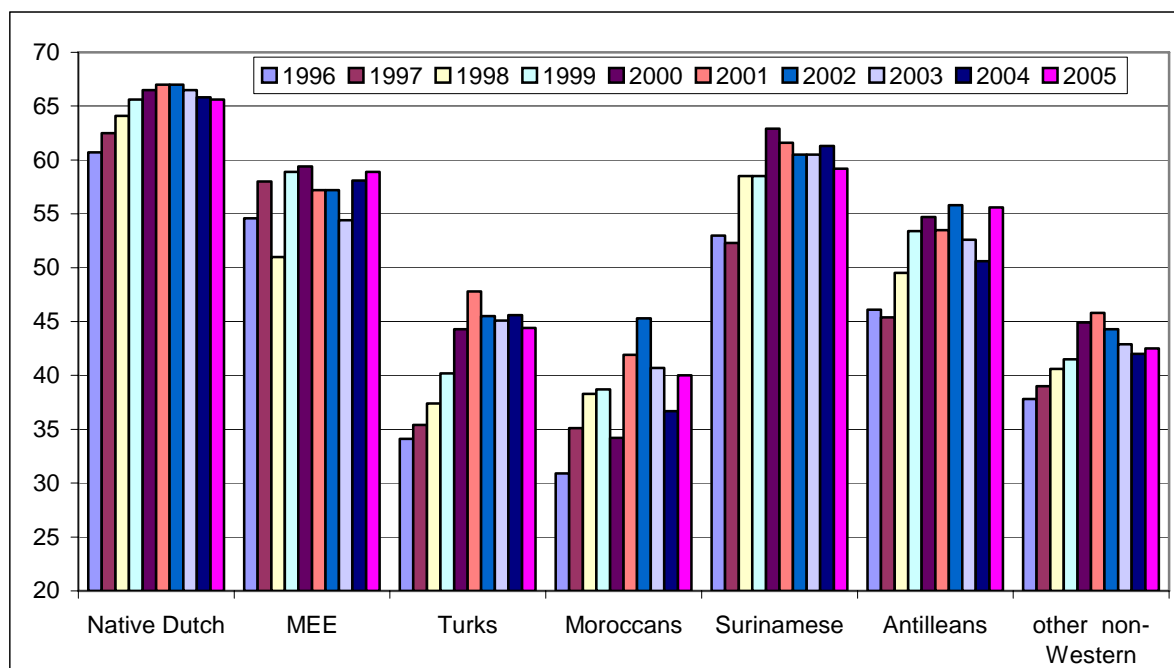
### **Labour market participation of immigrants in the Netherlands (1996-2005)**

The first indicator to describe the changing labour market position of immigrants in the Netherlands is the *net labour participation* (or actual workforce). This figure shows the percentage of the total population of working age (from 15 to 65 years) that is actually employed for at least 12 hours a week. The picture is quite clear. The net labour market participation of both the native Dutch population and all immigrant groups increased significantly in the period from 1996 until 2001/2002. The net labour market participation of the native Dutch group increased from 60.7 percent in 1996 to 67 percent in 2002. The increase in the net labour market participation is even clearer among non-Western immigrants (from 40 percent in 1996 to

almost 50 percent in 2002). In that year, at the height of the then economic boom, almost half of all non-Western immigrants of working age (male and female) were actually working (12 hours a week or more). However, also in the late 1990s there were still clear differences between the non-Western immigrant groups. Although the labour participation of all non-Western immigrant groups was on the rise, these figures were consistently higher for postcolonial immigrant groups (Surinamese, Antilleans) than for former guest worker groups (Turks, Moroccans).

During the following years of economic recession (2003-2005) the net labour market participation fell again. This was the case for all groups, but for non-Western immigrants to a larger extent than for the native Dutch. Whereas the net labour market participation of the native Dutch group fell from 67 percent in 2002 to 65.5 percent in 2005, the net labour market participation of non-Western immigrants diminished from almost 50 percent to almost 47 percent in the same period. Specifically, the net labour market participation of the Turkish and Moroccan groups fell rapidly. The net labour market participation of the Turks fell from 48 percent in 2001 to 44.5 percent in 2005. The net labour market participation of the Moroccans dropped from 45 percent in 2002 to 37 percent only two years later, in 2004. The good news is that the net labour market participation of Moroccans in 2005 increased again to a level of 40 percent. These figures show that despite their increased labour market participation during the economic boom in the late 1990s, the labour market position of non-Western immigrants was still very vulnerable. One important explanation is that many non-Western migrant workers that found employment in the late 1990s were employed on flexible and temporary labour contracts.

Figure 6.3 Net labour participation by ethnic decent (1996-2005)



Source: Netherlands Statistics, Statline (own computations)

The present Dutch SOPEMI-report for the first time presents similar data about the net labour market participation of immigrants from the Middle and East European countries (MEE), among which are also the new EU-member states. The net labour market participation of this group fluctuated over the years. The increased labour participation of MEE-migrants in the last few years is especially notable. Despite the economic recession, their net labour market participation increased from 54.5 percent in 2003 to almost 59 percent in 2005. These figures are remarkable because the labour participation of most non-Western immigrant groups fell in these years. These figures give some indication of a process that traditional immigrant groups are pushed aside on the labour market by newcomers from the MEE-countries.

To conclude we can say that the net labour market participation of non-Western immigrants in the Netherlands appears to be strongly related to the general economic development. During the economic boom in the late 1990s (and actually until 2001/2002) more and more non-Western immigrants joined the workforce and the gap in the net labour market participation between non-Western immigrants and the native Dutch population became smaller. However, when the current economic crisis started the net labour market participation of most non-western immigrant groups fell more rapidly

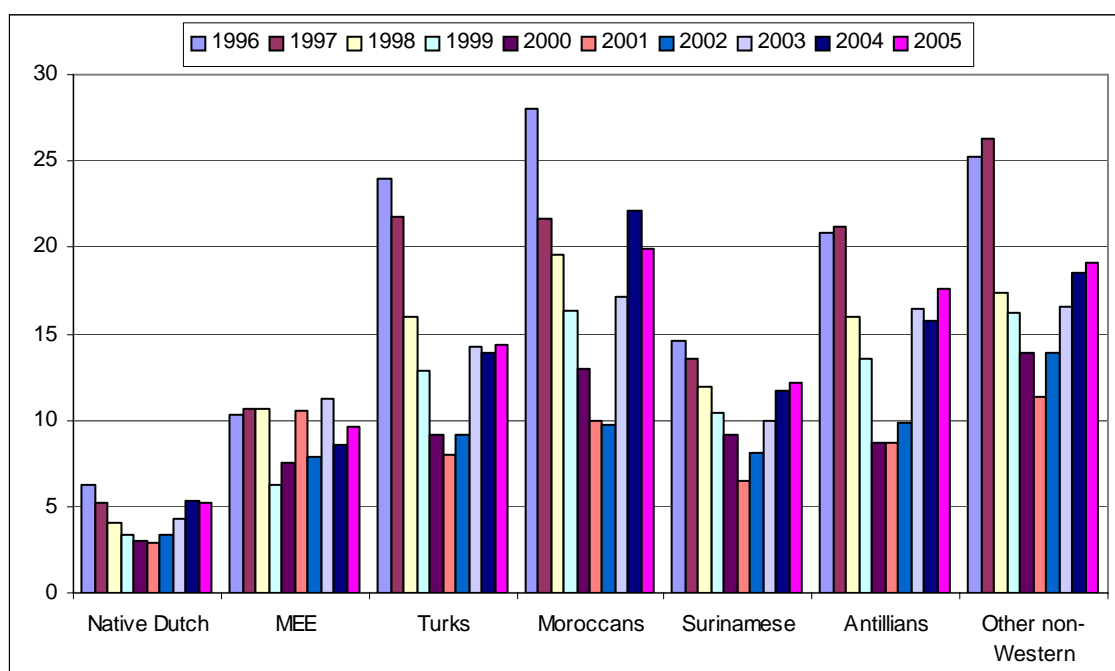
than with the native Dutch. That is, the gap between non-Western immigrants and the native Dutch widened again. This is, in particular, true for those non-Western immigrant groups with the most vulnerable labour market position (Turks and Moroccans). In general, the net labour market participation of non-Western immigrants (with a notable exception of the Surinamese) is still significantly lower than that of the native Dutch population. The net labour market participation of migrants from Middle and East European countries (MEE) is lower than that of the native Dutch, but significantly higher than that of most non-Western immigrant groups (again with a notable exception of the Surinamese). There are some indications that workers from MEE-countries push aside potential workers from more traditional non-Western immigrant groups.

#### **Unemployment of immigrants in the Netherlands (1996-2005)**

The second indicator to describe the labour market position of immigrants in the Netherlands is the unemployment rates, that is the number of people officially registered as unemployed by the Dutch employment agencies (Centres for Work and Income), as a percentage of the total active population (either working at least 12 hours a week or looking for work). This way of counting unemployment implies that non-working adults that gave up looking for a job ('labour market dropouts') are not included in official unemployment statistics.

Figure 6.4 shows the unemployment rates of the native Dutch and various immigrant groups from 1996 and 2005. The figure shows rather dramatic changes in the unemployment rates of non-Western immigrants. We see the same pattern as noticed before. During the economic boom of the late 1990s, but especially in 2000 and 2001, the unemployment rate of non-Western immigrants dropped rapidly. The unemployment rate of Turks and Moroccans, for instance, fell from around 25 percent or more in 1996 to less than 10 percent in 2002. These figures inspired us to rather positive conclusion about the improved labour market position of non-Western immigrants in the Netherlands in previous Dutch SOPEMI Report (in 2002 and 2003). We concluded that non-Western immigrants indeed benefited from the favourable economy in these years 1990s and were able improve their labour market position vis-à-vis the native Dutch population. However, as already mentioned in more recent Dutch SOPEMI-reports, the labour market position of non-Western immigrants declined again in the new economic crisis after 2002.

Figure 6.4 Unemployment rates by ethnic decent (1996-2005)



Source: Netherlands Statistics, Statline (own computations)

On the other hand, there are significant differences between the various immigrant categories. Again, the Moroccan group seems to be worst off. Between 2002 and 2004, the unemployment among Moroccans more than doubled (from 10 to 22 percent). In 2005, unemployment among Moroccans declined to 20 percent. The unemployment of non-Western immigrants (among whom are many former asylum seekers) is only slightly better (19 percent in 2005). The unemployment of the Surinamese also increased between 2001 and 2005, but is still on a much lower level (12 percent in 2005). The unemployment rate of migrants from the MEE-countries actually decreased (from 11 percent in 2003 to less than 10 percent in 2005). These figures again indicate that newly arrived workers from MEE-countries seem to replace more traditional immigrant groups in the Netherlands.

Among the younger age categories the unemployment situation of non-Western immigrants appears to be even more dramatic (table 6.1). The data in table 6.1 differs somewhat from the other data used earlier that was derived from the Dutch Labour Surveys from Netherlands Statistics. The data in table 6.1 originates from a survey by the Dutch Socio and Cultural Planning Office (SCP) among native Dutch and non-Western immigrant groups (first- and second- generation) living in the 50 largest municipalities

in the Netherlands (N= 4097). The unemployment rates in table 6.1 are indeed significantly higher (30 to 50 percent) than the Netherlands Statistics figures presented before. However, this data provides the possibility of analysing the unemployment rates in various subcategories of the population.

**Table 6.1: Unemployment rate (in %) by ethnic decent, 50 largest municipalities in the Netherlands (2004/5)**

	Native Dutch	Turks	Moroccans	Surinamese	Antilleans
Overall	9	21	27	16	22
Male	9	20	27	18	18
Female	9	22	28	14	25
15-24 years	19	39	39	38	40
25-44 years	8	14	22	12	19
45-65 years	8	20	24	8	17
1th generation		17	23	13	23
2th generation		31	39	24	18

Source: Dagevos (2006: 11)

Table 6.1 first shows that gender does not make a large difference for the unemployment rates. The only exceptions are both postcolonial migrant groups. In the Surinamese group, women are less often unemployed than men. This is in line with the general trend that Surinamese women do very well on the Dutch labour market. In the Antillean group, the situation is the other way around. Antillean women are relatively often unemployed; this may be because of the large number of female single headed households in this migrant group. More important, however, is the huge unemployment rate in the youngest age category and among second-generation migrants. Up to 40 percent of all young non-Western immigrants (first and second-generation) living in the largest cities in the Netherlands are unemployed. Even if this outcome is not representative for the Netherlands as a whole, it is still alarming – both for the young immigrants and for the cities they live in. Another alarming, and rather counter-intuitive outcome, is the large unemployment among the second generation. The idea in migration literature is always that second generation migrants do better in the labour market of the host society than the first generation, but that does not seem to be the case. The only exception in this respect is the Antillean group, but that can be explained by their specific migration history. Second generation Antilleans are the children of the first generation that came to the Netherlands in the 1960s and 1970s. These were often middleclass persons that came to the Netherlands to study and stayed here afterwards. Their children are doing relatively well in the Netherlands. The current first-generation Antilleans are a completely different category. These are predominantly lower class

Antilleans, many youth without any education and many young single mothers that have marginal chances in the Dutch labour market.

Further analysis shows that the differences in unemployment risks between various immigrants groups and the native Dutch can be explained to a large extent by differences in age composition and educational levels between the various populations (Dagevos, 2006: 16-17). For two immigrant categories (first-generation Surinamese and second-generation Antilleans), their higher unemployment risk can be explained completely by differences in age composition and education. For all migrant categories, differences in age structure and education explain their higher unemployment rate to some extent, but not fully. After controlling for age and education in a multivariate analysis, these migrant groups are still more often unemployed as the native Dutch group. Apparently, other factors – such as discrimination in the labour market, but maybe also motivational differences, or the kind of education people have - play a part as well.

**Table 6.2: Unemployment risk, difference by ethnic descent, not corrected and corrected for individual characteristics, 2004/2005 (unstandardised regression coefficients, logistic regression)**

	Model 1	Model 2
Native Dutch (reference category)		
Turks, first generation	.75	.48
Turks, second generation	1.46	.59
Moroccans, first generation	1.06	.78
Moroccans, second generation	2.01	1.16
Surinamese, first generation	.39	n.s.
Surinamese, second generation	1.31	.70
Antilleans, first generation	1.16	1.04
Antilleans, second generation	.83	n.s.
Men (vis-à-vis women)		n.s.
Educational level (vis-à-vis only elementary school)		
Low		n.s.
Middle		.60
High		-1.09
Age (vis-à-vis 15-24 years)		
25–34 years		-1.16
35-49 years		-1.33
50-64 years		-1.28
constant	-2.23	-0.61

All coefficients are significant; n.s.= non-significant

Source: Dagevos (2006: 17)

All in all, the current labour market position of non-Western immigrants in the Netherlands is far from positive. With declining labour market participation and rising unemployment rates non-Western immigrants (with the exception of first-generation Surinamese and second-generation Antilleans) again lag behind the native Dutch population. Whereas the differences in the labour market position between the native Dutch and non-Western immigrants were gradually diminishing during the 1990's it now seems that they are beginning to grow again. The unemployment rates for non-Western immigrant youth



are particularly dramatic. Finally we noticed some indications that recently arrived migrants from Middle and East European (MEE) countries replacing more traditional non-Western immigrant groups on the Dutch labour market.

#### **6.4 Non-Western immigrants and social benefits**

Another way to describe the social position of non-Western immigrant groups is by the extent to which they are on social benefits. Looking at social benefit recipients gives a somewhat different picture of the social position of immigrants (and the native Dutch population) than the unemployment figures in the previous section. Figures about social benefit recipients not only include unemployed persons (that is: out of work, but still looking for a job), but also persons that dropped out of the labour market altogether. Figures about social assistance and incapacity benefits give an especially clear indication about the extent to which people have left the labour market. It has been argued, that unemployment was not the main socio-economic problem of the Netherlands in the late 1990's, but the sizeable labour market dropout. Particularly, the large number of incapacity benefits is often mentioned as the main problem of Dutch social politics.

This section describes the distribution of social benefits (social assistance<sup>29</sup>, incapacity benefits<sup>30</sup>, unemployment benefits) over various immigrant groups and the native Dutch population. As in the previous section, 'immigrants' are defined as both first and second-generation migrants, but we also provide information about social benefit recipients of first and second-generation migrants separately. In the analyses only social assistance recipients younger than 65 years are included.

Figure 6.4 shows the proportion of social benefit recipients of each category as a percentage of the total population in the working age group (15-64 years). The figure makes it clear that non-Western immigrant groups, particularly Turks and Moroccans, live on social benefits significantly more often than the native Dutch population. Whereas 15 percent of the native Dutch population receives some social benefits, this is true for around 30 percent of the Turkish and Moroccan population. With the other non-Western immigrant groups (Surinamese, Antilleans, other non-Western immigrants)

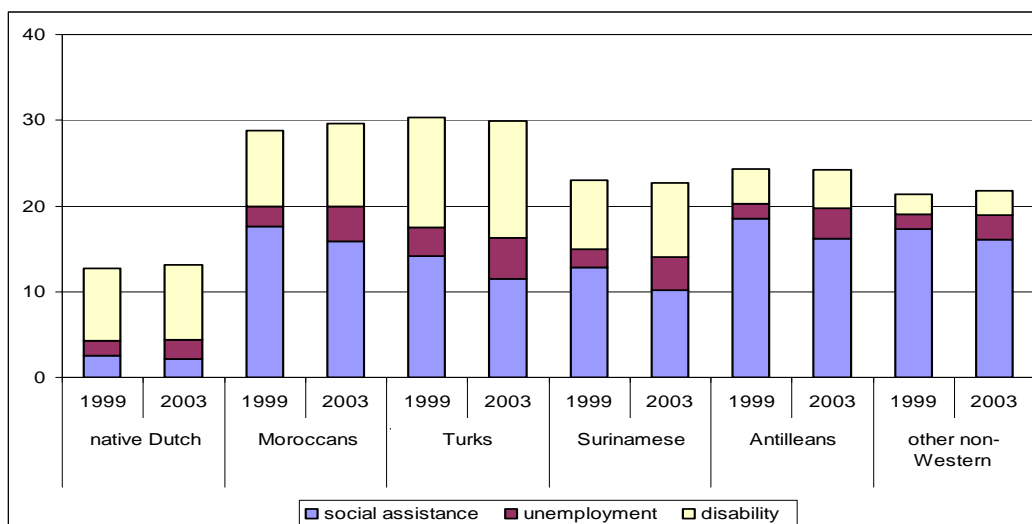
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<sup>29</sup> National assistance (ABW) and special benefits for the long-term unemployed (IOAW/IOAZ).

<sup>30</sup> They include disability benefits for working people (WAO), entrepreneurs (WAZ) and people who were never able to work due to physical or mental health problems.

around 22 to 24 percent of the total adult population receives some social benefits. Compared to the native Dutch population, non-Western immigrants receive social assistance benefits relatively often. The native Dutch group receives incapacity benefits more often. Also the relatively high number of Turkish people living off of incapacity benefits is quite remarkable.<sup>31</sup>

Figure 6.5: Benefit Recipients by Ethnic Descent (1999 and 2003) (in % of the total population 15-64 years)



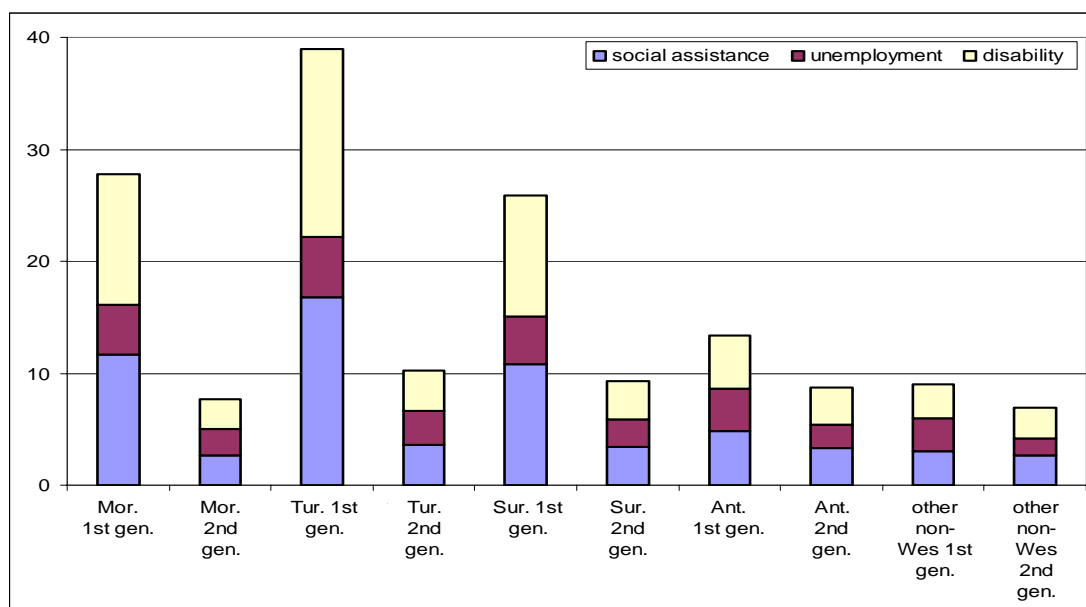
Source: Netherlands Statistics, Statline (our own computations)

Figure 6.5 shows the proportion of social benefit recipients among first and second-generation immigrants (again related to the total population of working age). First-generation immigrants are foreign-born of at least one foreign born parent, second-generation immigrants are born in the Netherlands of two foreign-born parents. The figure shows large differences in the extent of social benefit recipients between first and second-generation non-Western immigrants. First-generation immigrants depend on social benefits far more often than their children of the second generation. These trends can be explained to a large extent by differences in age and educational level. Since the second generation is relatively younger than the first, although young immigrants are still coming to the Netherlands, they are less often unemployed or incapacitated for work. The second generation is generally also better educated than the first, and speaks the Dutch language

<sup>31</sup> Figure 6.4 still gives a somewhat distorted picture of the 'incapacity rate' of the Turkish (and to a lesser extent also the Moroccan group). In the Dutch social security system incapacity benefits are 'employees benefits', meaning that only employees and self-employed persons are eligible for an incapacity benefit. When the number of incapacity benefits for the Turkish and Moroccan groups are related to the actual workforce in both immigrant categories, they are clearly over-represented in the incapacity benefit recipients vis-à-vis the native Dutch (Snel, 2002).

better. As a result of these aspects one can expect the second generation to depend less on social benefits than the first generation.

Figure 6.6: Benefit Recipients by Ethnic Descent and Generation (1999 and 2002)



Source: Netherlands Statistics, Statline (our own computations)

Figure 6.6 also shows that the differences in social benefit recipients between the first and second generation are not the same in all immigrant groups. The differences between the generations are largest in the Moroccan and Turkish group. First-generation Moroccan immigrants, for instance, depend on social benefits four times more often than their offspring born in the Netherlands. This is in line with the general expectation that second-generation immigrants achieve better social positions in the host societies than their parents that came from other societies. However, the difference in this respect between the first and second generation is much smaller in other immigrant categories (especially with the Antilleans and other non-Western immigrants).

## 6.5 Labour position of non-Western immigrants

Thus far we focused on the question whether or not first and second-generation immigrants in the Netherlands participate in the workforce *or* if they are unemployed and/or depend on social benefits. This section describes the social position of working immigrants in terms of their occupational level, their occupational sector, the kind of employment contracts they have (steady or flexible jobs), and their working hours (part-time versus full-time

jobs). As in previous sections we will compare the labour market position of non-Western immigrant groups (first and second-generation) with that of the native Dutch population.

**Table 6.3: Native Dutch and Immigrant workers by Occupational sector (2000-2005) (in %)**

	Native Dutch	Western immigrants	Turks	Moroccans	Surinamese	Antilleans/Arubans	Other non-Western
<b>2000</b>							
agriculture	3.5	1.1	4.3	5.3	0.7	0.0	1.5
Industry/construction	21.5	21.1	38.0	26.3	14.8	19.0	23.1
Private services	39.5	41.6	38.0	43.9	43.0	42.9	50.0
Public services	30.2	30.0	13.0	15.8	35.6	31.0	18.7
Other/unknown	5.3	6.2	6.5	8.8	5.9	7.1	6.7
<b>2005</b>							
Agriculture	3.3	1.0	3.8	0.0	0.0	0.0	1.8
Industry/construction	21.6	19.6	27.6	23.1	16.5	18.4	17.5
Private services	37.3	39.2	42.9	47.4	43.9	46.9	53.6
Public services	34.2	35.4	22.9	25.6	36.7	34.7	22.9
Other/unknown	3.6	4.8	2.9	3.8	2.9	0.0	4.2

Source: Netherlands Statistics (Labour Surveys)

Table 6.3 shows the occupational sectors native Dutch and non-Western immigrant workers are employed in. The main difference is not between native Dutch workers and immigrant workers, but between workers with a Turkish or Moroccan background (that is the former guest workers groups) on the one hand, and all other groups on the other. Turkish, and to a lesser extent Moroccan, workers tend to be overrepresented in traditional industry and construction jobs (but especially in industrial jobs) and underrepresented in public service jobs. This was especially true in 2000. When looking at the recent developments (2000-2005) we can see that the differences between Turkish and Moroccan workers on the one hand, and all other groups on the other, are reduced. The proportion of Turkish and Moroccan workers in public service jobs, for instance, went up significantly. However, this does not mean that differences in occupational levels decline as well. On the contrary, as table 6.4 makes clear.

**Table 6.4: Native Dutch and Immigrant Workers by Occupational Level (2000-2005) (in %)**

	Native Dutch	Western immigrants	Turks	Moroccans	Surinamese	Antilleans/Arubans	Other non-Western
<b>2000</b>							
Elementary occupations	5.9	7.0	20.7	25.9	12.7	9.5	18.7
Lower occupations	23.7	21.8	43.5	36.2	26.9	21.4	26.9
intermediate occupations	39.8	36.0	23.9	27.6	38.1	31.0	29.1
higher/scientific occup.	29.4	33.4	7.6	8.6	22.4	28.6	20.1
occupation unknown	1.2	1.8	3.3	3.4	0.7	9.5	5.2
<b>2005</b>							
Elementary occupations	6.0	7.7	24.3	31.3	14.9	13.7	20.7
Lower occupations	22.7	22.0	35.5	33.8	29.1	25.5	29.9
intermediate occupations	39.3	35.6	28.0	21.3	34.8	37.3	31.7
higher/scientific occup.	31.1	33.7	10.3	12.5	20.6	23.5	16.5
occupation unknown	0.9	1.0	1.9	1.3	1.4	0.0	1.2

Source: Netherlands Statistics (Labour Surveys)

Again the main differences are between the former guest workers groups (Turks and Moroccans) and the native Dutch working population. The proportion of Turkish and Moroccan people working in elementary and low skilled jobs is at least twice as large as the proportion of native Dutch working in those lower level jobs. This was the case in 2000, but despite the rising educational levels of immigrant workers we observed earlier in this chapter, this has not really changed in 2005. On the contrary, the proportion of Moroccan workers in the lowest skilled occupations has even increased. The occupational level of Surinamese workers is somewhere in between. Workers with a Surinamese background are also overrepresented in lower skilled occupations and underrepresented in highly skilled and scientific occupations, but to a lesser extent than Turkish and Moroccan workers. Also Surinamese labourers were unable to improve their occupational level in the last half decade. Between 2000 and 2005, the proportion of Surinamese workers in elementary and lower level jobs increased, whereas the proportion of Surinamese workers in the highest occupations declined somewhat (from 22.4% to 20.6%).

Further analysis shows that differences in personal qualifications are the main explanation for the still rather low occupational levels of non-Western immigrant workers. When controlling for gender, age, household composition and level of education, non-Western immigrant workers are much less concentrated at the bottom of the labour market. The influence of level of education and other personal qualifications differs somewhat between the various immigrant groups. Particularly for the Surinamese workers, level of education seems to be the main explanation for their occupational level. For other groups such as Moroccans, Antilleans and other non-Western immigrants, level of education does not entirely explain the low level of occupation. This means that the low occupational level of these immigrant groups is partly the result of different factors that are still unknown (such as lower aspiration levels of immigrant workers or labour market discrimination).

**Table 6.5: Native Dutch and Immigrant Workers with Steady and Fixed Jobs\* (2000-2005) (in %)**

	native Dutch	Turks	Moroccans	Surinamese	Antilleans	Other non-Western
<b>2003</b>						
Steady labour relation	82.6	75.5	78.9	83.5	83.0	71.2
Flexible labour relation	5.7	14.7	18.4	12.2	10.6	16.0
Self-employed	11.7	9.8	3.9	4.3	6.4	12.8
Total	100	100	100	100	100	100
<b>2005</b>						
Steady labour relation	81.4	72.0	80.0	83.0	78.4	69.5
Flexible labour relation	6.5	15.9	16.3	11.3	15.7	17.1
Self-employed	12.1	11.2	3.8	5.7	5.9	13.4
total	100	100	100	100	100	100

\*flexible jobs are defined here as workers with either temporary labour contracts or unsure number of working hours (including employees of temporary employment agencies)

Source: Netherlands Statistics (Labour Surveys)

**Table 6.6: Native Dutch and Immigrant Workers with Full-time and Part-time work (2000-2005) (in %)**

	native Dutch	Turks	Moroccans	Surinamese	Antilleans	Other non-Western
<i>2003</i>						
Part-time	36.1	25.5	27.6	32.4	36.2	35.3
Full-time	63.9	73.5	73.7	67.6	63.8	64.7
Total	100.0	100.0	100.0	100.0	100.0	100.0
<i>2005</i>						
Part-time	37.4	28.0	33.8	37.6	33.3	33.5
Full-time	62.6	71.0	66.3	63.1	66.7	66.5
Total	100	100	100	100	100	100

Source: Netherlands Statistics (Labour Surveys)

Table 6.5 and table 6.6 describe the kind of labour contracts native Dutch and immigrant workers have. First, a distinction is made between steady and flexible labour relations. Steady labour is defined as a fixed labour contract with a fixed number of working hours. A flexible labour relation exists when workers either have a temporary labour contract (including employees of temporary employment agencies) and/or are unsure about the number of working hours. Despite of all talk about flexibility of the labour market, the table makes very clear that 'traditional' steady work is still the prevailing employment contract. This is true for both native Dutch and for immigrant workers, although immigrant workers somewhat less often employed in steady labour relations than the native Dutch. Table 6.5 also shows that the proportion of steady labour relations is slowly decreasing, both among native Dutch and immigrant workers. Self-employment is not a real alternative for fixed or temporary jobs for migrant workers. In most immigrant groups (except for the Turks and other non-Western immigrants), the proportion of self-employed persons is significantly lower than among the native Dutch. Table 6.6 describes the 'working hours regimes' of native Dutch and immigrant workers. Immigrant workers in general tend to have full-time jobs somewhat more often than native Dutch workers. This is especially true for Turkish and Moroccan workers. The main reason for this difference is

probably the gender composition of the native Dutch and immigrant workforce. Native Dutch women are relatively more often active in the labour market than women with an immigrant background, especially those with a Turkish or Moroccan background. Furthermore, women work significantly more often in part-time jobs than men. More women in the workforce implies, almost by definition, a larger proportion of part-time work.

## Appendix for Chapter 6

### Supplementary tables

**A6.1** Level of education by Ethnic Descent and gender (15-64 year) (1996-2005)

**A6.2** Gross Labour Participation by Ethnic Descent and gender 1994-2006 (by absolute numbers and in %)

**A6.3** Net Labour Participation by Ethnic Descent and gender 1994-2006 (by absolute numbers and in %)

**A6.4** Number of working people by ethnic decent\* 1994-2004

**A6.5** Unemployment Rate by Ethnic Descent and gender 1994-2006 (by absolute numbers and in %)

**A6.6** Youth unemployment by Ethnic Descent and gender 1996-2005

**Table A6.1: Educational level of native Dutch and non-Dutch population (15-64 year) (1996, 2000, 2003, 2005)**

	year	only primary school	lower vocational and general secondary school	intermediate vocational and general secondary school	Higher education
native Dutch	1996	12	26	41	20
	2000	10	26	42	22
	2003	8	25	42	24
	2005	8	25	41	26
non-Western immigrants	1996	37	26	25	11
	2000	32	27	26	13
	2003	28	28	29	14
	2005	21	24	40	14
Turks	1996	55	24	15	4
	2000	47	28	19	4
	2003	39	30	22	7
	2005	31	25	36	8
Moroccans	1996	56	22	15	4
	2000	49	27	17	6
	2003	44	27	21	7
	2005	34	26	33	8
Surinamese	1996	26	27	33	13
	2000	19	29	35	15
	2003	19	29	37	15
	2005	14	29	43	15
Antilleans	1996	19	34	32	15
	2000	20	28	33	17
	2003	17	32	37	14
	2005	11	25	46	18
other non-Western immigrants	1996	24	25	30	20
	2000	24	25	29	20
	2003	22	26	30	22
	2005	16	20	43	21

Source: Statistics Netherlands, Statline



Table A6.2: Gross Labour Participation by Ethnic Descent\* and gender 1994-2005

	1994	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
<b>Total population</b>											
Native Dutch	63	65	66	67	68	69	69	70	70	70	70
Of foreign descent	55	57	58	59	59	60	61	61	62	62	62
Western	61	62	64	64	65	66	66	66	68	68	68
MEE	-	61	65	57	63	65	64	63	62	64	66
non-Western	49	51	52	53	53	54	55	56	57	57	57
Turkish	42	45	45	45	46	49	52	51	54	54	52
Moroccan	40	43	45	48	46	39	47	51	50	48	50
Surinames	59	62	60	66	65	69	66	67	68	70	68
Antillean	55	58	58	59	62	60	59	63	64	61	68
other non-Western	50	51	53	49	50	52	53	53	53	53	53
<b>Total</b>	<b>62</b>	<b>64</b>	<b>65</b>	<b>65</b>	<b>66</b>	<b>67</b>	<b>68</b>	<b>68</b>	<b>69</b>	<b>69</b>	<b>68</b>
<b>Male</b>											
Native Dutch	77	78	79	80	80	80	81	81	81	80	79
Of foreign descent	68	69	69	70	70	71	70	71	72	71	70
Western	74	73	74	75	75	77	76	77	78	76	75
MEE	-	73	74	78	77	82	82	74	85	78	78
non-Western	61	63	63	64	64	65	65	66	67	66	67
Turkish	58	59	61	60	61	66	67	66	69	67	66
Moroccan	53	59	60	63	63	54	61	65	64	60	66
Surinames	67	71	65	72	71	77	71	72	75	75	73
Antillean	67	67	62	70	76	66	68	70	72	68	76
other non-Western	61	61	64	59	61	63	63	63	61	64	62
<b>Total</b>	<b>75</b>	<b>77</b>	<b>77</b>	<b>78</b>	<b>78</b>	<b>79</b>	<b>79</b>	<b>79</b>	<b>79</b>	<b>78</b>	<b>77</b>
<b>Female</b>											
Native Dutch	48	51	53	54	55	56	57	59	60	60	60
Of foreign descent	42	46	47	47	48	49	51	50	52	53	54
Western	47	52	53	53	55	56	58	56	58	59	62
MEE	-	52	59	46	56	53	55	56	52	56	58
non-Western	36	38	40	41	40	41	44	45	46	46	46
Turkish	23	29	27	27	30	30	36	35	36	40	37
Moroccan	25	22	27	29	27	22	31	34	34	34	34
Surinames	50	54	56	61	61	62	62	61	62	66	63
Antillean	44	50	53	48	49	54	51	57	57	55	60
other non-Western	35	38	40	38	36	39	41	40	43	40	43
<b>Total</b>	<b>48</b>	<b>50</b>	<b>52</b>	<b>53</b>	<b>54</b>	<b>55</b>	<b>56</b>	<b>57</b>	<b>58</b>	<b>59</b>	<b>59</b>

\*First and second generation immigrants

Source: Statistics Netherlands, Statline

**Table A6.3: Net Labour Participation by Ethnic Descent\* and gender 1994-2005**

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
<b>Total population</b>												
Native Dutch	58	60	61	63	64	66	67	67	68	67	67	66
Of foreign descent	46	47	49	50	53	54	55	57	56	56	55	54
Western	54	55	56	58	60	62	63	63	63	63	62	62
MEE	-	-	55	58	51	59	60	58	58	55	59	59
non-Western	37	37	40	41	44	46	48	50	50	49	48	47
Turkish	29	30	34	35	37	40	44	48	46	46	46	45
Moroccan	29	29	31	35	38	39	34	42	46	41	37	40
Surinamese	47	49	53	52	59	59	63	62	61	61	62	60
Antillean	43	44	46	45	50	53	55	54	57	54	52	56
other non-Western	35	33	38	39	41	42	45	47	45	44	43	43
<b>Total</b>	<b>57</b>	<b>58</b>	<b>59</b>	<b>60</b>	<b>62</b>	<b>64</b>	<b>65</b>	<b>65</b>	<b>66</b>	<b>65</b>	<b>64</b>	<b>64</b>
<b>Male</b>												
Native Dutch	73	74	75	77	78	79	79	80	79	78	76	75
Of foreign descent	56	57	59	60	63	64	66	66	66	65	63	61
Western	67	67	67	69	72	72	74	73	74	73	71	68
MEE	-	-	69	71	77	75	77	76	69	81	74	71
non-Western	45	46	49	49	53	56	58	59	59	57	55	56
Turkish	41	43	46	49	51	53	61	61	59	61	59	57
Moroccan	36	41	44	45	51	53	47	56	59	53	45	52
Surinamese	54	56	62	57	63	63	71	66	67	68	67	65
Antillean	53	56	53	50	60	66	60	61	64	57	57	64
other non-Western	42	41	46	47	49	53	55	56	54	50	51	51
<b>Total</b>	<b>70</b>	<b>72</b>	<b>72</b>	<b>74</b>	<b>75</b>	<b>76</b>	<b>77</b>	<b>77</b>	<b>77</b>	<b>75</b>	<b>74</b>	<b>73</b>
<b>Female</b>												
Native Dutch	43	45	46	48	50	52	54	55	56	57	56	57
Of foreign descent	35	37	39	40	42	43	44	47	46	47	46	47
Western	40	44	45	47	48	51	51	54	52	54	54	56
MEE	-	-	44	50	38	51	49	48	50	43	49	52
non-Western	28	28	30	32	34	34	36	40	40	40	39	38
Turkish	16	17	21	21	22	26	26	34	32	29	33	32
Moroccan	20	14	15	23	24	22	19	26	31	28	28	27
Surinamese	40	44	45	48	54	54	55	59	56	56	58	55
Antillean	34	33	39	41	39	42	50	48	50	51	46	49
other non-Western	25	24	28	30	31	28	34	36	35	38	34	34
<b>Total</b>	<b>42</b>	<b>44</b>	<b>45</b>	<b>47</b>	<b>49</b>	<b>51</b>	<b>52</b>	<b>54</b>	<b>54</b>	<b>55</b>	<b>54</b>	<b>55</b>

\*First and second generation immigrants

Source: Statistics Netherlands, Statline

**Table A6.4: Number of working people by ethnic decent\* 1994-2005**

	1994	1996	1998	2000	2002	2004	2005	2005 1996=100
Native Dutch	5223	5318	5617	5831	5961	5879	5748	108
Western immigrant	-	546	587	625	631	623	626	115
Middle and Eastern Europe (MEE)	-	23	21	28	29	34	34	148
Non-Western immigrant	262	318	384	460	523	519	543	171
Turks	51	62	72	92	100	103	107	173
Moroccans	34	44	60	58	82	69	80	182
Surinamese	106	103	119	134	137	144	141	137
Antilleans	21	27	31	42	49	46	51	189
Other non-Western immigrants	50	81	102	134	154	157	164	202
<b>Total</b>	<b>5747</b>	<b>5953</b>	<b>6385</b>	<b>6751</b>	<b>7006</b>	<b>6917</b>	<b>6834</b>	<b>115</b>

\*First and second generation immigrants

Source: Statistics Netherlands, Statline

Table A6.5: Unemployment Rate by Ethnic Descent and gender 1994-2005

	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
<b>Total population</b>												
Native Dutch	7	7	6	5	4	3	3	3	3	4	5	5
Of foreign descent	17	17	15	14	10	9	8	7	8	10	12	13
Western	11	11	10	9	7	5	5	5	5	7	8	9
non-Western	25	26	22	21	16	14	11	9	11	14	16	16
Turkish	30	31	24	22	16	13	9	8	9	14	14	14
Moroccan	29	32	28	22	20	16	13	10	10	17	22	20
Surinames	19	19	15	14	12	10	9	6	8	10	12	12
Antillean	22	23	21	21	16	14	9	9	10	17	16	18
other non-Western	31	32	25	26	17	16	14	11	14	16	18	19
<b>Total</b>	<b>8</b>	<b>8</b>	<b>8</b>	<b>7</b>	<b>5</b>	<b>4</b>	<b>4</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>Male</b>												<b>0</b>
Native Dutch	5	5	4	3	3	2	2	2	3	4	4	4
Of foreign descent	17	16	14	13	10	8	6	6	7	11	12	13
Western	9	9	8	8	5	4	3	3	4	7	7	9
non-Western	27	26	22	21	16	13	10	9	11	15	16	16
Turkish	30	28	23	21	15	12	8	8	10	12	12	14
Moroccan	33	31	26	24	20	16	12	8	10	17	24	20
Surinames	19	20	13	13	12	10	7	8	7	9	10	11
Antillean	21	18	20	20	14	13	8	10	8	21	16	16
other non-Western	32	31	25	27	17	14	13	11	14	18	20	18
<b>Total</b>	<b>7</b>	<b>6</b>	<b>6</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>3</b>	<b>5</b>	<b>6</b>	<b>6</b>
<b>Female</b>												<b>0</b>
Native Dutch	10	10	10	8	7	5	5	4	4	5	6	7
Of foreign descent	18	19	16	15	12	10	10	7	8	10	12	13
Western	15	14	12	11	9	7	8	6	7	7	10	9
non-Western	23	27	23	20	16	15	13	9	10	14	15	17
Turkish	31	39	27	24	18	14	13	7	8	20	18	15
Moroccan	18	37	34	17	19	17	16	15	9	18	19	20
Surinames	20	17	16	14	12	11	11	5	9	11	13	13
Antillean	23	29	22	23	18	14	9	7	11	11	15	20
other non-Western	27	33	25	25	18	21	14	12	13	13	16	21
<b>Total</b>	<b>11</b>	<b>11</b>	<b>11</b>	<b>9</b>	<b>7</b>	<b>6</b>	<b>5</b>	<b>5</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>

\*First and second generation immigrants

Source: Statistics Netherlands, Statline

**Table A6.6: Youth unemployment by Ethnic Descent and gender 1996-2004. Native Dutch versus non-Western immigrants (2005 not available)**

	1996	1998	1999	2000	2001	2002	2003	2004	2005*
<b>Total population</b>									
Native Dutch	10	7	7	6	6	8	9	12	19
Western countries	16	11	7	9	10	8	14	17	
non-Western countries	34	23	18	15	14	16	21	23	
Turks									39
Moroccans									39
Surinamese									38
Antilleans									40
<b>Male</b>									
Native Dutch	9	6	6	5	6	8	9	11	
Western countries	19	10	5	7	8	10	15	18	
non-Western countries	34	27	17	13	16	19	24	24	
<b>Female</b>									
Native Dutch	12	8	8	7	7	8	10	12	
Western countries	13	12	9	11	13	6	13	17	
non-Western countries	34	19	18	17	11	12	17	21	

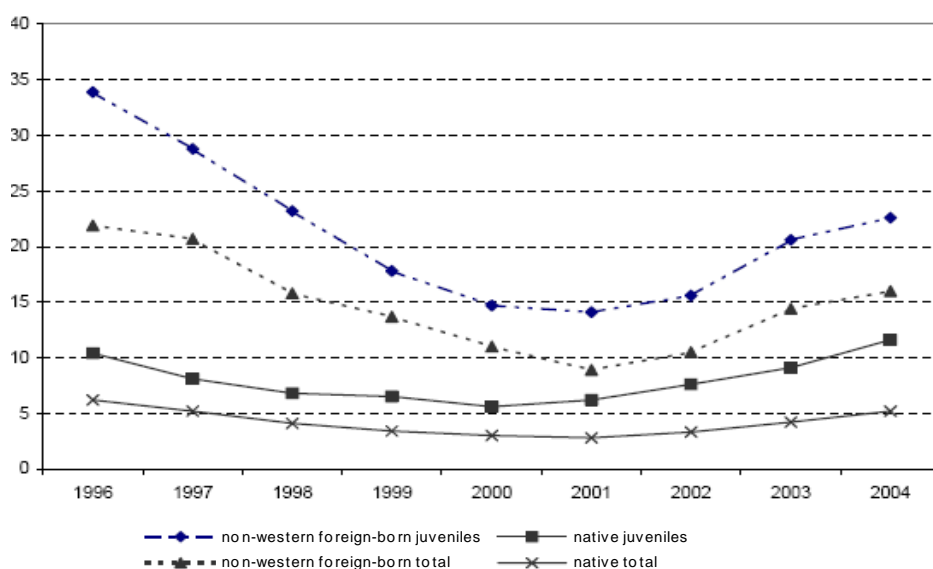
Source: Netherlands Statistics, Statline (1996-2004); Dagevos (2005\*)

**Table A6.7: Net Labour Participation and unemployment Rate of native Dutch and new immigrant groups' (2003) (2004/2005 not available)**

	net labour participation			unemployment		
	male	female	total	male	female	total
native Dutch	76	56	67	4	6	5
Yugoslavia (former)	58	39	49	20	21	20
Iraq	35	15	28	40	31	39
Afghanistan	38	10	27	34	50	37
Iran	52	32	43	25	25	25
Somalia	40	9	26	34	44	36

Source: SCP, WODC, CBS, Jaarrapport integratie

**Figure A6.1: Unemployment rates of native Dutch population and non-Western immigrants (both total population and juveniles) (1996-2004) (2005 not available)**



# Evaluation of the Dutch Aliens Act 2000 regarding the asylum procedure

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## 7.1 Introduction

On the 1<sup>st</sup> of April, 2001, the Aliens Act 2000 came into effect in the Netherlands. The aims of the Act were to shorten asylum procedures and to improve the quality of asylum decisions. To achieve these aims, a number of new statutory mechanisms were incorporated into the legislation. Also, several mechanisms were included that did not relate to these aims, but were introduced for other reasons.

During debates on the draft of the new Act in the Lower House of the Dutch Parliament, several political parties requested that an independent evaluation should take place three years after the Aliens Act 2000 came into effect. The evaluation should examine the way in which the new statutory mechanisms were operating in practice and establish whether the aims of shortening the asylum procedure and improving the quality of asylum decisions had been achieved. Research was also requested into the Dutch return migration policy for rejected asylum seekers and into the effects of a change in legislation, concerning the powers of the police for the operational surveillance (stopping and questioning) of potentially illegal foreign nationals.

Between 2002 en 2005 several studies were carried out by the Research and Documentation Centre (WODC) of the Ministry of Justice and a number of other organisations. These were supervised by the Commission for the Evaluation of the Aliens Act 2000, that was asked to make recommendations to the Minister for Immigration and Integration on the basis of the results. Early in 2005 a report was published regarding return migration policy and the operational surveillance of potentially illegal foreign nationals (Commissie Evaluatie Vreemdelingenwet 2000, Wetenschappelijk Onderzoek- en

Documentatiecentrum, Kiwa Management Consultants, & Bureau Boekhoorn Sociaal-wetenschappelijk Onderzoek, 2004). In 2006 three studies regarding the asylum procedure were made public, together with the final report of the aforementioned Commission (Commissie Evaluatie Vreemdelingenwet 2000, Wetenschappelijk Onderzoek- en Documentatiecentrum, & Significant, 2006). The Minister for Immigration and Integration has reacted to the recommendations of the Commission in her letter to the Lower House of Parliament of October 13<sup>th</sup>, 2006 (Tweede Kamer 2006-2007, 30 846, nr. 1). At the time this chapter was written the letter had not yet been discussed in Parliament.

In this chapter we will present the main outcomes of the studies regarding the asylum procedure. The first study was a process evaluation regarding, among other things, the way in which the new statutory mechanisms regarding asylum are operating in practice. The second study concerns the quality of asylum decisions under the new and former Aliens Acts and the third examines the duration of individual asylum procedures under the new Act and the factors influencing this. In every study a distinction is made between the 'accelerated' (AC) and the 'normal' asylum procedures. All asylum requests (with a few exceptions) enter the asylum procedure in the so-called Application Centre (AC). There, the Immigration and Naturalization Service decides whether to assess the asylum claims in the accelerated or the regular procedure. If it is decided to assess a claim within the accelerated procedure, the assessment takes place within 48 'process-hours' (which can take up to about five days). If further assessment takes place in the normal procedure, the Aliens Act 2000 prescribes that the decision should be taken within six months after the request was lodged.

## **7.2 Implementation and practical experiences with the new statutory mechanisms**

### **7.2.1 Method**

In the process evaluation of the Aliens Act 2000 (Kromhout, Kok, Munk, & Beenackers, 2006), data were collected concerning the most important new mechanisms regarding asylum under the new Act. We studied the text of the Act and subordinate legislation as well as case law of the Department of Administrative Law of the Council of State, where higher-level appeals under the new Act were heard. In the course of 2004, a policy-orientated Delphi

investigation was carried out, in which, by means of two written information-gathering rounds, information on implementation practice was gathered from 26 experienced staff members of important organisations in the field of asylum (Immigration and Naturalization Service (IND), IND Procedural Representatives, State Advocate, Foundation for Legal Aid in the Asylum Process (SRA), lawyers, Dutch Council for Refugees (VWN) and judges from the immigration chambers of the district courts). The aim was to provide a description of the variety and patterns of experience and understanding in the field of asylum in general, and to indicate potential bottlenecks. It is not possible, based on this, to indicate precisely what percentage of each professional group shared each reported experience and opinion.

### **7.2.2 Results**

Generally speaking, it can be said that the new mechanisms concerning asylum under the Aliens Act 2000 have actually been applied in asylum practice. As was intended, some of these mechanisms are playing a part, in principle, in every asylum procedure, while other mechanisms are only used in particular situations. We will now deal with a few of the most important new mechanisms in turn.

#### **Intention procedure**

The intention procedure under the Aliens Act 2000 means that in cases in which the IND intends to reject the asylum request, this 'intention' is sent to the legal representative of the asylum seeker, who may submit a written response. Following this, the IND should decide on the asylum request taking the written response into account. Under the former Aliens Act, the IND decision at first instance was taken without such a procedure, but it was followed by the possibility in most cases to lodge an objection, after which the IND reached a second decision. In the new Act this objection procedure was to be abolished. The intention procedure was introduced to ensure that a complete file would be available to the courts after abolishment of the objection procedure. Furthermore, it was intended to improve the quality of the asylum decision.

In practice, the intention procedure has been applied according to the regulations of the new Act and subordinate legislation. The legislative history suggests that the government assumed that the asylum seeker would lodge a written response in relation to the intention. It appears, however, that this has not always been happening in practice. The study on the quality of asylum decisions that we describe in the next section, shows that this is

especially true for the accelerated procedure: in more than half of the cases investigated no written response was submitted. The assertion that the legal assistance staff do not have enough time in the Application Centre to lodge a properly reasoned written response is supported, in broad terms, in the field.<sup>32</sup>

A second bottleneck is that neither the legislation and regulations nor the case law provide any definitive answer to the question of how, precisely, the IND should take the written response into account in the decision. In practice, the interpretation of this provision varies between summary referral to the written response and the issue of a reasoned reply to various parts of the written response.

### **Decision and repatriation moratoria**

The Aliens Act 2000 enables the Minister to postpone decisions on specific categories of asylum requests, imposing a so-called 'decision moratorium'. Between 1 April 2001 and 1 January 2005, the Minister used this possibility on several occasions. The same statutory basis was always employed for this, namely what was expected to be a short period of uncertainty on the situation in the country of origin. The Minister also made use of the opportunity to extend or withdraw a decision moratorium, in general terms, on several occasions. The individual decision periods on all outstanding applications were extended during the moratoria by the maximum permitted extension of one year.

Next to the moratorium on asylum decisions, the moratorium on the repatriation of rejected asylum seekers was introduced in the new Act. Various repatriation moratoria have been imposed since 1 April 2001, often combined with decision moratoria for the same categories of asylum seekers. In accordance with the legislative history, the reason was always that the situation in the relevant country of origin was too unsafe to return there. When repatriation moratoria were withdrawn, changes in the country of origin played their part, but also sometimes the expiry of the maximum one-year time limit. Follow-up research is required to obtain information on the application of decision and repatriation moratoria in individual files.

### **Wider scope of asylum decisions**

Under the Aliens Act 2000, the rejection of the asylum request has the statutory effect that the reception facilities used by the asylum seeker during

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<sup>32</sup> In broad terms' here means that the assertion was endorsed by a large proportion of the respondents from a variety of professional groups.



the regular procedure are terminated. Also, the foreign national is obliged to leave the Netherlands within 28 days, or else can be forced to return to the country of origin. It was supposed that through this, several legal procedures and proceedings would become redundant, which would lead to lesser workload for the courts. In the field, the impression persists that these measures have indeed led to a reduction in the number of proceedings. However, for several reasons, proceedings are still commenced close to the ending of reception and repatriation from the Netherlands. Also, the judicial test of the legal consequences of the wider-ranging decision has been interpreted in a different way by the Department of Administrative Law of the Council of State than what seems to have been thought likely by the legislator: whereas, in our view, the legislative history suggested that this might well happen, the DAL has decided that the legal consequences cannot be assessed separately from the decision on admission.

#### **Ex-nunc testing**

A limited judicial ex-nunc test was included in the Aliens Act 2000, which has been further interpreted by the case law from the Department of Administrative Law of the Council of State. According to the Act, facts and circumstances occurring after the challenged decision can be taken into consideration by the courts in assessing the appeal, but, according to the case law, only if they meet the requirements imposed by the DAL on these 'new facts and circumstances'. This ex-nunc test was introduced to prevent second and subsequent asylum applications lodged as a result of facts and circumstances occurring after the decision. Considering the limitations imposed by the Act and case law on ex-nunc testing, this test is only applied in a limited number of cases in practice, according to the judges who responded.

#### **Higher-level appeal**

In contrast to the former Aliens Act, the Aliens Act 2000 makes it possible to lodge a higher appeal in asylum cases. Because large numbers of appeal cases were expected, the Aliens Act 2000 set out a limited form of higher-level appeal. The Department of Administrative Law of the Council of State hears the appeals, making frequent use of the facility offered by the Act to issue abbreviated pronouncements and to dispose of cases in camera. Although this was not stipulated in the Aliens Act 2000, the DAL demands a marginal test by the courts of the assessment by the IND of the credibility of the facts presented by the asylum seeker.

The government expected the higher-level appeal to make a contribution towards unity of the law, legal development and the safeguarding of legal rights. Unity of law - and, to a lesser extent, legal development - has indeed been promoted by the case law, according to those involved. All of the responding professional groups, however, warn that the case law on the marginal test has led to a reduction of the safeguards of the individual asylum seeker's rights.

#### **Sequential status system with a standard provision package**

Another new mechanism in the Aliens Act 2000 is the so-called sequential status system with a standard provision package. This means that every asylum seeker who is accepted, is granted a temporary residence permit for a maximum of five years. Only after this period has expired, he or she may apply for a permanent residence permit. The level of provisions and rights is the same for every accepted asylum seeker, regardless of the specific grounds on which the residence permit is granted (refugee status or subsidiary protection). These new mechanisms were introduced to prevent proceedings from continuing once the asylum application had been granted. Because the DAL had quickly concluded that an asylum seeker had no interest in appealing a grant, proceedings against a grant became de facto impossible.

#### **Evaluation and criticisms from the field**

The new mechanisms under the Aliens Act 2000 are valued more highly by the responding staff of the Immigration and Naturalization Service (IND), IND Procedural Representatives, and State Advocate than by the lawyers from the Foundation for Legal Aid in the Asylum Process, lawyers and the staff at the Dutch Council for Refugees. The responding judges from the immigration chambers of the district courts most often take a neutral position or share the views of the latter. The pattern is not, however, as clear with all of the mechanisms and, even where this is the case, there are still 'dissidents'. There is a relatively widespread approval in the asylum field for the statutory basis, with clear legal consequences, of the repatriation moratorium and the place for new facts and circumstances in judicial assessment, with this also actually happening in practice (ex-nunc testing). Respondents from various organisations also approve of the increased legal unification and clarity resulting from the introduction of the higher-level appeal. The streamlining of

the procedure and the increased clarity of the wider-ranging decision are met with various reactions across the field.

Criticism of the new mechanisms in the 2000 Act comes primarily from the legal assistance providers and the Dutch Council for Refugees, but others are also occasionally critical. The criticism concerns the intention procedure (primarily in the Application Centres), the protracted uncertainty for asylum seekers during a repatriation moratorium and the reduction of opportunities to do anything for so-called 'harrowing cases' as a result of the wider-ranging decision. More widely held criticism in the field concerns the long-term uncertainty for asylum seekers who are affected by a decision moratorium, the restricted ex-nunc testing and the experience that the DAL's reasoning for its decisions is not always consistently argued. All groups also emphasise that the marginal test required from the courts by the DAL has led to reduced protection of rights for asylum seekers.

### **7.3 The quality of asylum decisions**

#### **7.3.1 Method**

This study (Kromhout, Olde Monnikhof, Kulu-Glasgow, Munk, & Beenackers, 2006) covers the extent to which two new statutory instruments in the Aliens Act 2000, the intention procedure and the individual extension to the decision period, affect the quality of asylum decisions. In this chapter we limit ourselves to the intention procedure.

As explained in section 2, the intention procedure means that in cases in which the IND intends to reject the asylum request, a so-called 'intention' to this effect is sent to the legal representative of the asylum seeker, who may submit a written response. The IND should then decide on the asylum request taking the written response into account. Such a procedure did not exist under the former Aliens Act, but in most cases asylum seekers had the opportunity to lodge an objection against the IND decision at first instance, after which the IND reached a second decision. According to the government, the intention procedure should yield decisions of better quality than the former decisions at first instance, and decisions 'as good as' the former decisions on objections, as facts that did not become apparent until the objection stage under the former Aliens Act should now already become apparent before the decision at first (and only) instance. To investigate this, we compared asylum decisions under the Aliens Act 2000 to both decisions at

first instance and decision on an objection under the former Aliens Act (as amended in 1994). In addition, we compared the intention procedure within the AC procedure to the one within the normal asylum procedure under the Aliens Act 2000.

The most important method that was used for the investigation was case-file analysis based on asylum case files held by the IND. The investigation into the intention and objection procedures covered 201 case files compiled under the Aliens Act 2000 (101 AC-procedure related; 100 normal-procedure related) and 147 case files compiled under the Aliens Act 1994 (71 AC-procedure related; 76 normal-procedure related). Only cases completed under the Aliens Act 2000 were included in which the IND issued an intention to reject the asylum claim and took a decision no later than the middle of 2003. These were compared to cases completed under the Aliens Act 1994 that concern an asylum request submitted on or after 1 January 1998, contain a rejection on all grounds by the IND at the first instance and a decision on an objection issued before 1 April 2001. When selecting case files that were compiled under both laws, the distribution of nationalities as a proxy to the reasons for the asylum request has been made comparable as much as possible.

The files were analysed on the basis of various checklists, including questions with pre-printed answer categories that could be ticked ('quantitative scoring') as well as a number of descriptive questions ('qualitative questions'). Any interactions, activities and considerations not recorded in the case files were not taken into account. During analysis of decisions under the new and former Aliens Acts a distinction was made between *procedural quality* and *content-related quality*. The term *procedural quality* was used as a measure of whether the (procedural) requirements laid down by law and subordinate legislation were met. In addition to this, research was carried out as to whether foreign nationals used the (legal) possibilities to supply information. The term *content-related quality* was used to indicate the way in which the position of the asylum seeker was dealt with (in the intention and/or decision). The conclusions relating to the content-related quality of rejections were partly based on a limited number of files with more elaborate descriptions (14 AC rejections under the Aliens Act 2000, 14 rejections in the normal procedure under the Aliens Act 2000 and 14 rejections following an objection under the Aliens Act 1994).

### **7.3.2 Results**

In the research report findings are presented on the first stage of the asylum procedure as well as the stage in which the intention is issued and decisions are taken. In this chapter we will limit ourselves to the latter.

#### **Aliens Act 2000: intention in normal procedure versus AC procedure**

As part of the intention procedure under the Aliens Act 2000, the IND sends a draft rejection (the 'intention') to the legal representative of the asylum seeker in cases in which the IND intends to reject the asylum request. We found that in the normal procedure, the intention consists of a line of reasoning that partly applies to the individual, which usually starts by arguing the absence of (original) documents relating to identity, nationality, travel route and/or background of the asylum request. This is often accompanied by the objection that the reasons given for asylum were insufficient or contradictory. After this, the reasons are given why the residence permit is not granted on the basis of the relevant articles of the Aliens Act. Here, terms such as 'unreliable', 'implausible' and 'not sufficiently important' are used. In the AC procedure, on the other hand, a so-called intention form is used on which, among other things, the above terms are pre-printed. These may then be ticked by the IND official. The IND may provide a further explanation on the form, but does not always do this. This sometimes causes confusion as to what exactly the objections are against the asylum seeker. In cases where an explanation *is* given, the reasons provided have a lot in common with the line of reasoning used in the normal procedure. For both procedures, 'unreliability' as a result of the absence of documents relating to identity, nationality, travel route and/or background of the asylum request, and the provision of unsatisfactory reasons with regard to these matters is never used as the only reason for rejection: it is always used in combination with other reasons.

#### **The intention under the Aliens Act 2000 versus the decision at first instance under the Aliens Act 1994 (normal procedure)**

In both the intentions to reject under the Aliens Act 2000 and the decisions at first instance by the IND under the Aliens Act 1994 (normal procedure) the intention or decision is justified by using a combination of standard sentences and individualised reasons that cover the specific aspects of the background to the asylum request, whereby the latter is used more often to justify a rejection of a request for asylum as a refugee. The absence of any (original) documents relating to identity, nationality, travel route and/or background of

the asylum request in the normal procedure is argued much less frequently under the Aliens Act 1994 than under the Aliens Act 2000. Our qualitative analyses also show that, under both laws, the fact that an asylum seeker is unable to provide extensive or detailed statements with regard to his or her journey or his or her region of origin or ethnic group is often used as an objection. Similar to asylum requests submitted under the Aliens Act 2000, asylum requests submitted under the Aliens Act 1994 are, however, not only rejected on the basis of this circumstance. The other types of reasons that the IND uses for the intention in the normal asylum procedure under the Aliens Act 2000 and the decision at first instance under the Aliens Act 1994 are also largely the same. Some differences in the phraseology of the reasons for rejection are related to amendments to the text of the law.

#### **The response of the asylum seeker to the intention and the decision at first instance**

Under the Aliens Act 2000 a written response is not always submitted after an intention to reject has been issued: in a quarter of the files investigated that were completed in the normal asylum procedure under the Aliens Act 2000 no written response was submitted; for AC-related cases, no written response was submitted in more than half of the cases investigated. If a written response *was* submitted, the legal representatives responded to a variable selection of the arguments stated in the intention (for the normal procedure) or in the intention form (for the AC procedure). In both procedures, the statements in the written response often concern both information that was already available, but that, according to the legal representatives, should be interpreted or weighed in a different manner than the IND has done and additional information or an explanation relating to certain aspects of the refugee's story. This often includes an explanation of why certain documents are missing. This is followed by an explanation of varying length as to why the conclusions of the IND are incorrect according to the legal representative or the asylum seeker.

Under the Aliens Act 1994, the objections lodged by the legal representatives against rejections at first instance show many similarities to the written responses under the Aliens Act 2000. They state that certain arguments used by the IND are not sustainable and present a combination of information provided earlier that should be interpreted or weighed differently, and supplementary information or an additional explanation relating to certain aspects of the refugee's story. Because the argument as regards the absence of documents relating to identity, nationality, travel route and/or asylum

story is clearly used more often against an asylum seeker in our selection of cases under the Aliens Act 2000 than in the cases under the Aliens Act 1994, more reactions are found in the written responses to these arguments under the Aliens Act 2000 than in the grounds for objection under the Aliens Act 1994.

### **Quality of the asylum decision under the Aliens Act 2000: normal versus AC procedure**

The qualitative case descriptions show that, for most of the rejections that follow the written response in the normal procedure, the intention is considered to be repeated and inserted in the decision and/or most of the intention is repeated. In the other decisions, no explicit referral to the intention is provided and the decision is merely a response to the written response, whereby the intention is basically upheld. A rejection in AC cases roughly constitutes a repetition of the intention in the same or other, and sometimes more elaborate, terms.

In the normal procedure, the decision covers more reasons given in the written response: more than three quarters of the decisions with a qualitative description respond to (almost) all the statements in the written response, the others respond to part of them. In the AC procedure, half of the decisions cover most of the statements of the legal representatives, the other half only cover part of them. It must also be noted that the response of the IND to the written response is more elaborate for cases that follow the normal procedure than for cases that follow the AC procedure. The quantitative analyses show that in both procedures a combination of individual and standard arguments is mainly used when a request for asylum as a Convention refugee is rejected, whilst standard phraseology is generally used when an asylum request on other grounds is rejected. Both for the asylum decisions studied qualitatively that follow the normal procedure and those that follow the AC procedure, it appears that the IND argues that the asylum seeker's story is still not considered to be plausible or reliable, and that the explanations and the general information from external sources provided is insufficient. The conclusion of these rejections is always the fact that the IND has not been convinced by the reasons, statements and explanation given by the legal representatives, which, sometimes, are also rather brief. Only in highly exceptional cases does the IND withdraw a reason, and this is done without any changes to the conclusion.

The above shows that the response to the written response is more elaborate for cases that follow the normal procedure than for cases that follow the AC

procedure. The content-related quality of the rejection in the normal asylum procedure under the Aliens Act 2000 is therefore greater than in the AC procedure under the Aliens Act 2000.

**Quality of the asylum decision under the Aliens Act 2000 versus the decision at first instance under the Aliens Act 1994**

In cases in which no written response was submitted it is obvious that the intention procedure did not lead to the written response of the asylum seeker being used for the decision and could not contribute to a better quality of asylum decisions. When a written response was submitted, the IND did react to the written response in all cases, even though this was sometimes done using standard phraseology. According to our definition this means that the content-related quality of a rejection under the Aliens Act 2000 is greater than that of a rejection at first instance under the Aliens Act 1994 if a written response has been submitted.

**Quality of the asylum decision under the Aliens Act 2000 versus the decision on an objection under the Aliens Act 1994 (normal procedure)**

Parallel to the situation under the Aliens Act 2000, the decision on an objection in the normal procedure under the Aliens Act 1994 can be considered to be a repetition of the decision at first instance, supplemented by a response to part of the grounds for objection. The following aspects emerged from the files with a qualitative description. A response to (almost) all the statements in the written response is provided in more than three quarters of the decisions in the normal procedure under the Aliens Act 2000, the others only respond to part of them. Under the Aliens Act 1994, the decisions of the IND include a response to part of the grounds for objection, but they hardly ever cover them all. The content of the IND responses under the Aliens Act 1994 is similar to that under the Aliens Act 2000 (see above). As, under the Aliens Act 2000, the rejections by the IND respond to a larger part of the statements of the asylum seeker than the decisions on an objection under the Aliens Act 1994 the content-related quality of a decision under the Aliens Act 2000 is greater than that of a decision on an objection under the Aliens Act 1994. However, cases under the Aliens Act 1994 in which a hearing has taken place as part of the objection procedure were not included in our study.

The chances of a change to the intended or first decision (rejection) respectively after a written report has or the grounds for objection have been



submitted is more or less the same for the entire group of cases (about 25% for cases completed in the normal asylum procedure; about 15 % for all cases completed in de AC- and normal procedure taken together).

## **7.4 The duration of asylum procedures**

### **7.4.1 Method**

One of the main aims of the third study (Wilkinson, Blom, Jongebreur-Telgen, & Karssen, 2006) was to investigate the duration of an individual asylum procedure under the Aliens Act 2000 and the factors affecting this. These factors include, among other things, the developments in employee numbers (the capacity) and the stock levels of cases to be dealt with for the organisations in the immigration process.

The research looked at both the asylum procedures and the procedures for appeals against a negative decision. The research made use of electronic data files that were provided by the IND, the national staff bureau for the immigration chamber of the district courts and the Department of Administrative Law of the Council of State. Files with data on individual asylum requests formed the basis for the research. The individual files were linked together using a unique identification number for the asylum seeker, so that it was possible to follow the asylum seeker throughout the entire asylum process. The research is concerned with the duration of procedures under the new Act during the period from the introduction of the Act on the 1st of April 2001 until the 30th of June 2004. The research population is made up of all asylum seekers who submitted a request for asylum during this research period.

### **7.4.2 Results**

#### **Capacity and case stock levels for the organisations in the immigration process**

The number of new asylum cases (in both the AC and normal procedures) for the IND fell in the period 2001-2004 as a result of the reduction in the number of new asylum seekers entering the Netherlands. At the same time the number of FTEs for asylum cases remained stable in 2001 and 2002. In combination with the falling number of new cases, this made a sharp decrease in case stock levels possible. From 2003 production rates were

reduced, so that the case stock levels began to rise again slightly. It is important to note that during the research period the IND employees had to deal not only with cases under the Aliens Act 2000 but also with cases of objection which fell under the previous Aliens Act.

When the Aliens Act 2000 was introduced, an agreement was made about the allocation of production capacity in the immigration chambers at the district courts. The AC appeal cases and detention cases would receive priority. The result of this agreement was that developments in the number of AC appeal cases and detention cases had a big effect on the available capacity and on the case stock levels for the remaining products. The number of detention cases in particular was higher than had been foreseen. Partly as a result of this, the handling of 'new Act' asylum appeal cases did not keep level with the supply of new cases, and stock levels rose. This was despite the fact that the research period saw an increase in the capacity in the district courts for immigration cases and in the number of trial locations; as of April 2003, all nineteen district courts had a chamber for immigration cases.

The new Act introduced the option of a high court appeal in asylum cases at the Department of Administrative Law of the Council of State. The supply of new asylum cases of all categories for the DAL in 2001 and 2002 was low and did not reach the levels that had been expected according to the immigration chain predictions. However, in 2003 the total number of new asylum cases was much higher than expected. Partly in reaction to the increase in the number of cases, the DAL expanded the capacity for asylum cases.

### **Procedures and durations**

#### **Characteristics and durations for the entire asylum process**

In total 53,622 asylum seekers requested asylum in the Netherlands in the period between the 1st of April 2001 and the 30th of June 2004. The vast majority of these asylum seekers (46,134 asylum seekers) first entered the AC-procedure. Three quarters of the asylum seekers (40,297 asylum seekers) entered the normal procedure, either directly or via the AC-procedure (see section 1).

The analysis results for the total duration from the submission of a request for asylum to the date on which the asylum seeker no longer takes part in the asylum process show huge variations in durations. The process lasted 23 days or less for a quarter of all asylum seekers; however, a further quarter of all asylum seekers had an asylum process with durations of 389 days (nearly thirteen months) or more. This variation was largely caused by the big

differences in durations for the different routes (combinations of process steps). Routes only involving process steps in the AC procedure had short durations whereas routes in the normal asylum procedure involving the process steps 'asylum decision' and 'asylum appeal' took much longer.

### Characteristics and durations in the AC procedure

The asylum request for 32% of the asylum seekers that entered the AC-procedure was rejected in the Application Centre<sup>33</sup> and 66% of the asylum seekers were transferred to the normal asylum procedure. The remaining 2% withdrew their request or were given a 'Dublin decision' (the asylum seeker entered the Netherlands via another EU country and is therefore required to submit his request for asylum in that other country). More than half of the asylum seekers whose request was rejected in the AC procedure filed an appeal. Less than 2% of all asylum seekers who followed the AC procedure filed a high court appeal with the DAL.

Table 1 gives an overview of the durations in the AC-procedures under the Aliens Act 2000<sup>34</sup>, the statutory limits for each process step and the percentage of cases which exceeded these limits. During the research period the duration of the rejections in the AC-procedure exceeded the limit of 48 *registered* process hours in 16% of all asylum requests. In all probability, these are cases where the clock was temporarily stopped, for example because the asylum seeker was sick, with the actual number of process hours still being less than 48 hours. The temporary stopping of the clock is not registered in the IND computer system. The median duration for high court appeals at the DAL almost never exceeded the statutory period for judgements by the DAL. The target period for AC cases however was only met in 45% of all cases. The duration for high court appeals was not constant; the duration in 2003 was longer than in 2002 and in 2004, possibly as a result of the big increase in new cases and resulting capacity problems in that year.

**Table 7.1 Overview of the durations of cases rejected in the AC-procedure under the Aliens Act 2000**

Process step	Duration	Statutory period (% cases which exceeded the statutory period)
AC rejection	Median duration: 39 registered process hours	48 process hours (% exceeding limit cannot be determined)
AC appeal	Median duration: 19 days = nearly 3 weeks	Not applicable
AC high court appeal	Median duration: 38 days = nearly 5.5 weeks	161 days = 23 weeks (1%) Target period: 35 days = 5 weeks (55%)

<sup>33</sup> During the research period only rejections or referrals to the normal asylum procedure were possible in the AC-procedure.

<sup>34</sup> The statistical median is used as the measure for the average duration. The median duration is the duration for which the following applies: half of the cases have a shorter duration and half of the cases have a longer duration.

### **Characteristics and durations in the normal asylum procedure**

The statutory period of six months for the process step 'asylum decision' can be extended by six months in the eventuality of further investigation by a third party or by a year if there is a decision moratorium (see section 2.2). Further investigation by a third party was carried out for 18% of all asylum seekers. According to the registration system, 9% of the asylum seekers fell under one of the four decision moratoria which applied during the research period. Because of shortcomings in the registration of decision moratoria, the true number of asylum seekers falling under a decision moratorium is almost certainly considerably higher.

The asylum request resulted in a rejection in 69% of the cases in the process step 'asylum decision'. A residence permit was given for 15% of the asylum requests. In 4% of the cases, the asylum seeker withdrew his request and in 12% of all cases the process step was completed for other reasons (such as departure of the asylum seeker for an unknown destination or the death of the asylum seeker).

In total 45% of all 40,297 asylum seekers in the normal asylum procedure filed an appeal. About 4% filed a high court appeal with the DAL.

Table 2 shows the durations of cases assessed in the normal procedures under the Aliens Act 2000, the statutory limits for each process step and the percentage of cases which exceeded these limits.

The proportion of asylum requests without further investigation or a decision moratorium where the duration exceeded the statutory period of six months was 34%. This percentage was not stable but fell up until 2003 and rose thereafter. This development seems to be related to trends in the available production capacity of the IND. The IND's handling time norm for dealing with asylum requests in the process step 'asylum decision' is 18 work hours. There is a considerable gap between the handling time and the duration. As well as the handling time, the duration consists of statutory waiting time (for example, the time allowed for the asylum seeker to formulate a view on the proposed decision) and of logistical waiting time.

The median duration for completed appeal cases in the normal asylum procedure was more than one year, but there are no statutory periods for appeal cases in the district courts. The median duration of a completed high court appeal case showed a sharp increase in 2003, from 28 days to 52 days. This increase can be explained by the developments in that year in capacity and case stock levels. The statutory period of 23 weeks was virtually never exceeded.

**Table 7.2 Overview of the durations of cases assessed in the normal procedure under the Aliens Act 2000**

Process step	Duration	Statutory period (% cases which exceeded the statutory period)
Decision in normal procedure	Median duration: without further investigation or decision moratorium: 137 days = 4.5 months with further investigation: 262 days = nearly 9 months with decision moratorium: 419 days = 14 months	Statutory periods: standard: 183 days = 6 months (34%) with further investigation: 365 days = 1 year (31%) with decision moratorium: 548 days = 1.5 year (not enough data to calculate % exceeding limit)
Asylum appeal	Median duration: 415 days = 14 months	Not applicable
Asylum high court appeal	Median duration: 51 days = nearly 2 months	161 days = 23 weeks (0%)

## 7.5 Concluding observations

One of the main aims of the new Aliens Act was to reduce the time it takes to complete the asylum process. However, during the research period the statutory periods were regularly exceeded in the normal asylum procedure. The durations in the normal asylum procedure are considerably longer than the handling times and seem largely to consist of waiting time. Although there is some statutorily defined waiting time, a main cause is logistical waiting time as a result of the high case stock levels, the operational organisation and the fact that IND employees also have other tasks (for example the objection cases under the former Aliens Act). It is most likely that the long durations for appeal cases – for which no information on handling times was available – have similar causes.

Throughout the research period, one clear problem has been matching capacity to the influx of new cases and to existing case stock levels. Two causes of this problem can be identified.

First, there was insufficient insight into how the immigration chain functioned as a whole, both prior to and during implementation, and developments at the other immigration organisations were not anticipated or acted on in time. Secondly, the chain for asylum cases under the Aliens Act 2000 does not operate in isolation from the other parts of the immigration chain. The developments in the influx of regular cases, detention cases and cases which fell under the former Aliens Act and the priority which was given to these cases, all had an effect on the available capacity. On the basis of these conclusions the researchers make a number of recommendations with the intention of improving insight into the functioning of the Act and of facilitating the matching of capacity to numbers of new cases and case stock levels (see Wilkinson, Blom, Jongebreur-Telgen, & Karssen, 2006).

## 7.6 Recommendations of the Commission

On the basis of the studies that were partly described in this chapter, the Commission for the Evaluation of the Aliens Act 2000 made several recommendations to the Minister for Immigration and Integration, including recommendations to take measures to reduce the length of the normal asylum procedure and ensure a good quality of asylum decisions in the AC-procedure (Commissie Evaluatie Vreemdelingenwet 2000, 2006). In reaction to these recommendations, the Minister for Immigration and Integration has sent a number of proposals to the Lower House of Parliament, including proposals to change the sequence of a number of process steps in the asylum procedure (Tweede Kamer 2006-2007, 30 846, nr. 1). These proposals will be discussed in parliament after the elections of November 2006.

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