

# Summary

## **Return migration policy for rejected asylum seekers. Evaluation of the return migration policy '99 and the return migration policy under the Aliens Act 2000**

In this document we describe the results of the project 'evaluation of the return migration policy '99 and the return migration policy under the Aliens Act 2000'. The results only concern rejected asylum seekers.

Prior research has shown that it is not possible to draw reliable and valid conclusions about the causal relationship between the return migration policy '99 and changes in the willingness of asylum seekers to return voluntarily to their home country. Because a quantitative evaluation of the return migration policy in terms of voluntarily or independent return is not possible, the Research and Documentation Centre of the Dutch Ministry of Justice requested a qualitative evaluation. In this qualitative evaluation we asked experts for their subjective judgment about the execution and results of the return migration policy, based on their expertise in the field.

The main goal of this project is to investigate how experts judge the execution and results of the return migration policy '99 concerning rejected asylum seekers and the development and changes in the way it is being executed as well as the results since the introduction of the Aliens Act 2000.

Through a short analysis of documents we summarized the goals and instruments of the return migration policy as well as the return process and the organization of the execution. After that we held two expert meetings in which experts were asked to judge certain aspects of the return migration policy. During the first meeting we asked which instruments contribute to achieving the goals that are set for the return migration policy. During the second meeting we asked experts for their opinions about the execution of the return migration policy. To verify the results we conducted a select number of interviews.

The main goal of the return migration policy 1999 and the return migration policy since the introduction of the Aliens Act 2000 is to promote the (voluntary) return of asylum seekers who do not have the right to stay in the Netherlands (any more). Based on the expert meetings and the interviews, we concluded that the return migration policy actually aims at (voluntary) leave of the Netherlands, instead of (voluntary) return to the home country.

The goals of most of the policy instruments that are used are to stimulate the cooperation of the rejected asylum seeker and to influence his/her personal choice to leave the Netherlands or to remain. A distinction can be made between positive and negative instruments. Positive instruments intend to increase as much as possible the attractiveness for asylum seekers of leaving

the Netherlands. Negative instruments intend to decrease as much as possible the attractiveness of staying in the Netherlands.

There is no registration of voluntary leave of the Netherlands, which means there is no indication of the number of rejected asylum seekers that leave the Netherlands as a result of the return migration policy. We found that the experts assume that the choice to return to the *home country* depends for a major part on the perception of the asylum seeker of the (safety) situation in the home country. Experts say it is hardly possible to influence this perception. Secondly, the choice to leave (or not) depends on the level of integration of the rejected asylum seeker. Thirdly, for a minor part the choice depends on the perception of the asylum seeker of his/her future in the Netherlands.

Experts say the third perception can be influenced. According to the experts, a rejected asylum seeker will leave the Netherlands sooner when he/she does not see any chance of building a future in the Netherlands. This perspective is, above all, influenced by (the effects of) the negative instruments. However, the experts cannot support this opinion by numbers, facts or their own experience.

According to most experts, rejected asylum seekers too often do see chances to remain in the Netherlands, for example because the asylum procedure is not yet transparent and short. Furthermore, negative instruments are only partly put into practice because of a lack of commitment for their execution in the society, as well as among the organizations that contribute to the execution and interest groups. Positive instruments marginally influence the choice of the asylum seeker to leave or not. These instruments particularly support the asylum seekers who have already decided to return.

While the experts give a positive judgment about the operational organization of the return process, they also state that improvement of the return process as a whole and of the fit between the policy and operational level is needed. They are especially pleased with the cooperation and collaboration at the regional and local level. Since the deployment of the return migration policy the executive organizations are more aware of their interdependency.

Experts expect improvement in the quality of the data as a result of improvements in registration systems. However, quantitative evaluation of the return migration policy will still be impossible in the near future. Because the main goal implies independent and voluntary leave, there is no registration of the number and the destination of people that leave the Netherlands.