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MASS IMMIGRATIONS IN THE 21ST CENTURY CASE OF BELGIUM AND THE NETHERLANDS

Abstract. The uncontrolled wave of immigrants to the European Union countries, which reached its peak in 2015, challenged not only the well-established system of asylum policies in the Member States but also revealed the fundamental differences among them concerning the so-called “immigration issue”. The article focuses on the mechanisms and institutions which evolved during the different waves of immigrants in Belgium and the Netherlands. It also looks for an answer to the question: is mass immigration to Europe a threat or an opportunity? Depending on one’s attitude to the topic, the answer may be positive or negative.

Key words: immigration, refugees, integration, minors, Belgium, the Netherlands.

1. INTRODUCTION

National debates about immigration crisis in 2015 were amplified by the tragedy at border crossings of all EU Members States. They were particularly strong in new Members States, which were surprised by the unexpected change of their roles. For many decades their populations had been diminishing due to large-scale domestic emigration to a richer neighbour. Suddenly, after the fall of communism, the prosperity brought by the single European market and their accession the EU changed the perception of the standards of living among poorer nations. As long as the immigrants from Asia, Arab states and Africa came in small numbers, even East European states seemed to cope with the problem. A crisis came in 2015. Masses of immigrants stormed the borders in the heart of the EU. The attitude of public opinion towards immigrants changed rapidly, even in countries with long histories of multicultural societies. The defensive measures undertaken by the states which had to physically protect their borders spread panic among the rest

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of Member States and fuelled extreme right anti-immigrant parties, which were on the verge of electoral win in the Netherlands, France and even Germany. After all, these countries were the final destinations of the mass immigration. Much has been written about the solutions to this problem by EU politicians and EU structures. Although the main goal of immigrants seems to be controlled, there is still a major divide among the EU states about further procedures concerning the relocation of immigrants, even those “processed”, with formal grounds for asylum in an EU country.

The famous slogan of chancellor Angela Merkel “Wir schaffen das” (We can do it!)¹ focused world public opinion on the German case. The most desired destinations were, however, Member States with long colonial tradition (the United Kingdom and France), and Benelux countries, i.e. the Netherlands and Belgium. It might be worthwhile to learn from their experiences. I will analyse the mechanisms of the successes, or failures, of their policies and institutions which evolved during the different waves of immigrants.

2. THE BELGIAN EXPERIENCE

2.1. Legacy of economic prosperity

Migration to Belgium was triggered by the industrial revolution and the rapid development of its coal industry. In Limburg, the heart of coal mining, the demand for manpower caused an influx of emigrants from Prussia and Silesia which begun already at the end of the 19th century. After the First World War many coal mine workers came also from Poland (Wojciechowski, 2000). After the Second World War, Belgium’s economy needed even more hands to work in mining and in the dynamically developing heavy industry. Belgium started recruiting young people from Italy, Spain, Portugal and Yugoslavia. The attitude of the local population towards immigrants in this period was positive. Those “Gastarbeiters” (guest workers) were building Belgium’s prosperity. After the withdrawal of the Belgian government from the system of the state-to-state negotiated contracts, they were soon replaced by workers from Turkey and Morocco. A characteristic feature of this emigration was its periodicity resulting from concluded employment con-

¹ “We can do it!” was a statement made by the German Chancellor Angela Merkel at the Federal Press Conference on 31 August 2015 in view of the refugee crisis in Europe from 2015 and the admission of refugees in Germany and since then in the media and in the political debate it has found far-reaching repercussions. It is considered the core slogan or soundbite of the “new welcome culture”. She repeated the later often criticised sentence several times, including at the CDU Federal Party Congress on 14 December 2015. There is a webpage dedicated to this famous citation. https://de.wikipedia.org/wiki/Wir_schaffen_das [accessed on: 11.09.2019].

tracts, without the possibility of family reunification. After the collapse of the industrial boom in 1973–1974 due to the first world oil crisis, many heavy industry plants were temporarily shut down and huge groups of immigrants lost their jobs. Belgium and the neighbouring countries have decided to stop issuing visas to prevent unwanted economic immigration. Some of the “guest workers” returned to their respective countries but many remained in Belgium on the ground of the liberalised right to family reunification.

The next wave of immigrants occurred in 1986 and entailed the arrival of mostly refugees from the war zones in Iraq-Iran and Ethiopia-Eritrea, and Eastern Europe. At that time, the Belgian government decided to create collective refugee reception points (Dutch: *collectief opvangplaatsen*, French: *lieux d'accueil collectif*) and to establish the Belgian Commissioner General for Refugees and Stateless Persons², which was the result of many years of pressure from social welfare institutions and NGOs.³ The next wave of immigrants occurred after the fall of the Berlin Wall and after the outbreak of the Yugoslav Wars.

On 1 September 1997, the Dublin Convention went into force, signed also by Belgium and the Netherlands. It laid down rules for the examination of an asylum application by EU Member States (eur-lex.europa 1).

From 2000 a new wave of asylum applications came mainly from refugees from Kosovo, Afghanistan, Burundi, Sudan, Angola, Bosnia-Herzegovina, Somalia and the Ivory Coast. They were victims of fratricidal wars, genocide and conflicts caused by economic interests (raw materials, geostrategic interests, etc.)

In 2007, the Act on Emigration was changed and as a result refugees were directed to centres where they must stay for up to four months, that is, until the end of the asylum application procedure. Financial support for asylum seekers covered by social welfare organisations was suspended to remove the “attractiveness” of the previous asylum application procedure for those who made a way of life out of it at the expense of the Belgian government.⁴

Emigrants from Africa choosing Belgium as a place of asylum are basically French-speaking and while living in Brussels, they reinforce the influence of this language in the capital of Flanders (de Vries *et al.*, 1994, pp. 223–226). This multicultural character of the city is a card in political games and is played by French-speaking parties (Witte and Meynen, 2006, p. 181).

Emigration from two Belgian colonies, Congo and Rwanda-Burundi constitutes a separate chapter. At the end of the 1950s, around 100,000 Belgians lived in Congo (Orzechowski, 2011, p. 104). The beginning of migration to Belgium

² <http://www.refworld.org/publisher/CGVSCGRA.html> [accessed on: 11.09.2019].

³ <http://www.dewereldmorgen.be/blogs/smarels/2011/11/13/het-asielbeleid-viert-25-jaar-opvang-crisis-60-jaar-vluchtelingenconventie> [accessed on: 11.09.2019].

⁴ <https://www.migrationpolicy.org/article/belgium-country-permanent-immigration/> [accessed on: 11.09.2019].

occurred in the following decades (Vanthemsche, 2006, p. 511). At the beginning those who migrated were students, businessmen and diplomats. Between 1960 and 1980, because of aspirations for independence and internal struggles, the second big wave of emigration from Africa occurred. Initially, they intended to remain in the country temporarily, but after this period many Congolese decided to settle in Belgium. It was Belgium's third wave of emigration („Knack.be”, 2016). Congolese, citizens of Rwanda and Burundi in Belgium⁵ initially preferred Brussels as their place of stay; currently the number of Congolese people is spreading equally between Flanders and Wallonia, although the most still remain in the capital city.

“Finally, it is important to note that Belgium is a country of two linguistic and political realities. This has become increasingly conflictual over the last decade, partly demonstrated through the continuous rise of the political right in Flanders. This dynamic has been largely absent in Wallonia. Migration policies seem not to have been directly affected by this tension. However, increased politicisation of migration coupled with the inevitable need to consistently reform the migration policy is pushing policymakers to develop more long-term policies for the future,” Petrovic summarised migration policy of Belgium (Orzechowski, 2011, p. 104) The decision-making structure in Belgium makes the solving of crises extremely difficult.

The Kingdom of Belgium is a federal state and consists of three regions, three communities and four language regions.⁶ Six parliaments were established, six governments with an extensive administrative apparatus combining extreme decentralisation with strong centralisation. The Kingdom of Belgium has a population of 11,322,088. Flanders, with a population of 6,516,011, Wallonia with a population of 3,614,473 and Brussels Capital Region with population of 1,191,604, the German-speaking Community with a population of approx. 77,000. Statistical data may fluctuate, but the basic population proportions do not change. Over two-thirds of the inhabitants of the Kingdom of Belgium are Flemish speakers who speak Dutch.

2.2. Belgian asylum institutions and procedures

In the Kingdom of Belgium, the following three instances are established for the conduct of asylum procedures:

⁵ <http://soc.kuleuven.be/arc/afrikaverteld/?q=afrikanen-vlaanderen> [access: 11.09.2019].

⁶ In the process of six state reforms, there were created three autonomous regions of Belgium: Brussels Capital Region (Dutch: *Brussels Hoofdstedelijk Gewest*, French: *La Région de Bruxelles-Capitale*), Flanders (*Vlaams Gewest*), and Wallonia (la Région wallonne), and three communities (based on culture and language): French (*La Communauté française de Belgique*, from 2011 *Fédération Wallonie-Bruxelles*), Flemish (*Vlaamse Gemeenschap*), German-speaking (*Deutschsprachigen Gemeinschaft*), as well as four language regions: the French-speaking region (Walloon language), the Dutch-speaking region (Flemish), the bilingual region of Brussels, and the German-speaking Community.

– Alien’s Department of the FPS Foreign Affairs (also the Aliens Office, Immigration Office) (*Dienst Vreemdelingenzaken, DVZ, Direction générale Office des étrangers, DGOE*),

– Commissioner General for Refugees and Stateless Persons (*Commissariaat-generaal voor de Vluchtelingen en de Staatlozen, CGVS, Commissariat général aux réfugiés et aux apatrides, Le CGRA*), and

– The Council for Alien Law Litigation (*CALL (Raad voor Vreemdelingenbetwistingen, RvV, Conseil du Contentieux des Etrangers, CCE)*).

The final instance is the Council of State (*Raad van State, RvS, Conseil d’État, CE*).⁷ Below, I include short descriptions of their tasks and responsibilities.

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Alien’s Department of the FPS Foreign Affairs (the Aliens Office) (DVZ, OEF) manages the immigration traffic in the territory of the Kingdom of Belgium, grants decisions on the right of entry of foreigners into the state and regulates the matters of residence and settlement.⁸ The current emigration procedure came into force on 1 June 2007. On its basis, any foreigner may apply to the DVZ / OEF office in Brussels, at an airport or at a border crossing.⁹

After registration, the applicant can apply directly to Fedasil (Federal Agency for the Reception of Asylum Seekers)¹⁰, for be directed to the place of the asylum seeker’s centre, and for material, social and legal assistance and for medical care.

Commissioner General for Refugees and Stateless Persons (CGVS, Le CGRA)¹¹ is an independent federal structure which ensures protection for people who have entered the Kingdom of Belgium and are afraid of returning to their country of origin for fear of persecution or other serious consequences (imprisonment, death, etc.) The Commissioner General determines whether an applicant is entitled to be granted a refugee status. If the category does not apply to them, the Commissioner General considers whether the person qualifies for subsidiary protection introduced in 2006. In accordance with Belgian, European and international standards, “CVGS examines each application for international protection individually, objectively and impartially.”¹²

Anyone who meets the following criteria can apply for a refugee status: they have well-founded fears of persecution based on race, religion, member-

⁷ http://diplomatie.belgium.be/nl/Beleid/beleidsthemas/naar_een_mondiale_en_solidaire_samenleving/asiel_en_migratie/asiel/ [accessed on: 11.09.2019].

⁸ <https://dofi.ibz.be/sites/dvzoe/index.html> [accessed on: 11.09.2019].

⁹ <http://fedasil.be/nl/inhoud/asiel-belgie> [accessed on: 11.09.2019].

¹⁰ Dutch: *Federaal agentschap voor de opvang van asielzoekers*, French: *L’Agence fédérale pour l’accueil des demandeurs d’asile* (Fedasil).

¹¹ <http://www.refworld.org/publisher/CGVSCGRA.html> [accessed on: 11.09.2019].

¹² <http://www.cgvs.be/nl/over-cgvs> [accessed on: 11.09.2019].

ship to a social group, political views or national affiliation; they are located outside the country of origin; they will not receive protection in their country of origin.

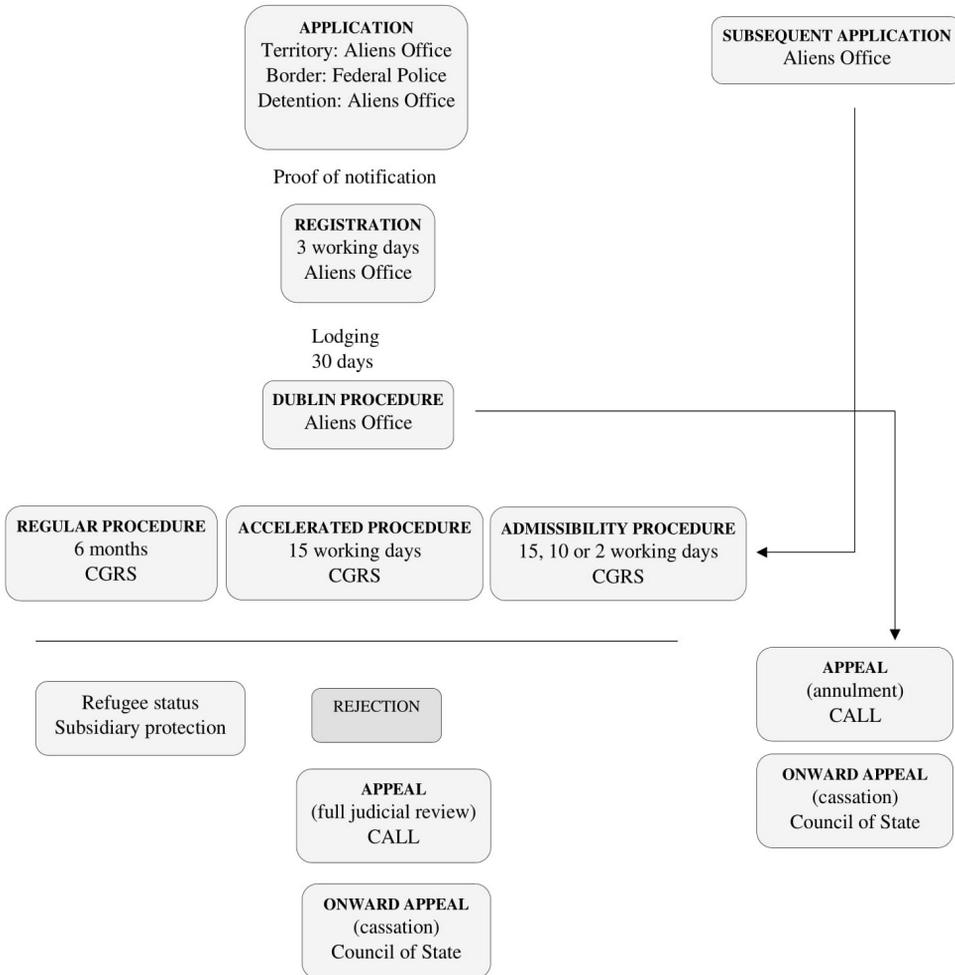


Fig. 1. Asylum procedures in Belgium 2018

Source: Country Report: Belgium, 2018, p. 17, modified.

Some asylum seekers qualify for subsidiary protection when they are not refugees, they have serious grounds for fear that after returning to their country of origin they will face severe consequences (including death penalty) or a real risk, and when they do not want or cannot benefit from the protection of the country of origin. The concepts of “serious grounds” and “real risks” are based on the case

law of the European Court of Human Rights based on Article 3 of the European Convention on Human Rights and the case law of the Court of Justice of the European Union.¹³

The Council for Alien Law Litigation (RvV, CCE).¹⁴ Anyone applying for asylum, except for EU citizens, has the option to object to a CGVS decision. RvV is a legal structure that can validate or reject a CGVS decision, and RvV may therefore grant the right to international protection or refuse it. In addition, the RvV may annul the decision of the Commissioner General if irregularities exist. Appeals to the RvV must be submitted within 30 days of the delivery of a CGVS decision. The Minister may appeal a decision on the granting of a refugee status or subsidiary protection within the same deadline. RvV decisions can only be waived by the Council of State. The deadline for filing a cassation is 30 days from the delivery of an RvV decision.¹⁵

2.3. Belgian system in operation

For asylum seekers the Belgian state envisages spending free time in the form of workshops, courses, access to the library, sports, etc. Most centres also have internet cafes which allow them to keep in touch with friends or family in the country. This also applies to education. All minors in Belgium are subject to compulsory education, including children in the centres. Schools are selected in consultation with parents. First, however, children's language skills and level of education are tested. Then lessons are directed to regular classes.

Asylum seekers do not have access to the labour market for the first four months after submitting an asylum application, but they may use various types of courses or trainings (language courses, cooking classes, computer classes or sewing lessons).

Finally, the last element of the refugee program are civic activity projects created to facilitate integration with the inhabitants of a commune and the closest environment.¹⁶ According to statistical data, in 2017 in Belgium there lived representatives of over 180 nations.¹⁷

¹³ Vreemdelingenwet, <http://wetten.overheid.nl/BWBR0011823/2015-07-20>; [accessed on: 11.09.2019]; http://www.cgvs.be/sites/default/files/content/download/files/beoordeling_van_de_asiaaانvraag_20150512.pdf [accessed on: 11.09.2019].

¹⁴ <http://www.rvv-ccc.be/nl> [accessed on: 11.09.2019].

¹⁵ De Raad voor Vreemdelingenbetwistingen, http://diplomatie.belgium.be/nl/Beleid/beleidsthemas/naar_een_monddiale_en_solidaire_samenleving/asiel_en_migratie/asiel/ [accessed on: 11.09.2019].

¹⁶ <http://fedasil.be/nl/inhoud/opvang-asielzoekers-0> [accessed on: 11.09.2019].

¹⁷ The newcomers balance covers number of entrants in each year minus the number of outsiders in each year, Vreemdelingen, Belgwordingen en Nieuwkomerssaldo per nationaliteit 1999–2017, <http://www.npdata.be/BuG/371-Updates/index.html> [accessed on: 12.09.2019].

2.4. Resettlement

Resettlement to a third country (*Hervestiging, Réinstallation des réfugiés*) is a procedure that allows refugees to be moved from a country where they found refuge to a third country that has agreed to give them permanent residence rights.¹⁸ This is a solution for those who cannot return to their country of origin or cannot count on protection now or in the foreseeable future in the country of first asylum. This procedure is fully complementary to the Belgian asylum procedure.

Since 2009, Belgium has been regularly organising resettlement actions with UNHCR (UN Refugee Agency) and the European Union. The official webpage of Fedasil explains the role of UNHCR, which “identifies the refugees who meet the requirements for resettlement. It then selects refugees for Belgium according to the European priorities. Next, the CGRS (Office of the Commissioner General for Refugees and Stateless Persons) travels to the first receiving country for selection interviews with the refugees. Refugees are selected according to the criteria specified in the Geneva Convention.”¹⁹

Since 2013 Belgium has operated a structural resettlement program, which means that the country offers each year protection to a number of vulnerable refugees. In 2018 (until 17 April), 360 refugees arrived in Belgium in the frame of the resettlement program: 326 Syrians coming from Lebanon and 34 Congolese coming from Uganda.²⁰

2.5. Organisation of returns

The “Returns Directive” (*Terugkeerrichtlijn, la Directive Retour*)²¹ on common standards and procedures for returning illegally staying third-country nationals which entered into force on 16 December 2008 and amended by 24 December 2010. The new Belgian Law of 19 January 2012 (published on 17 February 2012) replaced the EU Return Directive, modifying the current legal framework on removal and detention, and putting more emphasis on voluntary departure. According to the new Law, “return procedure will in principle provide a period of 30 days (instead of 5 days) for voluntary departure. In some cases, a shorter period may be granted, or, in exceptional cases, this period can be less than 7 days. That is the case if there is, e.g. a risk of absconding if a person concerned did not respect a preventive measure or if there is a risk to public or national security. At a request and when necessary for the preparation of the voluntary departure, the period can

¹⁸ <https://www.fedasil.be/en/resettlement> [accessed on: 12.09.2019].

¹⁹ *Ibid.*

²⁰ <https://www.fedasil.be/en/resettlement> [accessed on: 12.09.2019].

²¹ http://www.ejustice.just.fgov.be/cgi/article_body.pl?language=nl&pub_date=2012-02-17&numa_c=2012000081&caller=summary [accessed on: 12.09.2019].

be extended. Return decisions shall be accompanied by an entry ban of 3 years if no period for voluntary departure has been granted, or if the obligation to return has not been complied with. In cases of fraud, the length of the entry ban can be up to 5 years.”²²

3. THE DUTCH EXPERIENCE

3.1. Colonial legacy

The experience of contemporary residents of the Kingdom of the Netherlands with immigrants overlaps with four centuries of colonial expansion of two organizational structures: the East India Company and the West India Company. The lands in the eastern hemisphere were colonised by the United East India Company established in 1602 (*Vereenigde Oostindische Compagnie*, VOC, 1602–1798). It was the world’s first stock company, which received a monopoly on trade with Asia from the States General (Parliament) of the Republic of the Seven United Netherlands.

The fate of the West Indian Company (*West-Indische Compagnie*, WIC, 1621–1792) was different. It was created later, and the area of its operation were both Americas and North Africa. After Napoleonic Wars the Versailles Treaty established the United Kingdom of the Netherlands with King Willem I (1815–1840) as a sovereign. Under one sceptre united were the Southern (Belgium) and Northern Netherlands (The Netherlands). After 1830 Belgian Revolution both parts went their own ways. Although the ongoing wars in Europe caused that the former Dutch overseas territories transitioned from hand to hand, the greatest successes and economic power were built by the Netherlands in the Indonesian Archipelagos.

During the First World War the Netherlands was occupied by Nazi Germany and Dutch East Indies by Japan. The remaining overseas territories were occupied by the English and Americans. When the war ended, some territories had other plans. Established in 1945, the Republic of Indonesia refused to return to the former metropolis and declared independence. Indonesia broke the Union, and in 1960 also diplomatic relations with the Kingdom of the Netherlands, nationalising property belonging to the citizens of that country.²³

A different history with the Netherlands was shared by the autonomous western-most island of the Leeward Antilles (*Benedenwindse Eilanden*) in the Carib-

²² <https://emnbelgium.be/news/new-law-transposing-return-directive> [accessed on: 11.09.2019].

²³ They were restored only in 1968. In 1970, Indonesian President Suharto paid an official visit to the Netherlands, which was reciprocated by Queen Juliana and Prince Bernhard of the Netherlands in a royal visit to Indonesia in 1971.

bean Sea north off the coast of Venezuela: Aruba, Bonaire and Curaçao (ABC), and three smaller east of Puerto Rico (*Lesser Antilles, Bovenwindse Eilanden*): Saba, Sint Eustatius and the southern part of St. Maarten (SSS). The northern part belongs to the French Republic and is called Saint-Martin. In 1949, these islands formed a combined dependent territory of the Netherlands Antilles, and five years later they became part of the Kingdom of the Netherlands. Because of the new bipolar political order after the Second World War, the Netherlands were forced to set up relations with former colonies differently. Already in 1948 talks began with Guyana and Antilles (initially also with Indonesia). They resulted in the so-called Charter for the Kingdom of the Netherlands (*Statuut voor het Koninkrijk der Nederlanden*) issued in 1954 (Bormann, 2005). The so-called Kingdom of New Style (*Koninkrijk nieuwe stijl*) set a new era in the history of the Netherlands. The Charter also initially covered New Guinea until it was transferred to Indonesia.

Subsequent changes in the territorial structure of the Kingdom of the Netherlands occurred in 1975 when the Dutch Guyana regained independence and adopted the name of the Republic of Surinam. The next was Aruba, which in 1986 obtained a special status (*Status aparte*), an independent state within the Kingdom of the Netherlands. The Kingdom of the Netherlands consisted of three parts: the Netherlands-metropolis (the European part of the Kingdom), Aruba, and the Netherlands Antilles.

This lasted until 10 October 2010 (NRC Handelsblad, 2009). On that day, Aruba, Curaçao and Sint Maarten became independent countries which form the Kingdom of the Netherlands together with the European part. The Bonaire, Saba and Sint Eustatius islands have become “special or overseas municipalities” (*bijzonder gemeenten*), which directly belong to the European Netherlands. At present, the Kingdom of the Netherlands consists of four autonomous countries and three special municipalities. Autonomous countries include: the Netherlands, Aruba, Curaçao and Sint Maarten. The three special municipalities (overseas) of Bonaire, Sint Eustatius and Saba are called the Caribbean Netherlands (Żelichowski, 2015, pp. 251–273).

3.2. Waves of immigrants in historical perspective

The first significant wave of emigrants that influenced the history of the Netherlands came from Spain and Portugal at the end of the 16th century. It was a group of Sephardic Jews who, fleeing the Holy Inquisition, found refuge in the Protestant Republic of the Seven United Provinces.²⁴

²⁴ A group of about 7,000 Jews came to the Netherlands in the 1300s because of the so-called Nuremberg Laws. Pursuant to them from 1350 Jews could be deprived of citizenship of the Reich, legal protection and property. They also could not serve in state offices or in the army.

For the colonies scattered throughout the other hemisphere, the most important events were the subsequent stages of the ban on slave trade and the abolition of slavery (1814–1863) and the transition to contracting policy. In addition to traditional slaves from black Africa, people from China, India, Pakistan and from the Indonesian Archipelagos came to the Dutch colonies. It was then that the overseas territories of the Kingdom of the Netherlands became a mixture of races, which determined their colours and specificity. The streets of the port cities of the Netherlands were populated by merchants and workers from Asia and the Netherlands Antilles (Dutch India at that time).

During the First World War, as mentioned above, the Kingdom of the Netherlands remained neutral. Its closest neighbour, the Kingdom of Belgium, became the field of dramatic struggles of the armies of the states engaged in the war, as well as the training grounds of new weaponry. In the first months of the war, a great wave of refugees from Belgium arrived in the Netherlands, which was estimated at a million people. Although most of them, after the establishing of the front, returned home, over one hundred thousand Belgians remained in the Netherlands until the fighting was suspended.

The Second World War, in which the Netherlands, like its neighbours, fell victim to German aggression, caused huge damage to industrial infrastructure. Post-war reconstruction needed hands to work. The source of the workforce has mainly included displaced persons (DP), who found themselves on the territory of Germany. A large group of them were Polish soldiers of the 1st Armoured Division of General Stanisław Maczek, whose combat trail led through Belgium and the Netherlands. After demobilisation, most of them decided to stay abroad for fear of returning to Poland under Soviet occupation.

In September 1947, the first Polish “DPs” came to the region of mines in Limburg (Żelichowski, 2014, p. 249). Most of them served as sentinels in US refugee camps and, after arriving in the Netherlands, still wore their military uniforms. Because of their colour, the Limburgers gave them the nickname “black invasion”.

The conflict with Indonesia resulted in another wave of emigrants to the Netherlands. It is estimated that the so-called Indian Netherlanders (*Indische Nederlanders*) were a group of around 290,000 people.²⁵ Mainly they were members of the Royal Netherlands East Indies Army (*Koninklijk Nederlandsch-Indisch Leger*, KNIL) and members of their families.

The most difficult problem for the Dutch government was the situation of the population inhabiting the island of Ambon in the Moluccas archipelago (Republic of Indonesia). After Indonesia declared independence, the island declared in 1950 the creation of its own state: the Republic of the Southern Moluccas (Republik Maluku Selatan, RMS). After a bloody intervention, it became part of the Repub-

²⁵ <http://educatie-en-school.infonu.nl/wereldoriëntatie/38715-migranten-die-naar-nederland-kwamen-na-wo-ii.html> [accessed on: 11.09.2019].

lic of Indonesia. In 1951, at the order of the RMS government, about 4,000 KNIL soldiers, mainly of South Moluccan origin, emigrated to the Netherlands with their families (12,500 in total). The soldiers received the status of members of the Dutch Armed Forces.

Another wave of immigrants came to the Netherlands in the 1950s in response to the shortage of labour force during the period of intense economic growth in the Netherlands in relation to the adoption of the Marshall Plan. Numerous immigrants (*guest workers*) from Italy, Spain, Portugal, Turkey, Greece, Morocco, Yugoslavia and Tunisia were employed in the industry and services on official interstate contracts. After the expiration of the contracts, employees in specific industries were obliged to return to the country.²⁶ Because of the crisis in the late-1960s and the early-1970s, about 60 percent of guest workers from the above-mentioned countries returned to their countries of origin. The change in the Dutch government's policy from the early-1970s, which allowed family reunifications, resulted in the settlement of a large population of Turkish and Moroccan origin in the Netherlands.

3.3. Dutch asylum institutions and procedures

The Immigration and Naturalization Service (*Immigratie Naturalisatiedienst, IND*) defines an asylum seeker as a person who applied for protection for himself and their family by the Government of the Kingdom of the Netherlands in invoking the 1951 UN Convention relating to the Status of Refugees.²⁷ There are various procedures for persons applying for the right to asylum and for applicants for a residence permit in the Kingdom of the Netherlands.²⁸

Every visitor to the Netherlands who intends to apply for asylum or residence in that country should report to the central admission point (*Aanmeldcentrum*) located in Ter Apel in the province of Groningen.²⁹ Also, at Schiphol airport there is a special notification centre for people who want to apply for asylum after arrival in the Netherlands.

²⁶ <http://www.vijfeeuwenmigratie.nl/periode/1945-heden/volledige-tekst> [accessed on: 12.09.2019].

²⁷ <https://www.ind.nl/EN/> [accessed on: 11.09.2019].

²⁸ <http://www.vluchtelingenwerk.nl/feiten-cijfers/procedures-wetten-beleid/opvang> [accessed on: 12.09.2019].

²⁹ Up to March 2018 it was Veenhuizen which served as an emergency accommodation for asylum seekers since May 2014 and as a reporting location for following family members of refugees since 2016. The last remaining asylum seekers will leave the COA-location of Veenhuizen around March. Veenhuizen will finally close down in May. Following family members of refugees who report at Veenhuizen after 31 January will be transferred to Ter Apel by the COA. <https://ind.nl/en/news/Pages/Following-family-members-of-refugees-to-Ter-Apel-as-of-February-2018.aspx> [accessed on: 12.09.2019].

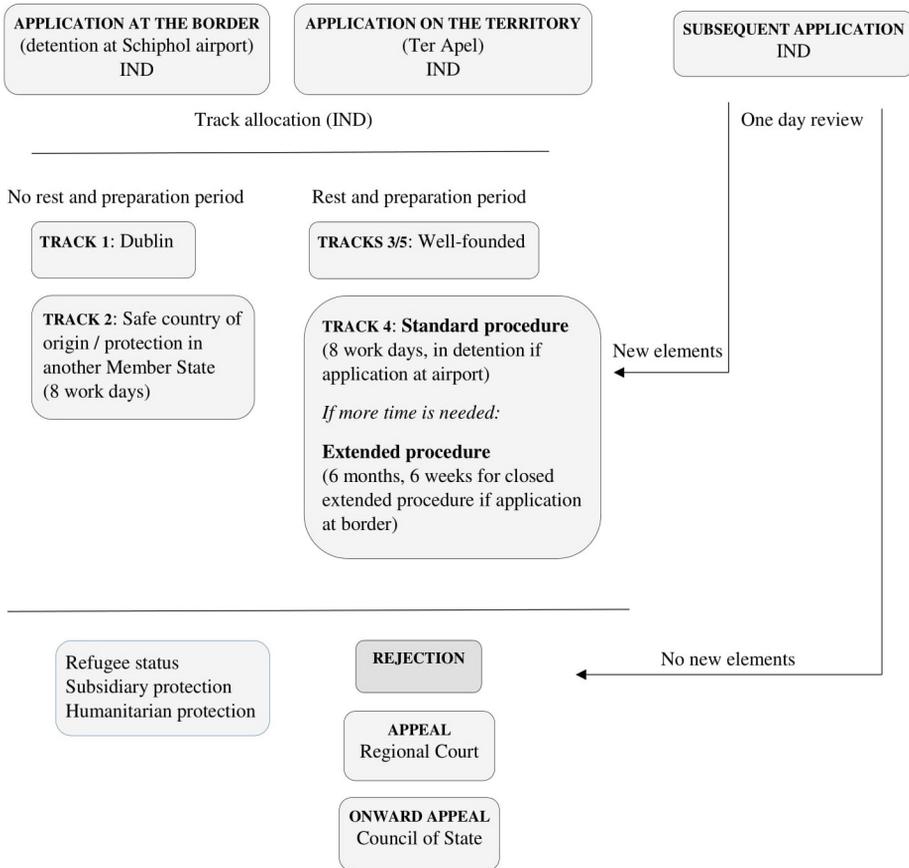


Fig. 2. Asylum procedures in the Netherlands 2018
Source: Country Report: Netherlands, 2018, p. 13, modified.

3.4. Permanent (tolerated) and temporary residence permits

The Government of the Kingdom of the Netherlands provides several other procedures that consider the complex situations of various groups of foreigners in its territory. Those who, despite not being granted asylum and an order to leave the Netherlands, cannot return to their country of origin “by no fault of their own”, can be classified as persons with a temporary residence permit (*Tijdelijke vergunning* or *verblijfsvergunning*). This group also includes people who, for medical reasons, would not be able to travel back.

Such status may also be granted to victims and witnesses of human trafficking if they report it to the police. A temporary residence permit is valid during the

investigation and criminal proceedings against the perpetrators of such an offense. After three years, temporary permits may be changed into permanent ones.

If someone does not qualify for asylum or residence permit, the relevant minister or secretary of state may, under exceptional circumstances, grant such a permit based on a written description of the situation. However, there are no defined criteria and the decision depends on a minister and their assessment of the situation. Examples of emergency situations include serious health problems of a family member, honour revenge if parents return to their country of origin separate without minor children or similar situations related to the culture and customs of the emigrant's country of origin.

3.5. Return procedures

Since 1 July 2010 the situation of asylum seekers in the Netherlands has improved. New asylum procedures include the care for an asylum seeker whose application has been rejected. They have four weeks (28 days) during which they can stay in a centre for asylum seekers and appeal against the decision or start preparing to return to their country of origin. A person who decides to leave the Netherlands voluntarily may receive support from government bodies. It can be a financial benefit, but it can also be material support, for example for establishing a company in the country of origin. Assistance for voluntary departure can also be offered by the International Organization for Migration (*Internationale Organisatie voor Migratie*, IOM). Asylum seekers who do not want to leave the Netherlands voluntarily can be expelled under duress by the Royal Military Police and Aliens (Foreigners) Police (*Vreemdelingenpolitie*).³⁰

3.6. Dutch system in operation

Anyone who has undergone an asylum procedure in the Netherlands is initially granted a temporary residence permit (*Tijdelijke vergunning*). This rule applies to everyone, although it is not unconditional. In certain situations, such a permit may be cancelled. Most of the refugees who remain in the Netherlands, after undergoing the asylum procedure, are entitled to full asylum after a five year's residence. Such a right can only be withdrawn if an asylum seeker commits a crime. Obtaining full asylum allows one to take up work legally.³¹ During the application procedure asylum seekers must stay in a refugee centre. When they receive a residence permit, they are eligible to receive a flat. The government of the Nether-

³⁰ <https://www.politie.nl/themas/vreemdelingenpolitie.html> [accessed on: 11.09.2019].

³¹ <http://www.vluchtelingenwerk.nl/feiten-cijfers/procedures-wetten-beleid/asielvergunning> [accessed on: 11.09.2019].

lands considers a person with such a document as a priority group, because it is believed that a long stay in a refugee centre is not beneficial to an asylum seeker and hinders the integration process.

The central role in the settling of asylum seekers falls on the municipality (*gemeente*). The Ministry of Internal Affairs determines how many refugees a given municipality must accept. The decisive factor is its population. To avoid long presence in asylum centres, a commune is obliged to offer a refugee a flat within three months. In case of failure to comply with this obligation, Provincial States may impose a penalty on a municipality. The Home Office publishes a report every six months on the progress of the asylum process in every commune.

Because in many municipalities there is a chronic shortage of housing, the government has prepared two programs to solve this burning problem. The first of those is the so-called self-organisation package (*Zelfzorgarrangement, ZZA*) which allows organising temporary places of stay, for example with family or friends. The second one, the so-called communal self-organisation package (*Gemeentelijk zelfzorgarrangement, G-ZZA*), gives municipalities the opportunity to organise temporary accommodation, for example in empty office buildings or holiday homes. Of course, both packages are temporary and serve to ease the pressure on the central reception system of refugees.³²

The road to asylum seeker's apartment is divided into four stages. In the first one the Central Reception of Applicants for Asylum (*Centraal Orgaan opvang Asielzoekers, COA*) plays the crucial role; it is responsible for admissions to refugee centres. The COA decides which apartments in a municipality can be made available to asylum seekers. Those apartments are placed in the national database. The task of the COA is to select families for whom those apartments are suitable. Since most refugees have fled their countries in a hurry and left all their belongings behind, they must start life from scratch. The legislator ensured loans from a commune for development. However, the loans are not a one-off act of financial aid, but they need to be repaid.

3.7. An invited refugee

The Kingdom of the Netherlands is one of the dozen or so countries that invite refugees to their country. These are people who found their first shelter in neighbouring countries and stay there for a long time in dangerous conditions. When, as a result of staying in camps, refugees suffer from complex illnesses or become disabled, they are eligible to settle in selected countries. This is decided by the United Nations Agency for Refugees, UNHCR, which selects these so-called "in-

³² <http://www.vluchtelingenwerk.nl/feiten-cijfers/hoe-zit-het-nou-feiten-over-vluchtelingen> [accessed on: 12.09.2019].

vited refugees” and entrusts the government concerned, in this case the government of the Kingdom of the Netherlands, a special group of refugees. They do not have to undergo the asylum procedure or obtain care in an accelerated way. Their integration process (*inburgeringsprocesses*) is ensured by the IND. Most of the refugees included in this category (this is about five hundred people a year) come from Iraq, Myanmar, Bhutan, Eritrea and Congo.³³

3.8. Family reunification

In principle, this operation is meant to unite families separated during an escape. When a family member receives a residence permit in the Kingdom of the Netherlands, they can bring their family to them. There are strictly defined conditions associated with family reunification. A refugee must submit appropriate applications to the IND, and members of their family must go to the embassy of the Kingdom of the Netherlands, often in another country. They must present a valid passport and the asylum seeker, or their partner must have a stable minimum income, and the applicant cannot pose a threat to the public order of the host country. Family members will in some cases have to return to their country of origin to wait for the outcome of the application process. Before they can join their family, they must pass a language and integration examination at the embassy of the Kingdom of the Netherlands in their country of origin.

3.9. Integration courses and social studies exams (*inburgering*)

Foreigners who have lived in the Netherlands for a long time and hold a residence permit must speak Dutch and know how the Dutch society works. Hence, they must undergo a compulsory integration course and pass an examination on the knowledge of how the Dutch society works. The compulsory course of integration covers people aged 18–65. This requirement does not apply to persons who only come to the Netherlands to study or temporarily for education. During the integration course, foreigners, including refugees, must demonstrate communication skills and a good understanding of the Dutch language. In addition, they should demonstrate knowledge of the rules (norms and values) applicable to the Dutch society. The course and examination require entail a fee. In this situation, the Netherlands government offers the possibility of obtaining a loan also for this purpose.³⁴ Borrowers do not, however, must repay this loan if they pass the citizenship exam within a three months’ time.

³³ In June 2013, Fred Teeven, the Secretary of State, announced the fact of inviting fifty in 2013 and in 2014 two hundred refugees from Syria, <http://www.vluchtelingenwerk.nl/feiten-cijfers/procedures-wetten-beleid/opvang> [accessed on: 11.09.2019].

³⁴ <https://www.inburgeren.nl/inburgeren-betalen.jsp> [accessed on: 11.09.2019].

The last and most important stage in emigration life is to apply for naturalisation, that is, to obtain citizenship of the Kingdom of the Netherlands.³⁵

3.10. Minors

The biggest concern for Belgium and the Netherlands are minors. Statistically, in refugee centres, persons under 18 constitute about one third of the total number of asylum seekers. Most of them arrive with their parents, so they stay with them in family rooms, where they have more privacy. Minors who find themselves in Belgium without parents or legal guardians are subject to a different procedure than adults applying for asylum. The government organises tailor-made centres. Until the age of 18, a minor cannot be expelled from Belgium. When they reach the age of maturity, they are subject to the rules applicable to adult refugees.³⁶

Another category consists families who have not obtained an official residence permit in Belgium but have underage children. According to the Royal Decree of 24 June 2004, minors who live with their parents without legal residence in Belgium and find themselves in such a need may benefit from the care of the centre and material assistance. To protect family, the right to care extends also to parents. Families without the right to legal residence are placed in DVZ or Fedasil homes, where they are prepared to be sent back to their country of origin.

The same applies to a group of children or young people who have found themselves without parents or guardians in the Netherlands and have applied for asylum there. The procedure for granting asylum to minors is the same as that for adults with this difference that if their application is rejected, they may remain in the Netherlands until reaching the age of maturity. The Government of the Kingdom of the Netherlands has foreseen special procedures for them.

At the beginning, however, the IND examines whether a minor applicant has the right to apply for asylum. If they do not qualify for it, the IND checks if they can stay alone in the country of origin and if there is adequate care for them. If that is not possible, they receive the so-called regular residence permit, or “permission for an independent minor foreigner.”³⁷ If a minor asylum seeker does not possess documents confirming the date of their birth, they are subjected to an examination determining their age whose costs are covered by the IND. Young asylum seekers receive care from the Nidos Foundation which helps them during the asylum pro-

³⁵ <http://www.vluchtelingenwerk.nl/feiten-cijfers/procedures-wetten-beleid/naturalisatie/naturalisatie-vier-stappen> [accessed on: 11.09.2019].

³⁶ <http://fedasil.be/nl/inhoud/niet-begeleide-minderjarige-vreemdelingen-nbm-0> [accessed on: 12.09.2019].

³⁷ Terminological note. Notion an independent minor asylum seeker and an independent minor foreigner are often used interchangeably *alleenstaande minderjarige asielzoeker* (abbrev. „ama“) and *alleenstaande minderjarige vreemdeling* („amv“).

cedure. The Foundation also supervises the process of their upbringing and care, for example in a foster family. Since education is an essential element of young people's development, they can go to school. For many of them, education means knowledge and gives them a chance to learn a profession which can help them stand on their feet when they return to their country of origin.

4. 2018–2019 IMMIGRATION TRENDS

On 31 December 2018, the main countries of origin of residents included Afghanistan (12.80%), Syria (12.78%), Palestine (11.91%), Guinea (7.11%) and Iraq (6.97%). As of the same date, the population in the reception network was composed of single men (35.73%), single women (6.53%), families (51.90%) and unaccompanied minors (5.85%).³⁸ At the end of July 2019, the total number of all applications amounted to 15,326 cases.³⁹

Theo Francken (N-VA), State Secretary for Asylum and Migration, announced at the end of March 2018 that there were 23,815 reception places in Belgium and that number would drop to 17,361 places by the end of the year. "The asylum influx is stable at a low level, which leaves room for further reduction and cost savings. Next year we will fall back on 16,629 places, the number of before the migration crisis," said Theo Francken in an interview entitled "Vluchtelingenwerk Vlaanderen: « Asylum crisis is not over yet »" (*De Standaard*, 2018). *The Vluchtelingenwerk Vlaanderen* opposes this plan and thinks that Belgium should just look at how it can use these reception places for refugees who do not get here [yet]. "Within Europe, there is still no question of a crisis that has passed (...) If you look at what happens every day at the internal borders of Europe, where people are stuck in degrading circumstances, in countries that fail to meet their obligations, you see that Belgium still has a role to play to help more people," said Charlotte Vandycke, director of Radio 1 (Vandycke, 2018).

In August 2019, the total inflow of asylum seekers (first asylum applications, repeated requests for asylum and family members of asylum status holders) in the Netherlands was 2,637. In comparison, a year earlier (March 2018) it totalled 2,292; the difference can be traced back to a sharp decrease in the number of family members of asylum status holders who came to the Netherlands.⁴⁰ The number of applications submitted by unaccompanied minor foreign nationals (AMV) in

³⁸ <https://emnbelgium.be/sites/default/files/publications/Belgium%20-%20Annual%20Report%20on%20Migration%202018.pdf> [accessed on: 11.09.2019].

³⁹ https://www.cgvs.be/sites/default/files/asielstatistieken_2019_juli_nl.pdf [accessed on: 11.09.2019].

⁴⁰ <https://ind.nl/en/news/Pages/Asylum-Trends-for-July-2019.aspx> [accessed on: 11.09.2019].

March showed almost doubled compared to the previous month.⁴¹ In 2017, 14,716 first asylum requests were filed. The proportion of follow-up travellers in amount-ed to 47 percent. Syrians and Eritreans constituted the largest groups of asylum seekers, just like the three years before. These groups accounted for 38 and 15 percent of the total. Stateless persons, often Palestinians from Syria, made up 5 percent.

5. CONCLUSION: MASS IMMIGRATION TO EUROPE – A THREAT OR OPPORTUNITY?

Europe is aging. A report on this issue was published by EUROSTAT in 2013. It contained a noteworthy scenario of how to maintain the percentage of working people in Europe by 2060 through migration to compensate for the effects of the aging of the population. The strongest population growth is expected in Luxembourg (+111%) due to the projected very high net migration, Belgium (+38%), Sweden (+36%), Cyprus (30%), and the United Kingdom (+25%).⁴² In the longer term, in the period 2020–2060 the Planning Bureau expects an average population growth of 40,000 inhabitants per year. In the period 1991–2014, the Belgian population grew by 50,000 people a year. That means a population of over 13 million people by 2060, a growth of 16 percent compared to 2015. This growth is the strongest in the Brussels-Capital Region, i.e. by 32 percent. In Flanders and Wallonia, the population is improving by 14 and 16 percent respectively.⁴³

Frédéric Docquier, a researcher at Economic and Social Research Institute, wrote that immigration, especially the current wave of asylum seekers, does not generate the economic costs feared by the public. Moreover, the migrant crisis could be an opportunity for Belgium if it can economically and socially integrate asylum seekers. “To do so, Belgium must quickly give them the right to work and provide access to professional and language training, and at the same time more effectively inform Belgian citizens of the fiscal benefits as well as the complementary aspects of Belgian and migrant workers. The social stakes of integration are equally important. Discriminatory practices, intolerance and racism force immigrants into ghettos, and to reject the host country’s norms and values. Managing

⁴¹ February: 80, March: 158, Eritrean nationality provided a substantial share of this increase (February: 40, March: 89). Asylum Trends Monthly Report on Asylum Applications in The Netherlands, March 2018. https://ind.nl/en/Documents/AT_maart_Hoofdrapport.pdf, p. 12 [accessed on: 12.09.2019].

⁴² http://ec.europa.eu/economy_finance/publications/european_economy/2015/pdf/ee3_en.pdf, p. 19, 318, 372.

⁴³ <http://www.knack.be/nieuws/belgie/vluchtelingen-goed-voor-helpt-van-bevolkingsgroei-in-2016-en-2017/article-normal-678035.html> [accessed on: 11.09.2019].

differences will surely help maximise synergies and the benefits of diversity,” Docquier concluded.⁴⁴

The aging factor for the Netherlands means that only for the period 2008–2020 a total of 486,000 working migrants must come to ensure the same working population in 2020 as in 2008. With recent migratory flow, the total number of migrants needed until 2020 would then be on a projected total of 608,000 working migrants.⁴⁵

What do the Dutch think about refugees? Rianne Kloosterman in her study “Views on refugees in the Netherlands” wrote that the majority of the Dutch population believes that the Netherlands should receive refugees who have fled their countries due to war or persecution. “There are, however, clear differences in how people view the arrival of refugees. Although most people do not think refugees threaten safety and values and norms in the Netherlands, there is also a substantial group that experiences this. The Dutch population is more divided about the contribution of refugees to Dutch culture. The part that feels that refugees in this area provide enrichment is almost as big as the part that does not (...) The attitude towards an asylum seekers’ centre in one’s neighbourhood also differs: 36 percent would have no objection to this and a comparably-sized group would that dependant on certain things, such as the size of the centre and whether families or young men would mainly live there (...)” (Kloosterman, 2018, p. 13).

Rianne Kloosterman concluded her research with a fundamental question: “does contact with refugees lead to a more tolerant attitude, or the other way around, do people with a more tolerant attitude get in touch more often and do they experience this more positively?” Depending on to which group one belongs, their answer to the question: *is mass immigration to Europe a threat or opportunity?* will be positive or negative.

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⁴⁴ <https://uclouvain.be/en/sciencetoday/news/crises-des-refugies-et-immigration-quel-cout-pour-la-belgique.htmlv> [accessed on: 11.09.2019].

⁴⁵ <http://www.emigratie-toos.com/belasting/tot-2020-bijna-500000-migranten-erbij-om-vergrijzing-te-compenseren> [accessed on: 12.09.2019].

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