

## Strategies of return

*The strategies caseworkers and return counsellors use, their perceived effects on return migration of unauthorised migrants and how these effects can be explained*

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### **Abstract**

*Return policies are difficult to enforce. In the Netherlands, the Repatriation and Departure Service (DT&V) is responsible for the enforcement of return policies. Many other organisations are involved, both public and private. Caseworkers at DT&V interact with migrants who are ordered to leave, to enforce orders of return. Counsellors at private organisations assist these migrants in making their decision whether or not to depart. Little research has been done to uncover the strategies used during these interactions and the effects these strategies have. Data were gathered to analyse these strategies and their effects, using semi-structured interviews with five key informants from various organisations, and fifteen caseworkers from DT&V and counsellors from private organisations involved in repatriation. A simple categorisation of migrants with an order to leave was constructed using the dimensions of willingness and ability to return (Cassarino, 2004). Then, the strategies were analysed using three pillars of compliance derived from institutional theory (regulative, normative and cultural-cognitive) (Scott, 2014). The perceived effects of these strategies were analysed using the aforementioned concepts and the concept of legitimacy. Results show that strategies often contain both instrumental and normative elements and that instrumental elements have some effect on the ability to return. Normative elements do have some long-term effects and are more easily used by counsellors than by caseworkers. In addition, the involvement of a multitude of public and private organisations could have a positive effect as well as a negative effect on the perceived legitimacy of the return regime.*

**Keywords:** return migration, instrumental, normative, legitimacy, compliance

## Introduction

In the Netherlands, unauthorized migrants are obliged to leave the country. They are given the opportunity to return to their country of origin voluntarily (which is mostly done with the assistance of the International Organization for Migration (IOM)). While voluntary return is the preferred method<sup>1</sup>, those who do not leave voluntarily are forced to leave, if possible. However, many abscond to destinations unknown to the government before they can be repatriated. According to the Ministry of Justice and Security (2019), in 2018, approximately 24% left voluntarily while 18% were forced to leave. The remainder departed to destinations unknown to the Dutch government, possibly to reside elsewhere in the Netherlands illegally or to stay with relatives abroad. Since the 1990s, the presence of unauthorized migrants has been increasingly regarded as a problem (Noll, 1999a) and is sometimes even considered an unsolvable problem (Commissie van Zwol, 2019).

There are several reasons why the repatriation of unauthorized migrants is unsuccessful. First of all, repatriation requires the cooperation of countries of origin (Noll, 1999b). Some third countries do not always accept returning migrants as their citizens, contesting their nationality, and they do not always collaborate on forced return. Secondly, forced return could conflict with the liberal values of most western democracies violating these migrants' human rights. Because of these political and ethical constraints, in the past, most European countries did not put much emphasis on enforcing return policies and partly because of these constraints there exists what Gibney calls the *deportation gap* (Gibney, 2008). The third reason for lack of compliance could be a diminishing sense of sovereignty of nation-states due to globalisation and digitisation (Sassen, 2006, p. 279) contesting the legitimacy of immigration policies in countries of destination (Leerkes & Kox, 2017). The authority of nation-states is increasingly rejected in favour of a higher authority, based on globalisation, despite this higher authority having no legal foundation. The factors given above are part of the context within which the Dutch return regime operates.

Within this complex field of tension, the Dutch government implemented several policies to discourage unauthorised stay. Examples of such policies are the Linking Act, and the Aliens Act implemented respectively in 1998 and 2000. These laws include policies to restrict access to

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<sup>1</sup> The preference for voluntary return is explicitly expressed in the Return Directive implemented by the European Commission

the labour market and housing market for those without a social security number, essentially eliminating access for those without legal status. In 2011, the Dutch government amended the Aliens Act to bring it into line with European legislation<sup>2</sup>, incorporating the concepts of an entry ban and return decision<sup>3</sup>.

Most policies implemented to counter illegal stay are based on what sociologists refer to as instrumental models (Leerkes, 2016). Such models assume that subordinates make rational decisions based on cost-benefit calculations and these models use sanctions and incentives to obtain compliance. Instrumental models contrast with normative models, that are based on the notion that compliance is ‘the right thing to do’. These models assume that when policies are based on shared norms and beliefs, subordinates are compelled to comply and regard the rule of law as legitimate. Several studies indicate that the use of normative models increases compliance (Leerkes, 2016; Pryce, 2016; Sunshine & Tyler, 2003). However, there are some indications that the effect could be context-dependent and that instrumental factors could have a positive effect on obedience as well (Johnson, Maguire, & Kuhns, 2014; Pryce, 2016).

In the Netherlands, both caseworkers and counsellors are involved in the repatriation of unauthorized migrants. Caseworkers are employed at the Repatriation and Departure Service (DT&V) and are responsible for enforcing return policies. Counsellors are employed at various organisations such as the IOM and many of the NGOs. Whenever an asylum claim is rejected or whenever an illegally staying resident is apprehended by the police (this includes the Royal National Police and the Seaport Police), the individual receives an order to return and is

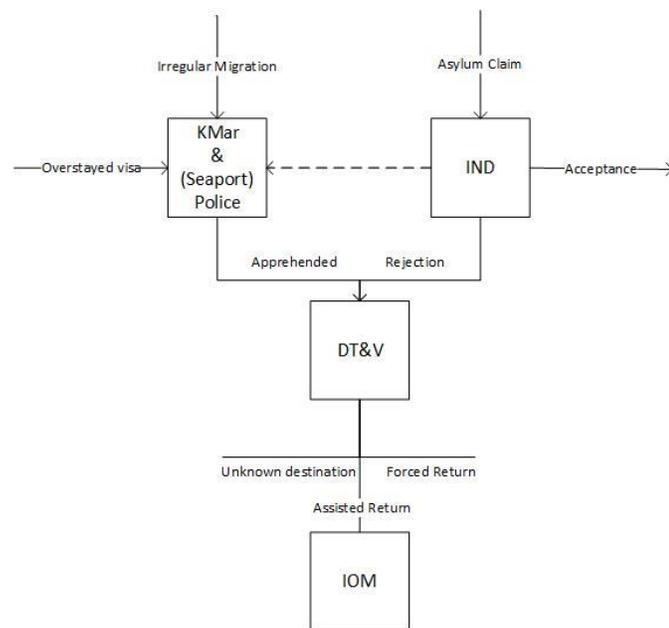


Figure 1. Process of return

<sup>2</sup> In 2008, the European Commission implemented the Return Directive. <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=celex%3A32008L0115>

<sup>3</sup> The law was changed December 31, 2011. Staatsblad, 2011, Nr. 663.

registered at DT&V (see Figure 1). A caseworker is then assigned to the case. The caseworker assesses the case and engages in conversations with the individual, during which he or she is provided with the opportunity to leave voluntarily. If the individual does not choose to leave voluntarily, the caseworker seeks the option of forced removal. In case the migrant is willing to leave voluntarily or want to know more about voluntary return, he or she can contact the IOM or one of the many NGOs to obtain counselling. A counsellor will assess the possibilities to return and assist the unauthorized migrant in their decision-making process, whether to return or not. The individual can receive assistance by participating in one of the many return programmes offered by both NGOs and the IOM, such as the Assisted Voluntary Return and Reintegration (AVRR) program offered by the IOM. Using these programmes, returnees can make use of financial support or other forms of support, such as skills training.

Caseworkers and counsellors use instrumental and normative strategies during their interactions with unauthorized migrants. For instance, caseworkers and counsellors can offer incentives to alter the cost-benefit calculation of returning, or caseworkers can use the sanction of detainment to obtain compliance (instrumental strategies). Besides instrumental strategies, caseworker and counsellor can also use normative strategies, such as creating a trustworthy relationship, make sure the migrant is treated fairly or challenging the norms and values of the migrant. Because these strategies affect compliance in difference ways, it is imperative to choose the right strategy at the right time.

However, few studies have looked at the use and the effects of these strategies on the repatriation of unauthorised migrants. This study aims to examine these strategies on return in the Netherlands and aims to answer the following question: *what strategies do caseworkers and counsellors use to obtain compliance, what effects do these strategies have and why do these effects occur?* As this is rarely researched before, exploratory research is conducted using semi-structured interviews to uncover these strategies and their effects. The remainder elaborates the theoretical framework guiding the analysis. Next, the research methods are discussed, followed by the results. The final chapter includes the conclusion and discussion.

This study is relevant for organisations involved in the return of unauthorised migrants. As more will be uncovered about the effectiveness of different strategies and mechanisms, organisations can benefit from this knowledge and further refine their way of working. In addition, a more effective return regime might increase the legitimacy of the asylum regime. The

academic relevance of this study is manifold: firstly, as many institutions strongly regulate migration, it is of value to illuminate the mechanisms these institutions use and to understand broader patterns of migration. Secondly, this study will advantage scientific knowledge on the subject of an often underemphasized phenomenon, namely, return migration.

### **Problem statement**

Approximately half of the unauthorised migrants do not comply with their obligation to leave the country. This can be problematic as a poorly functioning return regime undermines the legitimacy of the asylum regime. Caseworkers and counsellors use normative and instrumental strategies to obtain compliance during their interactions with migrants who are obliged to leave the country. However, little is known about which strategies are used and what the effects are for the migrant's willingness and ability to return. As instrumental and normative strategies have different effects, knowing which strategy to apply when would contribute to greater compliance. To provide insight into these strategies and their effects, I aim to answer the following research question:

*“What strategies do caseworkers and counsellors use, what are the effects of these strategies, and how can these effects be explained?”*

To answer the research question, the following sub-questions need to be answered. 1) Which categories of unauthorised migrants with an obligation to return can be identified 2) What strategies are deployed during interactions between caseworkers and counsellors, and unauthorised migrants and in what way do these strategies depend on the categorisation of these migrants? 3) What are the (perceived) effects? 4) How is return migration governed and in what way does this affect the strategies and the (perceived) effects of these strategies?

### **Theoretical Framework**

The previous chapter highlighted the ineffectiveness of return policies and the difficulties caseworkers and counsellors encounter during their efforts to obtain compliance. This chapter provides the theoretical background on the possible underlying mechanisms at work here, using institutional theory and concepts of authority, legitimacy, instrumental and normative models, and willingness and readiness. These concepts help elucidate compliance or noncompliance with

return regulations and the effects of the strategies used during interactions with unauthorised migrants. The theoretical framework will enable the deductive part of this project, guide the interview topics and provide sensitising concepts that help explain the perceived effects.

In the case of the return regime, it is mostly public organisations that are responsible for their enforcement. Therefore, it is worthwhile to look at the mechanisms through which such institutions try to obtain compliance from those who should comply, in this case, unauthorised migrants. Institutional theory helps explain three distinct mechanisms (Scott, 2014). The first mechanism involves monitoring and possibly sanctioning (the regulative pillar). This mechanism relies on coercion and uses sanctions and incentives. The second mechanism takes socially accepted norms as the foundation of regulations (normative pillar): individuals find it 'appropriate' to comply with the regulation and deviation is not socially acceptable. The third mechanism relies on constitutive schemas (cultural-cognitive pillar). This mechanism uses culture as the basis of compliance with policies; the regulations are regarded as taken-for-granted. Compliance is determined by internalised schemas and cognitive frames (Scott, 2014). When all three pillars are substantially developed, institutions gain authority. In the absence of the normative and cultural-cognitive pillar, the institution merely has (regulative) power and lacks legitimacy. This difference between power and authority was recognised by Weber, who posited that power institutions needed the support of socially accepted norms in order to be regarded as an authority (Weber, 1978). It is only then that power becomes legitimised.

The regulative pillar uses instrumental logic, which holds that people make calculated decisions based on factors such as the severity of the penalty involved, the risk of apprehension or the size of a financial incentive. Most policies designed to counter unauthorised stay are currently based on an instrumental perspective (Leerkes, 2016), often by using sanctions. In the case of immigration, however, research indicates that irregular migration can actually increase when sanctions are too harsh as migrants avoid the proper channels (Massey, 2015).

A factor commonly regarded as an instrumental variable is effectiveness. The perceived effectiveness of the police and the courts acts as a moderator of the relationship between legitimacy and compliance. Tyler found that if the perceived effectiveness of legal authorities is low, the effect between perceived legitimacy and compliance diminishes (as cited in Tankebe, 2009). Tankebe found a similar relation between the perceived effectiveness of the Ghanaian police and the willingness to cooperate with legal authorities (Tankebe, 2009). Another study on

Ghanaian migrants in the United States, effectiveness was also related to willingness to obey. However, the effect was weak (Pryce, 2016) and normative models found to have a stronger effect.

The normative pillar is based on people's beliefs that they should do what is 'right and just'. If people obey the law because they believe it is the right thing to do, voluntary return to the country of origin becomes the normal thing to do. Contrary to the regulative pillar, the normative pillar is based on the logic of appropriateness and relies on the perception that power is legitimate and can, therefore, be used to enforce regulations more effectively (Sunshine & Tyler, 2003; Tyler, 2006). However, a lack of perceived legitimacy can decrease compliance as shown by Ryo (2013) who show that views of the legitimacy of U.S. authority and norms about illegal border crossings, partly determine the intent to cross the Mexican-U.S. border illegally. Those who perceive the U.S. authority as less legitimate are more likely to have a positive attitude towards illegal border crossing.

Legitimacy is defined in many ways, of which two will be mentioned. The first definition originates from Tyler (2006): "the belief that the authorities, institutions and social arrangements are appropriate, fair and just". This is a rather short definition but gives a good idea of the concept. The second definition originates from Beetham (1993) and is more elaborate including the requirement that authority must be acquired according to the rule of law and that the content of the regulations should be based on socially accepted norms and beliefs.

The way in which the return regime is governed can influence its perceived legitimacy. Many organisations are involved, both public and private. Often, these organisations operate autonomously and have values and norms of their own. However, policies are drafted in a hierarchical manner, starting at the supranational level, followed by integration into national law by its member states. resulting in a, what Kooiman (2000) refers to as a hierarchical governance structure. This governance structure is considered to be effective in situations of limited complexity and a minimum of a variety of wants. However, this type of governance is seen as less equipped to handle the complex, diverse and dynamic situation than co-governance, that is characterised by equality between actors and mutual obligations, rights and agreements. The involvement of private organisations in a hierarchical government system can have the positive effect of increased perceived legitimacy of the policies involved. However, this could also limit the intensity of direct interventions (Kooiman, 2000). The increased legitimacy resulting from

the involvement of private organisations could be negatively affected when they have diverse and inconsistent thoughts about the functioning of the system as a whole (Scott, 2014). In addition, public actors (in this case, DT&V), are likely to make more use of negative sanctions than private actors do (Scott, 2014).

Legitimacy is not solely an individual process. People do not base their judgement on the legitimacy of an institution solely on their background and their own experience with the institution. Others influence the perception of legitimacy as well; in other words, individual-level legitimacy can be influenced by the social context (Walker, Thomas, & Zelditch, 2006). For instance, when others display behaviour that confirms the legitimacy of the institutions, people might perceive the institution as legitimate even when they individually reject the legitimacy of the institutions. This means that every act of compliance provides more legitimacy these institutions.

A common distinction made in normative models is the fairness of the content of the policy (distributional justice) and the fairness of treatment (procedural justice). Procedural justice, originating from criminology, reflects the extent to which the enforcement of regulations is seen as fair and just (Hough, Jackson, Bradford, Myhill, & Quinton, 2010). Several researchers indicate that the trustworthiness of officials can increase the perceived authority of these officials and can increase compliance (Hough et al., 2010; Levi, Sacks, & Tyler, 2009; Mazerolle, Bennett, Davis, Sargeant, & Manning, 2013). Specifically, in the Netherlands, Leerkes (2016) has shown that detained unauthorised migrants who feel that they are treated fair by trustworthy functionaries are more prepared to follow the rule of law regarding migration policies. Distrust of caseworkers, however, can cause an asylum seeker to abscond without awaiting official claim (Gibney, 2008). And lastly, an analysis performed by Mazerolle, Bennett, Davis, Sargeant and Manning (2013) concluded that the dialogue between the police and subordinates are an effective mechanism to increase compliance and for enhancing the perception of a just procedure. Shunshine and Tyler (2003) also identify a positive correlation between procedural justice and compliance in their study among different ethnic groups. They identify ‘fairness in the exercise of authority’ as the key determined of legitimacy. They found that the effect is stable among different ethnic groups, although the effect on migrants’ compliance was not explicitly researched.

Distributional justice, an instrumental perspective, states that the objectives of regulations are seen as fair and just. In the case of asylum seekers, this refers to the acceptance or rejection of the asylum claim. A study amongst unauthorised detained migrants shows that an increase in perceived distributive justice results in increased willingness to leave (Leerkes, 2016). However, perceived distributive justice decreases in the case of a long period of detention or repeated detentions. Another source of decreased perceived legitimacy could be the lack of alternatives to migrate for other purposes than fleeing. The absence of possibilities to migrate for purposes of temporary labour or study could have a negative effect on the perceived legitimacy of the asylum regime as a whole (Leerkes, 2016). Others have found a positive relationship between distributive justice and the willingness to empower authority (Sunshine & Tyler, 2003)

To conclude, the cultural-cognitive pillar relies on the logic of orthodoxy, which means that people behave in a certain way because that behaviour is taken for granted, and other behaviour is simply inconceivable. This pillar offers legitimacy when there is a common definition of the situation, frame and reference, and the individual recognises the role one is in and recognises the structure of the organisation one is interacting with (Scott, 2014). As asylum seekers come from all over the world, they bring different cultural backgrounds. These cultural backgrounds could contain specific values or moral beliefs that could collide with the values dominant in the host society and thus undermine the legitimacy of its policies. These cultural backgrounds can be captured through the concept of cultural templates, which can be interpreted as a collection of thoughts, beliefs and stories that people use to cope with specific situations. People implement actions using their cultural templates as a toolkit (Swidler, 1986). Two of the most fundamental differences between cultures are individualism vs collectivism and traditional-religious vs secular-rational (Inglehart & Oyserman, 2004). The primary example of collectivism is the East-Asian region, and most of the Sub-Saharan countries African countries, such as Ghana, Zimbabwe and Nigeria, are traditional-religious.

As previously stated, willingness is influenced by both procedural and distributive justice. However, an unauthorised migrant who is willing to return does not always repatriate. One must have the ability to return as well. This includes the possession of an ID or travel documents, sufficient financial resources or a clear picture of the conditions in the country of origin. When the unauthorised migrant is both willing and able to return, he or she is prepared (Cassarino, 2004, 2014). However, it is not only the migrant who has to be prepared. As

migration is often a decision made by the whole family, preparedness also refers to the attitude and the readiness of these relatives (Cassarino, 2014). According to Cassarino, the possession of sufficient resources influences the willingness of the migrant to return and vice versa; willingness influences the efforts to gather these resources.

Willingness is related to both normative and instrumental measures. The availability of AVRR programmes (instrumental measure) was shown to positively influence the willingness to return amongst rejected migrant detainees (Leerkes, 2016). The perceived fairness of the rejection of the asylum claim, which reflects distributive justice, was shown to increase the willingness to return as well. Procedural justice seems to only influence the attitude towards return indirectly through increased satisfaction with support for return and integration (Leerkes, 2016). However, detention (instrumental model), could have a negative effect on the perceived distributive and procedural justice, indicating that a combination of strategies derived from both models cannot always be combined without negative effects.

## **Methodology**

Semi-structured interviews were conducted with key informants, caseworkers and counsellors in May 2019. All interviews lasted between one and three hours. The key informants were working at DT&V and two other organisations involved in return migration. These five key informants were interviewed about their organisation and the role of the organisation as part of the return regime. Topics included the mission and history of the organisation, in what way the organisation interacts with their clients, the effects of these interactions and their view on the asylum regime and return regime as a whole. Besides key informants, interviews were conducted with thirteen caseworkers working at the DT&V and two counsellors working at one of the other organisations. Both caseworkers and counsellors have intensive contact with migrants and apply the strategies we aim to analyse.

Both groups were interviewed, again, using semi-structured interview covering the following topics: a) what are the characteristics of the role of caseworker or counsellor and what the objective is of the interactions with the unauthorised migrants, b) what are the strategies used to reach their objective, c) what effects they see of these strategies, both on the migrant and on themselves, d) the influence of the context, such as the social and political environment, on the interactions with migrants and e) what measures could improve the return regime. Semi-verbatim scripts were generated from these recordings for analyses.

The key informants were found through our network. Key informants working at DT&V helped to select a small number of caseworkers whom they found to be of interest for this research project. The other caseworkers were found using a promotional email send to all caseworkers working at DT&V with the request to approach us if they were interested. Due to the high response rate, some had to be rejected due to time constraints. The reason for such a high response rate is not known; however, it signals great willingness amongst caseworkers to share their experiences. The resulting group of participants was diverse in age and background. The participants' ages range from 30 to over 60, while their backgrounds can be found in law, cultural anthropology and medicine, amongst other areas. There was also much diversity in the length of work experience. While some participants have only been working for a few years, others have decades' worth of background experience. In general, the interviews were conducted in an open and relaxed atmosphere, and most participants seemed to feel comfortable.

The data were analysed using thematic content analysis. Each interview was transcribed verbatim enabling the coding of the data. The first step in coding was establishing codes for the strategies used. Codes were deductively developed using the theoretical framework. Examples of such codes are '*push-pull*' and '*trustworthiness*'. Other codes were inductively derived from the data itself, such as '*involvement of NGOs*'. The resulting list of codes was categorised in two ways. First, the codes were categorised using the three pillars (*regulative, normative, cultural-cognitive*). Secondly, the codes were categorised using the two dimensions of preparedness (*willingness* and *readiness*). The last step was to see whether the examples provided in the data contained the resulting effect. If effects were mentioned, these examples were classified using the following codes: *positive, no effect, and negative*.

To meet the required ethical standard and to guarantee the privacy of the participants, a checklist has been provided (see Appendix A). In addition, to ensure that the rights of participants are preserved, these rights have been clarified using informed consent, which was informally explained to the caseworker or counsellor at the beginning of the interview. Furthermore, data from the interviews were anonymised and stored in a document vault provided by the Erasmus University Rotterdam, ensuring compliance with general data protection regulations.

There are two concerns regarding the validity of the produced data. First, there is a possibility that participants offered answers or remarks that they considered socially desirable

instead of giving their actual experiences. As most caseworkers were trained to use communication skills, they sometimes tend to answer according to their theoretical knowledge instead of explaining what they actually do. When detected during interviews, this was countered by asking about a real case scenario. Secondly, as there were two interviewers (the author and a fellow researcher) conducting interviews, differences could occur. Therefore, the first two interviews were conducted by with both interviewers present to enable them to adjust their interviewing style to one another to increase validity.

Finally, some additional points of critique must be mentioned. Firstly, as no migrants were interviewed, the effects refer to the perceived effects as experienced by the caseworker or the counsellor. To further analyse this subject, it would be advisable to include the perceptions of the migrants as well and combine the data. Secondly, due to time constraints and the limited number of interviews, saturation was not reached, meaning that more interviews would probably uncover more strategies. Thirdly, the participants were not randomly selected, meaning that conclusions cannot be readily generalised. And lastly, this study involved only four participants from IOM and NGOs involved in return migration, which means that any generalisation regarding these organisations should be treated cautiously.

## **Results**

Each of the sub-questions is discussed below. First, a simple categorisation is provided that helps understands the use of different strategies. Secondly and thirdly, the strategies used by caseworkers and counsellors and their effects are discussed while the last section discusses the way the return regime is governed.

### Categorization

Different categories of migrants with an order to leave were identified during the interviews, each with their own characteristics. These characteristics determine, in large part, the strategies deployed by caseworkers. The most important characteristics are whether the migrant is willing to leave the country and whether the migrant is able to return to the country of origin.

Willingness refers to the aspiration to return while ability refers to 1) resources such as money or the ability to obtain an identity card (Cassarino, 2004) and 2) the cooperation of countries of origin (Noll, 1999b). Some embassies are willing to cooperate even when migrants are forced to

return, while others will not cooperate even when the migrant wants to return voluntarily<sup>4</sup>:  
*“China’s embassy is not cooperating, and Iran only wants to cooperate in case of voluntary return”* (C1).

		Willing	
		Yes	No
Ability	Yes	Dublin claimants Migrants originating from safe countries (most Balkan countries)	Migrants originating from countries with a cooperating embassy
	No	Stateless	Stateless Migrants originating from countries without a cooperating embassy

Figure 2. Categorisation

For caseworkers, the ability to repatriate the migrant is one of the first assessments. In case the embassy is willing to cooperate, and identity papers are available or can be obtained through the embassy, the caseworker is able to influence the willingness of the migrant to return: *“Because you can obtain a document, you are leading 5-0. They know this, and most of the time they will say, Okay, we will cooperate”* (C13).

Caseworkers claimed that most Dublin claimants<sup>5</sup> are willing to leave. As they almost always have a passport, they are able to return. The caseworker, therefore, does not have to put much effort into repatriating the migrant other than providing some assistance. Examples are migrants originating from the Balkan countries and countries like Georgia. The most challenging category are migrants who are not willing and cannot return because the embassies of the countries of origin do not cooperate in forced return. As most embassies do cooperate in case of voluntary return, the caseworker has to change the attitude of the migrant so that he or she is willing to leave voluntarily.

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<sup>4</sup> DT&V has a specific department for international relations, that is able to assess the willingness of embassies to cooperate.  
<sup>5</sup> A Dublin claimant is an asylum seekers whose claim must be processed in another EU member state. The migrant has to return to that particular country to have his/her claim processed.

An often-heard term is the *chance of success* as a deterrent of the strategies that are to be used. The chance of success relates to the categorization previously described and they use this categorisation to prioritise their caseload. In case there is little chance of success, they put less effort into interacting with the migrant and the number of interactions will drop or they will assist them in obtaining a temporary permit to stay. This frees time to put more effort into cases with more chance of success.

## **Strategies**

During the interviews, many strategies were expressed. This section describes these strategies and how they can be categorized using the three pillars (regulative, normative, cultural-cognitive) and the dimensions of willingness and readiness.

### *Push and pull*

Push and pull strategies refer to the use of incentives and sanctions. Because of the use of incentives and sanctions, push and pull strategies can be regarded as part of the regulative pillar. Widely used strategies are the use of financial and non-financial support, in the form of travel expenses, additional financial support for integration purposes, goods or training. DT&V, as well as IOM and many of the NGOs, offer support for this purpose and these programmes can greatly improve prospects. These programmes aim to lower the cost of returning to and integrating into the society of origin. Emphasizing the existence of such programmes often changes the cost-benefit analysis of return affecting the ability to return and are therefore mostly offered to those who are willing to return.

Another strategy that is deployed is to mention the possibility of forced return, which is occasionally used by caseworkers. This strategy is mostly used with those who are able to return but not willing to and who are in possession of travelling papers, or embassies of country of origin are willing to cooperate with forced return. The mentioning of forced return can be explained as merely providing information about the judicial system. It is, however, possible that the migrant interprets this as a threat and changes his attitude because of this pressure. Often, this strategy is combined with the comment that the migrant has some time to work towards assisted return pro-actively and is aimed at changing the willingness of the migrant to return: “*You have two weeks to take care of things. Otherwise, I’ll take over*” (C1).

### *Framing*

When unauthorised migrants are not willing to return and are not able to return, caseworkers often try to persuade the migrant to leave voluntarily by emphasising possibilities in the country of origin and difficulties of illegal stay in the Netherlands. As such, framing is used to change the willingness to leave. Illegal stay in the Netherlands is discouraged: *“Then, it is emphasising the difficulties of illegal stay and being uninsured. And to be a burden for, for instance, your mother who probably lives on social benefits. You cannot do more than that”* (C11). The image of the country of origin, however, is positively enhanced. An often-heard expression is a fear of being killed. Being a very emotional statement, the caseworker tries to frame the country not solely as a place of fear, but also a place of opportunities: *“So, you have fear for a certain group. Do you have an alternative place to stay? Or perhaps the situation has changed. You can find much information on the internet”* (K1). Framing contains both regulative and normative elements. Regulative elements refer to attempts to picture countries of origin as places of opportunities, effectively trying to alter the cost-benefit calculation migrants make. However, frames can also be used to contest the norms and values towards, for example, illegal stay.

### *Working relationship*

Some caseworkers emphasize the need for a good working relationship, especially with those who are not willing to return and cannot be forcefully removed and is regarded to be a normative strategy: *“If the interaction was of a business nature, you would notice that people will not say much back and you will end up nowhere. You have to create a good working relationship; you have to put effort into building such a good relationship”* (C12). A good working relationship consists of trust and transparency, and the migrant needs to feel that he or she is treated fair and is aimed at changing the willingness of the unauthorised migrant to leave. This refers to procedural justice, and increased trust will confer legitimacy towards the institution and subordinates will be more willing to comply. Empirical evidence supports this idea (Hough et al., 2010; Leerkes, 2016).

However, gaining trust proves difficult because caseworkers have a clear and pressing objective to repatriate the migrant: *“I find it very difficult to mention the subject of travelling documents in an early stage of the process, because obtaining travelling documents is not beneficial to the migrant in any way and for me, it is very important to my objective. And if you are just starting to build a trustworthy relationship, the subject of travelling documents does not*

*help at all*" (K5). This contradiction does not exist for counsellors working for IOM and NGOs. They do not have the pressure to enforce return policies, and as such, counsellors have an opportunity to take their time.

#### *Involvement of relatives*

Another strategy is involving relatives of the unauthorised migrant, especially when they live in the country of origin: "*What I sometimes tried is to call the parents myself, with permission of the migrant of course*" (K5). Sometimes, the relationship between the migrant and their relatives is distorted. By restoring this relationship, caseworkers hope to create a supportive network in the country of origin that makes it easier for the migrant to return; in other words, increase the ability to return. Besides increasing the ability to return, restoring family relations might increase the willingness to return as well. The use of this strategy can be regarded as being part of the regulative pillar. However, this strategy can also be regarded as part of the normative pillar as it signals a norm; that is, one should be with his or her family. The latter argumentation, however, is unsupportive of the fact that many young male migrants are sent to Europe by their families to earn money. In this case, involving family members could harm the migrant's aspiration to return. This strategy is applied by both caseworkers and counsellors when the migrant is willing to return but not able to return. In case the migrant is unwilling to return, and the option of forced removal is absent, caseworkers might apply this strategy as well.

#### *Inform about judicial proceedings*

Caseworkers and counsellors often explain the judicial system. They inform the migrant about what it means to be rejected and what is expected of them. Some put much effort in explaining: "*You notice that these young guys, a mere description of the system does not suffice. I have made a diagram and use my hands and use drawings to express how the system works*" (K5). Caseworkers and counsellors do not apply this strategy to all unauthorized migrants as those who have been in contact with the authorities many times, already know the regulations. Explaining the judicial system has a strong normative element as it explains how one should behave.

Not only do caseworkers explain the judicial system, but counsellors from IOM and NGOs explain the procedures as well, which could be problematic. When these organizations describe the procedures differently, migrants usually opt for the most lucrative explanation and

can regard fewer lucrative explanations as unfair, undermining their perception of the legitimacy of those with the less lucrative explanation.

### *Involvement of IOM and NGOs*

Most caseworkers involve NGOs to offer resources, such as money and goods; “*And if I notice that he is willing to return, I can immediately say: go to IOM, they can refer you to other assistance you might need.*” (C8). This strategy is deployed to change the ability to return and is targeted towards those who are already willing to return and can be seen as both instrumental and normative. As NGOs provide financial and non-financial support, the involvement of NGOs changes the cost-benefit calculation making it easier to return. However, the inclusion of NGOs could signal to the migrant that return is an accepted norm. Caseworkers do not mention this as such, but the mere fact that so much NGOs cooperate must mean that return to the country of origin is ‘a normal thing to do’.

### *Empowerment*

Empowerment severs to enable migrants to return on their own and to enable reintegration in the country of origin. The aim is to let them make their own choices; however, for caseworkers, the aim is to change the willingness and ability to return: This is emphasized by many caseworkers. “*I like to empower people so that they could take responsibility for their own lives so that they can return on their own*” (C1). For counsellors, the aim is to enable people to live the life they choose. This strategy can be regarded as normative as it signals the norm that one is responsible for their own choices. However, an instrumental element is that this changes the cost-benefit calculation of staying and returning as well. Taking control of their action could, however, collide with the theory that many young migrants are sent here by their families, making it not their own choice. This could signal a cognitive dissonance as it could well be that this migrant never had such freedom to make their own choice and regard these choices as a family matter.

### **Perceived effects of the strategies**

This section describes the perceived effects of the strategies above. Note that these effects refer to effects as perceived by the caseworkers and counsellors.

### *Push-Pull*

Offering financial and non-financial support can have a positive effect, mostly in the case the migrant is already willing to return. Such offerings can influence the ability of the migrant to return by removing certain impediments: “A man, he has been here 16 or 17 years. An organization offered him a van with which he could transport goods. That was all he needed. It cost fifteen hundred euro. I can be that simple, but most often, people just do not want to go back” (C7). Many organisations offer such assistance, and there is some competition between those organisations to provide the best deal. Such competition may result in behaviour to maximize financial support.

There is, however, a possibility that the offering of financial support has a negative effect. An example of this is shown by one of the counsellors who emphasises the need the learn about the effort it took to migrate from the country of origin to the Netherlands. There is an enormous difference between the effort it takes to migrate from Ghana to Europe and the journey from Ethiopia to Europe. While the former is relatively effortless, the latter costs thousands of euros (C15). So, when offering a few hundred euros to someone who travelled from Ethiopia will only show a lack of understanding of the position of the migrant and will harm the trustworthiness of the official who made the offer. As a decrease in trustworthiness can cause a decrease in perceived legitimacy (Hough et al., 2010; Leerkes, 2016; Levi et al., 2009; Mazerolle et al., 2013), this could harm compliance.

Push-pull strategies have little effect on those who are not willing to return, especially for those with children. As a caseworker emphasises “Give me one good reason why she should go back to Somalia. You have to work 16 hours a day for one meal for your family. Here you get three meals a day. You get pocket money. There is medical care. Children receive an education until they are 18 years old.” (C6). Most parents of such families focus on the future of the children and not their own future and choose to stay.

Mentioning the possibility of forced return can have a positive effect on those who are able to return. The emphasis on such sanction can persuade the unauthorized migrant to rethink voluntary return and has some positive effect on compliance. There is, however, a risk involved. As the migrant is made aware of the possibility of forced return and the inevitability of return, the migrant may abscond.

### *Framing*

The effects of framing seem small. Those who are not willing to return have a relatively fixed image of the country of origin and are determined to stay. Besides having little effect, it seems caseworkers themselves struggle with providing a positive image of the country of origin: *“Imagine you arrive there with a suitcase and 100 euro. You have nothing there; I don’t even want to think about it. How am I supposed to paint a picture that it is better there than here? They need to have some future prospects there”* (C10). Sometimes, migrants would rather go to prison than repatriate: *“Yes, they prefer staying here illegally, or even go to prison. I heard that they think that is better than returning to the country of origin”* (C3). However, there can be a positive effect if there is a trustworthy relationship, and the caseworker or counsellor has in-depth knowledge of the country of origin and specifically the culture. In such cases, the migrant might change his perspective towards return.

### *Working relationship*

Building a good working relationship can create an atmosphere in which the unauthorised migrants opens up. This change in attitude makes the interaction more equal: *“You can have a different kind of conversation, and the mood is more positive. You can make certain remarks because your counterpart can read between the lines because you have built a relationship with the individual”* (C11). Opening up is relevant as most migrants do not share their real-life story easily with public organisations such as DT&V. They are even reluctant to open-up to organisations such as IOM and NGOs. What they communicate is often adjusted so that it fits the asylum system as expressed by this counsellor *“They often told a different story. I call it the asylum-truth, not their own true story”* (C9). A trustworthy relationship can persuade the migrant to tell their real-life story. Another caseworker mentions the possibility of a strong positive effect: *“People don’t have to be tensed when I speak with them. People may know that they can always have a choice and that there is are rules they have to oblige to. As long as you this stays clear, they often tell us much about their problems and issues. They provide more information or even provide their passports”* (C1).

It helps to have background knowledge of the culture and the region of origin. This enables one to challenge the migrant in case one does not tell their real story. A counsellor expresses his advantage of originating from Eastern-Africa: *“I’m originating from the same area*

*as you. You are my neighbour”* (C15). In such cases, a strong cultural-cognitive element might appear.

#### *Involvement of relatives*

The strategy of contacting relatives should be carefully considered as the effect depends on the specific circumstances and the characteristics of the relationship between the migrant and his or her relatives. Often, the decision to migrate is not an individual decision but a decision made by the family. In such cases, the migrant is sent to work abroad and sent remittances back home to financially support the family, as exemplified by the new economics of labour migration (NELM). Failing to obtain a job in the host country could be regarded as shameful: *“What I would sometimes do is to call the parents, of course with permission of the migrant. When the migrant says that he was sent here to obtain a staying permit and if he cannot obtain one, he thinks he failed. Then I can explain to his mother that it is not his fault. It is how the system works.”* (K5).

#### *Inform about judicial proceedings*

Providing information about the judicial proceedings does not result in a change in attitude towards return. Caseworkers and counsellors mention several reasons. First, other organisations provide judicial information as well, often more in favour of the individual. As caseworkers try to emphasize that there is little chance of success after a negative asylum decision, other organizations might frame appeal as an opportunity, increasing hope towards a positive outcome. In addition, the multiple occurrences of the so-called ‘kinderpardon’, provides families with the hope that the government will one day pardon their children as well. As one caseworker mentions *“If something happens in society, it could greatly influence our conversations. For example, when Lili and Howick got a pardon. Every family puts down their feet and wait because they might be next”* (C8). As long as there is hope, providing judicial information will not change the willingness to return.

#### *Involvement of IOM and NGOs*

The involvement of IOM and NGOs has some positive effects: *“I have succeeded a few times in making arrangements with Goedwerk Foundation, and all I had to do is book a travelling ticket. They do the rest, such as buy a small car and goods to send to the country of origin”* (C11).

However, care should be taken as putting too much emphasis on the involvement of NGOs could harm the delicate relationship between the caseworker and the migrant: “*I'm not going back in the end anyway, so I'm not going to do this'. So that always remains a bit tricky. You can offer people a lot, but people still see that it is still always about returning*” (K5).

The effects of involving IOM and NGOs on the perceived legitimacy of the return regime could not be determined from the data. These effects could be positive, as well as negative. The existence of many return programs could signal that returning is ‘the norm’. A negative effect could arise from the differences in norms and values of these organisations.

### *Empowerment*

Empowerment does not always influence willingness. This strategy may help feel migrants better, but there is not much evidence of changing the attitude towards return: “*The woman who did an intern at a bakery to obtain a certificate, that's also important, to obtain some independence, Because, the only thing she did was take care of her children and husband. So I thought this would make her feel better. And then she is better able to make a decision about her future. But no, she decided not to return*” (K5). The fact that a change in willingness has to come from the migrant him or herself is known to caseworkers and counsellors: “*I do not make a decision for the migrant. I help them make a decision for themselves. To look for opportunities together. That is really important. What are the impediments? And then you can empower someone.*” (C15). This shows that empowerment follows a decision to return and empowerment is unable to change willingness itself. What empowerment does is alter the ability of the migrant to return, thus changing the cost-benefit analysis of return.

### **Caseworkers vs counsellors**

Some differences can be mentioned between the way caseworkers and counsellors deploy their strategies and the way they cope with their work. Caseworkers seem affected by the work they do and the impact it has on migrants as well as the difficulties some external events place on their work. Some seem to cope very well with their demanding job, as expressed by this caseworker: “*I always put it into perspective. The Netherlands is in all the lists when you talk about the democratic rule of law, freedom of the press, human rights and all kinds of lists, the Netherlands is in the top ten regarding the freedom of the press, human rights and all sorts of other issues. But no legal system is perfect, but relatively speaking we are among the best in the*

*world.” (C10). Others express doubt on the fairness of the regulations they must enforce, especially those who work with one of the most challenging categories, such as families in family locations. “I look at the dossier, see that the child suffers from a terrible hereditary immune disease. She has to have her toilet, has to avoid any infection. So they ask for temporary suspension of their departure. I would think they succeed. Appears that, it is only granted when a life-threatening situation is likely to occur within three months. And this is not the case, so they have to leave. I cannot understand.” (C6). This caseworker clearly doubts the legitimacy of the return regime. Another caseworker expresses concern this way: “We see disturbing things, putting people into custody is difficult emotionally. You really intervene in someone’s life. You see colleagues break down” (C7).*

Counsellors, on the other hand, did not seem to experience much stress and applied strategies are less determined by the willingness of the migrant to return. This could be explained by the lack of pressure to obtain compliance. Counsellors are able to put more effort into building a trustworthy relationship and provide the migrant with more self-determination: *“There is no need for IOM to know one’s nationality. We facilitate voluntary return. We are not DT&V. My objective is not to obtain the truth, that is not relevant” (C15). This makes the relationship between the migrant and the counsellor more equal, whereas the relationship between the migrant and the caseworker is inherently unequal. Another difference is that a failure to change the willingness of the migrant has a negative effect on the relationship between caseworkers and a migrant while the same failure does not influence the relationship between the counsellor and the migrant. Even when the migrant absconds, the relationship between the counsellor and migrant can continue: “I do not force them to do anything. It is ok with me if they want to wander around for years. What I can do is point out some of the difficulties and consequences, with best intentions. A caseworker is not able to do that” (C9). Here, the counsellor displays efforts that could affect the willingness of the migrant; however, it is not his objective to do so.*

### **Governing return migration**

As Beetham (1993) describes, legitimacy increases in case others show consent towards that authority; in this case, the government. As many of the NGOs assist in return migration and cooperate with DT&V, they show consent, and as such, increase the perceived legitimacy of the work DT&V does. An aspect that could have the opposite effect and could cause a decrease in perceived legitimacy is the fact that these organisations form a complex web of, often

autonomous, operating entities with their own norms and values. These norms are not always aligned. For example, some NGOs keep their own list of safe countries and do not depend on the list provided by the government. Also, many NGOs seem to have a different attitude towards illegality than most government organisations as illegality seems to be considered an acceptable alternative to return. When such attitudes are communicated to migrants, this could undermine the efforts of caseworkers to achieve their goal: *“When everyone continuously says to them that everything will be ok, and we will come up with something, and we try this or that. Then you notice that your conversation does not always have as much influence on them as you sometimes hope”* (C). Even between government organisations, different norms can be found, sometimes resulting in conflicting interests and opinions. As Scott (2014, p. 73) indicates: *“In complex situations, individuals or organisations may be confronted by competing sovereigns. Actors confronting conflicting normative requirements and standards typically find it difficult to take action since conformity to one undermines the normative support of other bodies”*. In this case, these sovereigns are the many organisations involved in return migration, and some examples have been provided by caseworkers talking about external factors that: *“It is more difficult to talk when I try to empower people, and there are people from our partner organisations who feel sorry for these people. They do a very good job, but if there are some colleagues who have a different idea about how to deal with migrants, it makes our work more difficult”* (C1).

## **Conclusion and discussion**

The return of rejected asylum seekers and other illegally staying residents is considered to be difficult to enforce (Commissie van Zwol, 2019). DT&V is the government organisation responsible for enforcing the return policies. In addition, many more organisations are involved in return counselling, such as IOM and many NGOs. Caseworkers employed at DT&V aim to obtain compliance from those who are unauthorised to stay, while counsellors employed at IOM and various NGOs offer assistance in case of voluntary return and aim to fully inform the unauthorised migrant enabling the individual to make the best decision possible.

Caseworkers and counsellors use various strategies to obtain their goal. These strategies, especially those used by caseworkers, depend on the willingness and the ability of the unauthorised migrant to return. Caseworkers use limited strategies with those who are willing to return and are able to return, of which migrants originating from Balkan countries are the prime example. Instrumental strategies, such as offering financial incentives, will suffice. For those

who are not willing to return but can be forced to leave, different strategies are deployed. Caseworkers are required to pursue voluntary return if possible, resulting in efforts of caseworkers to change to the willingness of the unauthorized migrant. A mix of instrumental and normative strategies are used in such circumstances, and forced return is used as a possible sanction. Examples of strategies used to persuade the migrant to leave voluntarily are framing, involving IOM and NGOs, and empowering. Those who cannot return due to various reasons are mostly put aside as the opportunity of return is missing. The last category concerns those who are not willing to return and who are only able to return in case of voluntary return. The caseworker then tries to influence the attitude towards voluntary return using the strategies previously mentioned. However, in these cases, forced return is no option, diminishing the effect of these strategies.

Some strategies have some effect on return. For instance, push-pull strategies have some positive effect on the ability to return; however, negative effects on willingness could also occur. A good working relationship has some positive effects, which is in line with previous research. However, creating a trustworthiness relationship is easier for counsellors than for caseworkers, as the latter has an obligation to pursue compliance and caseworkers seem to apply this strategy only for a certain category, signalling that this strategy is used mostly in a functional manner. In addition, the effect of this strategy seems to be long-term. The involvement of NGOs has positive as well as negative effects. Return programmes do help migrants who are willing to return to make it easier to return by providing financial and non-financial support. Negative effects arise from the differences in norms and values between these organisations.

Caseworkers express feelings of stress due to the difficulties they experience to obtain compliance. Often, these difficulties occur when caseworkers aim to change the willingness to return, which is mostly ineffective. Some caseworkers cope with these difficulties by clearly separating their work from private life. Others begin to question the legitimacy of the return regime. The difficulties seem to arise from a tension between the use of strategies that rely more on instrumental models and strategies that rely more on normative models. Previous research (Leerkes, 2016), points out the possibility of tension between these two models. Counsellors were not found to experience such feelings, perhaps thanks to the lack of need for compliance. This relieves them from any pressure to change the willingness of the unauthorized migrant.

The fact that the return regime is governed by public, as well as private organisations, has some effects on the perceived legitimacy of the return regime. As these organisations do not always share the same goal, norms and values, unauthorised migrants tend to listen to those who serve their cause most undermining the trustworthiness of caseworkers and consequential decrease the perceived legitimacy of the return regime as a whole. On the other hand, most of these organisations also provide return assistance, and they collaborate with DT&V. Such collaboration can be seen as an acceptance of the norm that return is customary and as such, strengthening its legitimacy. More research is necessary to analyse these opposite effects.

Several factors appear to be related to the lack of compliance with return regulations. Both instrumental and normative strategies have a limited effect on the willingness to return. However, trustworthiness seems to have some effect on willingness, although this is mainly a long-term effect. This leaves caseworkers and counsellors with few options to change the unauthorized migrants' attitude towards return. As counsellors have the advantage of being able to invest in a long-term relationship, this strategy is most effectively applied by counsellors. Secondly, organisations involved in return do not seem to be fully aligned regarding norms and values. NGOs and IOM regard illegal stay differently than DT&V. Also, forced return is only supported by DT&V. The different values and norms undermine the perceived legitimacy of the return regime as a whole.

It proved difficult to categorize the strategies using the regulative and normative models. Often, strategies have both instrumental and normative components. For example, re-establishing contact between relatives in the country of origin makes it easier to re-integrate in the society in the country of origin, which makes this an instrumental strategy. However, this strategy could also signal a norm that one should be with their relatives. Also, the usefulness of the cultural-cognitive pillar is debatable as none of the strategies could be classified as cultural-cognitive. This shows that the categorization of the three pillars cannot be applied readily and the usefulness of applying this theory to the subject of this study is debatable. However, some strategies can be categorized more easily. For example, establishing a trustworthy relationship is mainly a normative strategy and has some effect on the attitude towards the official as individuals seem to open-up.

Some recommendations for further research can be mentioned here. First, to analyse the actual effects of the strategies used, instead of the perceived effects, it would be advisable to

interview migrants and to use observational methods. Secondly, there were some indications that the involvement of IOM and various NGOs could both increase and decrease the legitimacy of the return regime. The precise effects, however, and whether there was a net increase or net decrease in legitimacy, could not be inferred from the data.

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**Appendix A: Interview Guide**

This appendix contains the interview guide used during interviews with caseworkers and counsellors (in Dutch)

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## Interview guide regievoerders en counselors

Introductie (verbatim script)	<p>Allereerst bedankt dat u wilt deelnemen aan dit interview. Mag ik 'je' zeggen? Ik zal eerst het een en ander toelichten over ons project en hoe we omgaan met uw privacy.</p> <p>Ik zal mij eerst voorstellen. Mijn naam is Michael Sinnige en ik studeer momenteel af aan de Erasmus Universiteit in Rotterdam, faculteit sociologie. Dit interview vindt plaats in het kader van mijn afstudeerscriptie. Daarnaast is dit project gelieerd aan het onderzoek van Martijn Tubbergen waar zij jullie van op de hoogte heeft gebracht via intranet.</p> <p><b>Doel van het project</b>          Het doel van dit project is de analyse van de strategieën en hulpbronnen die caseworkers van NGOs, IOM en DT&amp;V (hier regievoerders genaamd) inzetten tijdens terugkeergesprekken met migranten die een terugkeerbesluit hebben ontvangen en dus het land moeten verlaten. Door middel van de analyse probeer ik een duidelijker beeld te vormen van deze strategieën en hulpbronnen om zodoende wetenschappelijk inzicht te krijgen in dergelijke processen met daarnaast de hoop dat de betrokken organisaties hun methodieken hiermee zouden kunnen verfijnen. Ook zal ik inzicht proberen te krijgen in de mate waarin caseworkers legitimiteit verlenen aan het asielbeleid en hoe ze dit in hun eigen werk vorm geven. Dit onderdeel is zoals eerder aangegeven gelieerd aan het onderzoek van Martijn Tubbergen.</p> <p><b>Uw/je privacy</b>          Onze procedures voldoen aan de nieuwe privacy wetgeving. Hierbij zorgen we ervoor dat eventuele opnamen van de interviews na transcriptie verwijderd worden en de transcripties geanonimiseerd worden. Geanonimiseerde transcripten worden ter beschikking gesteld voor het genoemde promotieonderzoek en delen van de interviews kunnen worden toegevoegd aan de eindrapportage/scriptie die openbaar beschikbaar zal zijn. Deze transcriptie zijn dus geanonimiseerd, wat wil zeggen dat interviewteksten niet herleidbaar zijn tot jou als persoon. Als regievoerder krijg je, voordat de scriptie en eventuele andere publicaties worden afgerond, inzage in de stukken waarmee je kunt verifiëren of jij als persoon, en de casussen die je in hebt gebracht, afdoende geanonimiseerd zijn. Mocht je bepaalde delen willen verwijderen uit de interviews kun je dit aan mij aangeven, dan zal ik deze uit de transcriptie verwijderen.</p> <p><b>Nog eens je rechten op een rijtje</b></p> <ul style="list-style-type: none"> <li>• Je deelname is volledige vrijwillig en je hebt altijd het recht om te stoppen met het interview.</li> <li>• Recht om te weten welke persoonlijke informatie wordt opgeslagen (<i>recht op informatie</i>)</li> <li>• Recht om de opgeslagen persoonlijke gegevens in te zien (<i>recht op inzage</i>)</li> <li>• Recht om onjuiste persoonlijke gegevens te laten rectificeren (<i>recht op rectificatie</i>)</li> <li>• Recht om verwerking van persoonlijke gegevens te beperken (<i>recht op beperking</i>)</li> <li>• Recht om de opgeslagen persoonlijke gegevens te laten verwijderen (<i>recht op verwijdering</i>)</li> <li>• Recht om aan te geven dat niet te willen dat de persoonlijke gegevens verder verwerkt worden (<i>recht op bezwaar</i>)</li> </ul> <p><b>Dit interview</b>          Dit interview zal ongeveer een uur duren, maar ik heb alle tijd als je nog langer door wilt praten. Als je hierna meteen door moet, kun je dat nu aangeven, dan zal ik daar rekening mee houden.          De volgende vragen zullen als leidraad dienen: (1) Wat is het doel van jouw functie en de terugkeergesprekken die je voert? (2) Wat zijn de strategieën die je tijdens terugkeergesprekken en binnen je caseload gebruikt om die doelstelling te bereiken? (3) Welke effecten merk je, bij je doelgroep en bij jezelf? (4) Wat is de invloed van de (veranderende) context van het asielbeleid en hoe ga je hier mee om? (5) Wat zijn verbeterpunten?</p> <p><b>Heb je hierover nog vragen?</b>          Op dit formulier [overhandig consent form] staat alles nog eens op een rijtje. Ik vraag je dit formulier te ondertekenen.</p> <p>Heb je er bezwaar tegen dat ik het interview opneem?</p>
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Warm-up	1. Algemeen over werk & terugkeergesprekken	<p>Eerst zou ik je wat algemene vragen willen stellen om een beeld te krijgen van hoe jouw werk eruit ziet. Kun je me vertellen hoe je functie eruit ziet: wat is het wat jij doet? Hoe zou jij dat omschrijven</p> <p><i>(als er niet specifiek over terugkeergesprekken gesproken wordt, dan hier expliciet na vragen)</i></p> <p>Hoe ziet je case load eruit? Met wie voer jij terugkeergesprekken? In welke fase?</p> <p>(mogelijke antwoorden zijn 1) tijdens fase: vrijwillig vertrek 2) tijdens fase gedwongen vertrek Nu zou ik graag wat meer willen inzoomen op de terugkeergesprekken Wat is het doel van de terugkeergesprekken? <i>(let op verschil persoonlijk en DTenV)</i></p> <p>In welk opzicht verschilt het doel tijdens de verschillende fasen waarin de procedure zich kan bevinden?</p> <p>Wanneer heb jij een succesvolle dag?</p> <p>Stel je krijgt iemand voor het eerst voor je, hoe verloopt dan in principe het traject dat je met die persoon aflegt? En hoe verloopt een typisch gesprek binnen zo'n traject?</p>
Main body of the interview	2. Strategieën	<p>Ik wil het met je hebben over de strategieën die jij hebt in deze terugkeergesprekken en -trajecten. Enerzijds binnen een gesprek, en anderzijds binnen jouw caseload.</p> <p>Eerst op het niveau van terugkeergesprekken.</p> <p>Wat zijn de tools, de hulpbronnen en de strategieën waar je gebruik van maakt tijdens de terugkeergesprekken om dichterbij je doel te komen?</p> <p><i>(Probe totdat de interviewer niet nieuws heeft toe te voegen)</i></p> <p>Waarom gebruik je deze strategieën? (vraag in relatie tot alle aangedragen strategieën)</p> <p>Je noemt [...] als belangrijkste strategieën. Andere dingen die wel eens genoemd worden zijn: ( de rest van de lijst). Doe je daar wel eens iets mee? <i>(ga de lijst af en sla de al genoemde strategieën over)</i></p> <ul style="list-style-type: none"> <li>• Arguments: normative / regulative</li> <li>• Material: offering assistance</li> <li>• Affective: trust, relationship building</li> <li>• Hoe houd je rekening met iemands afkomst en cultuur?</li> <li>• Hou je rekening met hoe je overkomt op de ander, zo ja, hoe?</li> <li>• Methodiek: WGK.</li> </ul> <p>Hoe bepaal je welke strategie je gebruikt?</p> <p><i>(Let op: we willen ook de prioriteit weten, mocht de regievoerder die hebben)</i> <i>(Probe totdat de interviewer niet nieuws heeft toe te voegen)</i></p> <p>Zijn er verschillen in</p> <ul style="list-style-type: none"> <li>• Verschillende fasen</li> <li>• Verschillende doelgroepen Bijvoorbeeld gezinnen, kansrijkheid voor gedwongen vertrek, alleenstaande vrouwen uit bepaalde landen</li> <li>• Hoe iemand binnenkomt?</li> <li>• Hoe lang iemand in het vertrekproces zit</li> </ul>

	Strategieën	<p>Ten tweede strategieën die je gebruikt op het niveau van de caseload (keuzes tussen cliënten)</p> <p>- Wat zijn de strategieën en hulpmiddelen die je gebruikt binnen je case load? Welke prioriteiten stel je binnen je case load op het moment dat je je tijd moet verdelen tussen cliënten?</p> <p>(Mogelijke antwoorden:</p> <ul style="list-style-type: none"> <li>• Inzetten op kansrijkere zaken?</li> <li>• Bepaalde landen van herkomst?</li> <li>• Bepaalde (schrijnende) zaken laten zitten?</li> <li>• Afzien van een IBS voorbereiden?</li> </ul> <p>)</p> <p>Waarom maak je deze keuzes?</p> <p>(Mogelijke antwoorden)</p> <ul style="list-style-type: none"> <li>• Lage kansrijkheid</li> <li>• Gezin heeft mogelijk ervoor te zorgen dat er steeds iemand in een procedure zit</li> <li>• Effectiviteitsnorm</li> </ul> <p>)</p> <p>(Probe totdat de interviewer niet nieuws heeft toe te voegen, let op externe factoren, interne drijfveren)</p>
	3. Effecten	<p>Ik zou ook wat willen weten over de effecten van de gebruikte strategieën</p> <p>Wat is het effect van deze gesprekken/strategieën</p> <p>Bij de cliënt</p> <ul style="list-style-type: none"> <li>• Wat zijn dan die veranderingen: open of meer weerstand.</li> <li>• Wat zijn de affectieve veranderingen?</li> <li>• Wat zijn de relationele veranderingen?</li> <li>• Verandert de communicatie door de gesprekken en zo ja, hoe?</li> <li>Concreet: verandert de bereidheid om te praten?</li> <li>• Zie je emotionele veranderingen bij de cliënt en zo ja, welke?</li> <li>• Concreet: volgen er bepaalde acties uit?</li> <li>• Bij welke cliënten merk je de grootste veranderingen?</li> <li>• Bij welke cliënten merk je de grootste veranderingen en bij welke de minste?</li> <li>• Wanneer merk je weinig effect?</li> <li>• Wat zijn de grootste obstakels?</li> <li>• Bij welke strategieën merk je de grootste veranderingen?</li> </ul> <p>Bij jezelf</p> <ul style="list-style-type: none"> <li>• Wanneer zit jij lekker in je werk?</li> <li>• Wat motiveert je dan?</li> <li>• Wanneer loopt het bij jou niet lekker?</li> <li>• Wat zit je dan dwars?</li> <li>• Wat doe je dan?</li> </ul> <p>Wat zijn de sleutelmomenten waarbij een relatie veranderd.</p>

	4. Invloed van context van asielbeleid	<p>Dan wil ik het nog met je hebben over de invloed van de (veranderende) politieke, sociale en persoonlijke context en hoe je hier mee om gaat. Er kunnen heel wat veranderingen optreden in de sociale, politieke en persoonlijke context waarin de gesprekken zich afspelen, die invloed hebben op de terugkeergesprekken.</p> <p>Wat zijn hier wat jou betreft belangrijke dingen in? (Bijvoorbeeld politieke verandering, acties in het netwerk van de migrant, persoonlijke veranderingen en juridische veranderingen (wet en regelgeving)</p> <p>Op welke manier beïnvloeden die je gesprekken en de effecten ervan?</p> <p>Jij werkt binnen deze veranderende context van het asielbeleid – je krijgt met deze aspecten te maken, bijvoorbeeld (noem concreet de aspecten die genoemd zijn) . wat vindt je daarvan? Wanneer vind je die beleidsaspecten ‘goed’ of ‘legitiem’ en wanneer niet?</p> <p>Deze beleidsaspecten maken allemaal deel uit van breder asielbeleid. Als iemand die er dagelijks mee te maken heeft, hoe beoordeel jij het beleid in het algemeen?</p> <p>Hoe ga je om met de invloeden van buitenaf in de praktijk? ( Verander je dan van strategie / van prioriteit – zet het op een laag pitje? Hou je vinger aan de pols? Ga op een andere strategieën inzetten? Hoe pak je dat aan? )</p> <p>Heeft wat jij vindt van het beleid effect op hoe jij je werk doet en hoe je met de migrant omgaat?</p> <p>Heeft wat migranten vinden van het beleid effect op hoe jij je werk kunt doen / op de effectiviteit van de terugkeergesprekken? (Migranten zullen de beleving van legitimiteit waarschijnlijk baseren op hoe ze het asielproces ervaren in termen als transparantie, duidelijkheid, bejegening e.d. Dus in hoeverre ze het proces en het beleid begrijpen, de mate waarin rekening wordt gehouden met hun belangen, mate waarin ze inspraak hebben, ze zich serieus genomen en gehoord voelen etc).</p> <p>Hou jij op jouw beurt weer rekening met dit soort aspecten van de beleving van legitimiteit door migranten en en zo ja, hoe? <i>(En vind je dat je hier een verantwoordelijkheid in hebt?)</i></p>
Main	5. Verbeterpunten	<p>We zijn nu bijna aan het eind van het interview. Ik zou je nog graag wat afsluitende vragen willen stellen</p> <p>Wat kan er nog verbeterd worden?</p> <ul style="list-style-type: none"> <li>• Voor de cliënt</li> <li>• Voor jou</li> <li>• Persoonlijke effectiviteit? - reflectief op eigen handelen.</li> <li>• Structurele omstandigheden?</li> </ul> <p>Wat belemmert je om dat niet te doen?</p>
Cool-off	Afsluitende vraag	<p>[Geef een samenvatting van het gesprek]</p> <p>Heb je zelf nog iets toe te voegen wat belangrijk kan zijn voor het onderzoek of heb je nog algemene vragen of opmerkingen?</p>
Closure	Bedankt	<p>Dank je voor je tijd. Mocht er nog iets te binnen schieten of je wilt iets veranderen aan de inhoud van het interview neem gerust contact op, ook als je bepaalde onderdelen niet verder wilt delen.</p> <p>Gedeelde informatie na uitzetten recorder: Achteraf noteren maar buiten de transcriptie laten, ook niet uit quoten. Behandelen als ‘off-the-record’ data.</p> <p>Ook een notitie toevoegen aan het interview hoe de extra data behandeld zijn.</p>



## Appendix B: Informed Consent

This appendix contains the informed consent form as used during the interviews

### INFORMED CONSENT FORMULIER

<b>Project</b>	Master scriptie terugkeergesprekken regievoerders en native counselors
<b>Hoofd onderzoeker</b>	Michael Sinnige / Marieke van Houte
<b>Organisatie</b>	Erasmus Universiteit Rotterdam
<b>Doel van de studie</b>	Het doel van dit project is de analyse van de strategieën en hulpbronnen die caseworkers van NGOs, IOM en DT&V (hier regievoerders genaamd) inzetten tijdens terugkeergesprekken met migranten die een terugkeerbesluit hebben ontvangen en dus het land moeten verlaten. Door middel van de analyse probeer ik een duidelijker beeld te vormen van deze strategieën en hulpbronnen om zodoende wetenschappelijk inzicht te krijgen in dergelijke processen met daarnaast de hoop dat de betrokken organisaties hun methodieken hiermee zouden kunnen verfijnen. Ook zal ik inzicht proberen te krijgen in de mate waarin caseworkers legitimiteit verlenen aan het asielbeleid en hoe ze dit in hun eigen werk vorm geven. Dit onderdeel is zoals eerder aangegeven gelieerd aan het onderzoek van Martijn Tubbergen.
<b>Procedures</b>	U neemt deel aan een interview met een duur van ongeveer een uur tot anderhalf uur. Er worden vragen gesteld over de terugkeergesprekken, zoals de algemene werkwijze en het doel, de gebruikte hulpbronnen en strategieën en de effecten hiervan op zowel de cliënt als de medewerkers. Een vraag kan bijvoorbeeld zijn: “Wat zijn de tools, de hulpbronnen en de strategieën waar je gebruik van maakt tijdens de terugkeergesprekken?”
<b>Potentiele risico's en beëindiging</b>	Er zijn geen fysieke, juridische of economische risico's verbonden aan dit interview en je bent gerechtigd om geen antwoord te geven. Je medewerking is op basis van vrijwilligheid en je kan dit interview op ieder moment beëindigen.
<b>Potentiele voordelen</b>	Voor de deelnemer zijn er geen directe voordelen te behalen, echter door het deelnemen aan het interview kan het zijn dat de deelnemer een beter begrip krijgt van de gebruikte strategieën en de effecten hiervan.
<b>Publicaties van de resultaten</b>	De resultaten van dit onderzoek worden gepubliceerd in de master scriptie behorend bij dit project. Ook zullen de resultaten beschikbaar gemaakt worden voor het promotie onderzoek gelieerd aan dit project.
<b>Vertrouwelijkheid</b>	Data zal alleen geanonimiseerd beschikbaar gemaakt worden voor verdere verwerking en zal niet te herleiden zijn tot de persoon.

	Delen van de interviews zullen alleen anoniem opgenomen worden in de master scriptie. Eventuele opnames zullen verwijderd worden na transcriptie.	
<b>Rechten en vragen</b>	<p>U heeft de volgende rechten</p> <p>Je deelname is volledige vrijwillig en je hebt altijd het recht om te stoppen met het interview.</p> <p>Recht om te weten welke persoonlijke informatie wordt opgeslagen</p> <p>Recht om de opgeslagen persoonlijke gegevens in te zien</p> <p>Recht om onjuiste persoonlijke gegevens te laten rectificeren</p> <p>Recht om verwerking van persoonlijke gegevens te beperken</p> <p>Recht om de opgeslagen persoonlijke gegevens te laten verwijderen inclusief de opname</p> <p>Recht om aan te geven dat niet te willen dat de persoonlijke gegevens verder verwerkt worden</p> <p>Bij besluit om niet verder deel te nemen, of als er vragen, opmerkingen of klachten zijn, neem contact op met de één van de onderstaande personen.</p> <p>Michael Sinnige (<a href="mailto:461782ms@eur.nl">461782ms@eur.nl</a>), <a href="mailto:Marieke.van.Houte@essb.eur.nl">Marieke van Houte</a>  <a href="mailto:vanhoute@essb.eur.nl">vanhoute@essb.eur.nl</a>), <a href="mailto:Arjen.Leerkes@fsw.eur.nl">Arjen Leerkes</a> (<a href="mailto:leerkes@fsw.eur.nl">leerkes@fsw.eur.nl</a>)</p>	
<b>Statement of Consent</b>	Met het zetten van je handtekening verklaar je dat je minstens 18 jaar oud bent en dat je het eens bent met de inhoud van dit formulier. Je ontvangt een kopie van dit formulier.	
<b>Audio recording</b>	Ik stem ermee in dat dit interview wordt opgenomen <input type="checkbox"/> yes <input type="checkbox"/> no	
<b>Signature and Date</b>	<b>NAME PARTICIPANT</b>	<b>NAME PRINCIPAL INVESTIGATOR</b> Michael Sinnige / Marieke van Houte
	<b>SIGNATURE</b>	<b>SIGNATURE</b>
	<b>DATE</b>	<b>DATE</b>

## Appendix C: Ethics and Privacy Checklist

This checklist provides detailed information about the ethical issues and privacy issues concerning this research project. The checklist is required for research conducted at the Department of Public Administration and Sociology (DPAS).

### PART I: GENERAL INFORMATION

Project Title	
Name, email of student	M. Sinnige (461782ms@student.eur.nl)
Name, email of supervisor	A. Leerkes (leerkes@essb.eur.nl)
Start date and duration	April 1 <sup>st</sup> , 2019 (three months)
This research study is conducted within DPAS	

### PART II: TYPE OF RESEARCH STUDY

Research involving human participants	YES
Does the study involve medical or physical research	NO
Field observations without manipulations that will not involve identification of participants	NO
Research involving completely anonymous data files (secondary data that has been anonymized by someone else).	N/A

### PART III: PARTICIPANTS

(Complete this section only if your study involves human participants)

Where will you collect your data?

Interviews: Michael Sinnige and Marieke van Houte

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What is the (anticipated) size of your sample?

Case Workers and counsellors: 15 interviews

Key informants: 5

What is the size of the population from which you will sample?

There are approximately 250 caseworkers working for DTenV.

The number of counsellors is approximately 30.

Will information about the nature of the study and about what participants can expect during the study be withheld from them?	NO
Will any of the participants not be asked for verbal or written 'informed consent,' whereby they agree to participate in the study?	NO
Will information about the possibility to discontinue the participation at any time be withheld from participants?	NO
Will the study involve actively deceiving the participants?  <b>Note:</b> almost all research studies involve some kind of deception of participants. Try to think about what types of deception are ethical or non-ethical (e.g. purpose of the study is not told, coercion is exerted on participants, giving participants the feeling that they harm other people by making certain decisions, etc.).	NO
Does the study involve the risk of causing psychological stress, or negative emotions beyond those normally encountered by participants?	NO
Will information be collected about special categories of data, as defined by the GDPR (e.g. racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data for the purpose of uniquely identifying a person, data concerning	NO

mental or physical health, data concerning a person's sex life or sexual orientation)?	
Will the study involve the participation of minors (<18 years old) or other groups that cannot give consent?	NO
Is the health and/or safety of participants at risk during the study?	NO
Can participants be identified by the study results or can the confidentiality of the participants' identity not be ensured?	NO
Are there any other possible ethical issues with regard to this study?	NO

If you have answered 'YES' to any of the previous questions, please indicate below why this issue is unavoidable in this study.

N/A

What safeguards are taken to relieve possible adverse consequences of these issues (e.g., informing participants about the study afterwards, extra safety regulations, etc.)?

Participants will have the opportunity to assess their quotes before the report becomes public.

Are there any unintended circumstances in the study that can cause harm or have negative (emotional) consequences to the participants? Indicate what possible circumstances this could be.

Please attach your informed consent form in Appendix B, if applicable.

#### Part IV: Data storage and backup

Where and when will you store your data in the short term, after acquisition?

Data of the interviews will be stored on phone (recording device) shortly and will be transferred to the EUR Document Vault service of the Erasmus University.

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Who is responsible for the immediate day-to-day management, storage and backup of the data arising from your research?

Erasmus University or research??

How (frequently) will you back-up your research data for short-term data security?

De service EUR Document Vault will provide backup facilities. Personally I will not backup the data

In case of collecting personal data how will you anonymize the data?

Names will not be available in the transcripts and store them in a separate file. Locations will be removed from the transcripts as well.

#### PART VI: SIGNATURE

Please note that it is your responsibility to follow the ethical guidelines in the conduct of your study. This includes providing information to participants about the study and ensuring confidentiality in storage and use of personal data. Treat participants respectfully, be on time at appointments, call participants when they have signed up for your study and fulfil promises made to participants.

Furthermore, it is your responsibility that data are authentic, of high quality and properly stored. The principle is always that the supervisor (or strictly speaking the Erasmus University Rotterdam) remains owner of the data, and that the student should, therefore, hand over all data to the supervisor.

Hereby I declare that the study will be conducted in accordance with the ethical guidelines of the Department of Public Administration and Sociology at Erasmus University Rotterdam. I have answered the questions truthfully.

Name student: M. Sinnige

Name (EUR) supervisor: A. Leerkes

Date:

Date:

**Appendix D: List of interviewees**

Code	Interviewee	Date	Length	Recording	Transcript
K1 & K2	Key informant at DT&V	02/05/2019	01:25	Audio	Semi-verbatim
K3	Key informant at NGO/IOM	07/05/2019	00:58	Audio	Semi-verbatim
K4	Key informant at NGO/IOM	08/05/2019	01:30	Notes, no recording	Notes
K5	Key informant at DT&V	27/05/2019	01:00	Audio	Semi-verbatim
C1	Caseworker at DT&V	13/05/2019	01:29	Audio	Semi-verbatim
C2	Caseworker at DT&V	13/05/2019	00:59	Audio	Semi-verbatim
C3	Caseworker at DT&V	16/05/2019	01:16	Audio	Semi-verbatim
C4	Caseworker at DT&V	20/05/2019	01:46	Audio	Semi-verbatim
C5	Caseworker at DT&V	22/05/2019	01:33	Audio	Semi-verbatim
C6	Caseworker at DT&V	22/05/2019	01:10	Audio	Semi-verbatim
C7	Caseworker at DT&V	23/05/2019	01:19	Audio	Semi-verbatim
C8	Caseworker at DT&V	22/05/2019	01:00	Audio	Semi-verbatim
C9	Counselor at NGO/IOM	27/05/2019	01:30	Audio	Semi-verbatim
C10	Caseworker at DT&V	27/05/2019	01:09	Audio	Semi-verbatim
C11	Caseworker at DT&V	28/05/2019	01:55	Audio (telephone)	Semi-verbatim
C12	Caseworker at DT&V	29/05/2019	01:06	Audio	Semi-verbatim
C13	Caseworker at DT&V	29/05/2019	02:43	Audio	Semi-verbatim
C14	Caseworker at DT&V	29/05/2019	01:24	Audio	Semi-verbatim
C15	Counselor at NGO/IOM	31/05/2019	01:19	Audio	Semi-verbatim

**Appendix E: Codebook**

Category	Code	Description	Example
Strategies	Push-Pull	Caseworker or counselor offer incentives such as financial support or non-financial support (skill training, goods). These are pull factors. Push factors include sanctions such as detention.	“A man, he has been here 16 or 17 years. An organization offered him a van with which he could transport goods. That was all he needed.”
	Framing	Refers to efforts to negatively depict the circumstances in the Netherlands. The image of the country of origin is positively enhanced.	“Then, it is emphasizing the difficulties of living illegally here and to be uninsured”
	Working relationship	Refers to qualities such as respect, integrity, transparency and trustworthiness.	“You have to create a good working relationship; you have to put effort into building such a good relationship”
	Involvement of relatives	Refers to attempts by caseworkers and counselors to involve relatives of the individual	“What I would sometimes do is to call the parents, of course with permission of the migrant.”
	Inform about judicial proceedings	Refers to explanations offered by caseworkers and counselors about the judicial system.	“You notice that these young guys, a mere description of the system does not suffice. I have made a diagram and use my hands and use drawings to express how the system works”
	Involvement of NGOs	Refers to involvement of NGO’s for support, such as information or return assistance.	“I have succeeded a few times in making arrangements with Goedwerk Foundation, and all I had to do is book a travelling ticket”
	Empowerment	Refers to efforts by caseworkers and counselors to empower the individual	“I like to empower people so that they could take responsibility for their own lives so that they can return on their own”