

DUTCH SOPEMI REPORT 2024

Migration Statistics and Migration Policies in the Netherlands

- FINAL REPORT -

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The Dutch SOPEMI-reports are yearly published on behalf of the Ministry of Social Affairs and Employment and the Ministry of Justice and Security. Regioplan has been asked to write these reports since 2014. The national reports are key input to the OECD work on international migration, not only to prepare the annual OECD International Migration Outlook, but also on a daily basis as a reference document.

The content of this report is largely based on the guidelines as provided by the OECD in Paris (International Migration Division). Central elements are:

- Recent developments in immigration and integration policies, as well as information on ongoing policy debates and emerging issues.
- Data for the full year 2023 and as well for 2024, to the extent possible. These statistics on migration and integration patterns are especially useful to identify emerging trends. Also breakdowns by age, gender and nationality are considered extremely useful.
- A brief summary and explanatory text, accompanying the quantitative information provided in the report (tables and charts) on migration and integration.

This report contains extensive information on policy decisions and developments. Both parliamentary documentation, annual publications from the European Migration Network on migration and asylum, and various evaluation reports have been used for this purpose. This edition of the national report will make it clear that the current government has set a significantly different course than in previous years. The course is focused in particular on combating the influx of asylum migrants. This is hoped to be achieved by reducing reception facilities, promoting return and limiting the possibilities for various groups of asylum migrants to stay in the Netherlands. This cabinet has also opted for a less generous labour migration policy, although the plans for this have been worked out less extensively.

Statistical information on migration is mostly based on population data of Statistics Netherlands (CBS). Population data in the Netherlands is based on the digitized municipal population registers. All Dutch municipalities are required to record and store population data on all their residents and non-residents living within the municipal boundaries. In addition to Statistics Netherlands, the following main (data) sources have been used: Eurostat Statistics; the Immigration and Naturalisation Service (IND); the Central Agency for the Reception of Asylum Seekers (COA); the Employee Insurance Agency (UWV); and the Dutch Education Executive Agency (DUO).

On the basis of these data sources, recent migration statistics are given for the full year 2023. The main categories to be explained are: (a) migration movements (immigration, emigration and net migration by different categories and/or permit types, with particular attention to family migrants, labour migrants, asylum migrants and international students, (b) trends in foreign-born and foreign population stocks, and (c) main changes in labour market outcomes of immigrants and their children. In addition, a separate chapter focuses on the arrival and participation of Ukrainian displaced persons in the Netherlands. Chapters 2 up to and including 7 provide for all relevant migration statistics. Chapter 1 provides a Management Summary.

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Management Summary

1

1 Management summary

This chapter provides a short overview of main migration statistics in the Netherlands. It also discusses the most prominent legislative and political changes in relation to migration and integration issues. The statistical and policy data mainly relate to the year 2023.

1.1 Statistics on migration

Immigration and emigration

During the last three decades, there has been an overall increase in the number of migrants coming to the Netherlands. With regard to the year 2023, the following patterns are worth mentioning:

- Between 2022 and 2023, the number of immigrants significantly decreased from 403,000 to 336,000. The total migration surplus was around 105,000 in 2023, indicating that much more people entered than left the country.
- The number of foreign-born people who migrated to the Netherlands from outside Europe was 259,000 in 2023. In the same year, 157,000 European foreign-born people migrated to the Netherlands. This group consists to a significant extent of Ukrainian displaced persons.
- Among immigrants from EU/EFTA countries or Switzerland, the largest group consisted of labour migrants (46,700) in 2022, followed by returning migrants who were born in the Netherlands (44,245).
- Among immigrants from non-EU/EFTA countries or Switzerland, the most common reason to migrate to the Netherlands is family formation or reunification. In 2023, this motive applied to nearly 42,000 immigrants. Asylum was the motive for nearly 32,000 people from non-EU/EFTA countries or Switzerland who migrated to the Netherlands in 2023. In the same year, nearly 26,000 migrants from these countries migrated for labour purposes, and nearly 23,000 migrants migrated for study purposes.
- In 2023, 4.833 million people with a migration background were living in the Netherlands. That equates to 27.1% of the total population in this country.
- The largest ethnic groups have a Turkish, Moroccan, Surinamese, Indonesian, German or Polish background. Together, these groups consist of more than 2.2 million people in the Netherlands (about half of the people with a migration background).

Labour-based immigration

The COVID-19 pandemic has led to a significant decrease in the number of migrant workers in the Netherlands after 2019. From 2021, the number of migrant workers increased again. The following developments can be indicated for the most recent period:

- In December 2022, 635,100 employees and 59,700 self-employed people from other EU Member States were employed in the Netherlands. Another 35,000 immigrants with employment in the Netherlands originated from the United Kingdom.
- Since 2020, foreign service providers and self-employed people from other EU-countries are required to report it when they carry out work in the Netherlands. The total number of unique service providers (posted workers) reported to the national counter was 96,290 in 2023. Of these posted workers, 72,780 had an EU nationality and 23,510 employees had a nationality from outside the EU/EEA or Switzerland. These numbers do not include reporting of postings in road transport.
- In 2022, a total of 13,590 reports were submitted by self-employed workers from other EU-countries.
- The total number of issued work permits for migrant workers from non-EU/EEA countries or Switzerland increased from 8,992 in 2021 to 14,913 in 2022 to 19,067 in 2023.
- The number of granted residence permits for highly skilled workers from outside the EU/EEA or Switzerland decreased from 24,488 in 2022 to 17,569 in 2023.
- The number of issued permits for researchers from these countries did not change between 2022 and 2023. In the latter year, 3,494 permits were issued for researchers from these countries.
- A large part of the combined number of issued work permits and favourable decisions were granted to nationals of India, China and the United States (together 38%).

Immigration for reasons of asylum

The number of asylum applications in the Netherlands increased further between 2022 and 2023. Various political conflicts, especially in the Middle East and North Africa, are the underlying causes of this increase. The following patterns can be identified for the most recent period:

- Between 2022 and 2023, the number of asylum requests in the Netherlands slightly increased from 47,990 to 49,890.
- In 2023, there were 38,375 first asylum requests. By far most asylum requests were made by Syrian refugees (13,030). Next in line were Turks (2,860), Eritreans (2,345) and Yemeni (1,980).
- The number of resettled refugees decreased from 1,422 in 2022 to 830 in 2023. These numbers also include resettled refugees under the EU-Turkey Statement.
- In 2023, the number of asylum applications by unaccompanied minors increased to 5,805 (from 4,205 in 2022). Unaccompanied minors account for more than 15% of the total number of requests.
- On 31 December 2023, a number of 64,300 asylum migrants were accommodated in Dutch asylum centres.

Foreign students in higher education

The number of foreign students enrolled in Dutch research universities and universities of applied sciences strongly increased during the last decade. The following stands out:

- In 2023, more than 128,000 foreign students participated in Dutch higher education, accounting for 16% of the total student population.
- Most foreign students originate from Western-European countries (EU-14 countries), however, the share of students from the more recent Member States (EU-12 countries) increased between 2013 and 2023.
- German students represent by far the largest group of foreign students in the Netherlands with 21,362 students in 2023.
- In 2023, more foreign students were enrolled in Dutch research universities (over 90,000) as compared to universities of applied sciences (over 37,500). The share of international students at research universities has steadily increased since 2006. Conversely, the share of international students at universities of applied sciences remained fairly stable during the last two decades.
- The number of international students who changed their residence permit in order to stay and work in the Netherlands after completing their study increased between 2021 and 2023. This increase corresponds to the increasing trend during the years preceding the COVID-19 pandemic.

1.2 People with a migration background in the Netherlands

The following statistics are relevant with regard to the size and composition of the population with a migration background in the Netherlands:

- On 1 January 2024, 5.0 million people with a migration background were living in the Netherlands. This number equates to 27.9% of the total Dutch population.
- Of the people with a migration background, 41.7% were born in the Netherlands.
- The largest ethnic groups have a Turkish, Moroccan, Surinamese, Indonesian, German or Polish background. Together, these groups consist of almost 2 million people in the Netherlands (i.e. about 40% of the people with a migration background).
- The non-Western immigrant population is largely concentrated in the four largest cities (e.g. Amsterdam, Rotterdam, The Hague, and Utrecht), whereas foreign residents from other European countries live widely spread across the Netherlands (also including some border regions).

1.3 Labour market integration

In general, the socio-economic position of people with a migration background in the Netherlands is much less favourable than that of people without a migration background. Based on the most recent information, the following can be mentioned:

- In 2023, the labour market participation of those born outside Europe lags behind that of persons born in the Netherlands and Europe. In 2023, the difference between the two groups was 14 percentage points.
- In 2023, persons born outside Europe were more than twice as likely to be unemployed as persons born in the Netherlands. Unemployment rates are highest among those with a Moroccan background.
- In 2023, people born outside Europe were more than seven times as likely to receive social assistance benefits than those born in the Netherlands. However, over the last decade, the use of social assistance slightly decreased among the largest migrant groups.
- Differences in income level between those born in the Netherlands and outside the Netherlands are relatively stable over the years. People born outside Europe reveal the least favourable income levels. However, there has been a considerable increase in the average hourly wage earned by these migrants over the past 15 years.
- Refugees in the Netherlands have a low net labour participation rate and are relatively strongly dependent on social assistance benefits. Of those who received a residence permit in 2014, 48% participated in the labour market in 2022 and a lower share (32%) was dependent on social assistance benefits in that year.

1.4 Policy measures

This section provides a brief summary of the main institutional changes in 2022, including legislative changes and policy measures. The main changes are summarised below for a number of migrant groups and migration-related topics.

Family migration

The legal options for family migration have only changed slightly in 2023. In April 2023, the Immigration and Naturalisation Service (IND) revised its policy regarding family reunification applications. The amendment stipulates that an application for family reunification of a non-EU partner cannot be denied solely on the grounds that the family relationship is not exclusive. However, this non-exclusive relationship must be durable; that is, it must be comparable to the state of a marriage. Furthermore, in July 2023, a change was made to the 'EU Law Assessment Procedure for Persons from Outside the EU who are Family Members of EU Citizens'. Previously, there were two separate application procedures: one for the non-EU family member and one for the EU citizen who is the sponsor. The separate procedure for the EU citizen has been abolished. It is also worth mentioning that the new cabinet, installed in July 2024, has announced new legislation for asylum seekers who are granted subsidiary protection. For these refugees the main rule will be that family reunification is only possible if the referent has housing, a stable and sufficient income and if he has had a residence status for at least two years.

The Aliens Employment Act (Wav)

The Aliens Employment Act was amended in 2021, entering into effect from January 2022. Due to the amendment of this act, a work permit can be granted for a maximum of 3 years, instead of a maximum of 1 year. In addition, a work permit with a full labour market test can be granted for a maximum of 2 years, instead of 1 year. Another measure obliges employers to pay the wages stated on the work permit to the employee via a bank account, over a maximum earnings period of one month. This allows the Dutch Labour Inspectorate to better check wage payments. Last but not least, in 2022, the special arrangement for Asian cooks ended. In 2023, there were no significant changes with regard to the possibilities for persons from outside the EU/EEA or Switzerland to work in the Netherlands.

Announced measures to protect temporary foreign workers in the Netherlands

The government has initiated various measures to better protect the position of migrant workers. For instance, the Wtta (*Wet toelating terbeschikkingstelling van arbeidskrachten*) proposal of 10 October 2023 introduces an admission system for employment agencies and other companies that provide workers. The essence of this system is that these agencies may only operate on the market if they are allowed to do so. However, the introduction of the admission requirement has been postponed until after

January 2027. The precise date for the introduction of the requirement will be announced in early 2025. The government has also been working on a system that makes it possible to register contact details of non-residents who stay in the Netherlands for less than 4 months. Since October 2022, temporary residence addresses and other contact details can be registered on a voluntary basis in a separate registration system. Also, the Good Landlordship Act (*Wet goed verhuurderschap*) came into effect on 1 July 2023. This law sets general rules for renting homes to migrants. Municipalities are responsible for the enforcement of these standards. In addition, a policy plan has been prepared to offer more customised measures to homeless EU citizens. Finally, investments are made to facilitate a more effective supervision and better enforcement of the working conditions of migrant workers.

Announced measures regarding labour migration in the new cabinet period

The new cabinet announced in its government programme (*Regeerprogramma*) that it wants to design a more targeted labour migration policy, in which there is room to hire labour migrants while decreasing the pressure on public services, for instance by using a more selective migration policy. The cabinet intends to address abuses of labour migrants in lower-skill sectors as well as target low salaries that enable such abuses. Announced measures also include restrictions for highly skilled migrants, which might involve higher salary requirements or stricter requirements for employers to become recognised sponsors.

Asylum policies

The problem of acute shortages of reception facilities for asylum seekers and housing for asylum migrants with a residence permit continued to exist into the year 2023. To prevent shortages in reception facilities, the Minister for Migration announced a package of measures on 10 February 2023 for COA to increase reception capacity by 19,000 places by 1 July 2023. In addition, in 2023, COA implemented various pilots to prevent disturbances and maintain the safety of reception facilities for both asylum seekers and COA staff. Furthermore, in November 2023, the Council of State ruled that the 24-week limit for access to the labour market for applicants for international protection was in violation with European law. Previously, asylum seekers without residence status were allowed to work for a maximum of 24 weeks per year only. From November 2023, asylum seekers whose asylum application has been pending for at least six months can be issued a work permit for longer than 24 weeks. The Asylum Reception Facilities in Municipalities (Enablement) Act (the so-called Dispersal Act) entered into effect on the first of February of 2024. The purpose of this act is to realise sufficient reception places and a more balanced division of asylum reception facilities across provinces and municipalities.

The new cabinet, installed in July 2024, aims for the toughest asylum regimes and the strictest admission requirements ever. Three legislative proposals were sent in December 2024 to the Council of State for its advice. Firstly, the Asylum Emergency Measures Act contains a number of measures aimed at reducing the volume of asylum immigration and promoting the return of asylum migrants. Measures that fall under this law are the abolition of permanent residence permits, a reduction of the validity period of asylum permits to three years, increasing the possibility to declare a person an undesirable foreign national, a restriction of possibilities for family reunification among asylum migrants (to nuclear families) and measures to make asylum procedures more efficient. In so doing the government expects to relieve the pressure on the IND and asylum reception centres. Secondly, the cabinet is proposing a so-called two-status system. The legislative proposal distinguishes between refugees and people receiving protection on other grounds. This provides additional possibilities for reducing the influx of family members of people in that second group travelling to the Netherlands for family reunification. Finally, the Council of State will consider an amendment to the legislative proposal for the Repatriation and Detention of Aliens Act. Among other things, this legislative proposal provides that non-cooperation with deportation will become a criminal offence and that the distinction between criminal detainees and immigration detainees will be more sharply defined.

Parallel to these asylum crisis measures, a separate bill will repeal the Dispersal Act (*Spreidingswet*), formally known as the Asylum Reception Facilities in Municipalities (Enablement) Act. Also a number of separate measures have been announced, including the introduction of border controls, expansion of

the possibilities for deporting criminal aliens, an opt-out from future changes to European asylum treaties and termination of the National Aliens Facilities as of 1 January 2025.

Civic integration law and policies

A significant change in the civic integration law entered into effect on 1 January 2022. This change concerns the civic integration system, and puts the responsibility for the civic integration of newcomers with an integration obligation on municipalities. The new system is centred on a subdivision into three civic integration routes that newcomers can follow. The route is decided in a customised personal integration plan, which is drafted by the municipality in consultation with the newcomer. Another change concerns the standard language requirement, for which the level has been raised from A2 to B1. This new law will be monitored and evaluated on a large number of components during the coming years. In its recent government programme, the current cabinet has announced that knowledge about the Holocaust and its victims will become an integral part of the civic integration courses.

Policies to combat discrimination

In 2021, a National Coordinator against Discrimination and Racism (NCDR) was appointed. The NCDR was appointed for a period of three years, with the main task of drawing up a multi-year national programme with clear targets and full attention to signals from society. The first national programme was presented in September 2022, the second national programme was presented in December 2023, and currently a third national programme with a multi-annual agenda is being drafted. Also, on 14 June 2024 the mandate of the NCDR was extended until 1 January 2026 in order to leave a decision on renewal of the period to the new cabinet, that was installed in the summer of 2024. This decision will be taken in the spring of 2025. In addition, several measures were taken in the area of anti-discrimination, as the Dutch government is committed to strengthening the awareness of effects of discrimination and discriminatory behaviour in governmental organisations. These measures include courses offered to different categories of government employees.

The previous cabinet (2022-2024) aimed to combat discrimination in the labour market by introducing a bill intended to facilitate equal opportunity employment by forcing employers and intermediaries (such as employment agencies) to consider unconscious bias in recruitment and selection procedures. The bill was passed by the House of Representatives in March 2023 but was rejected by the Senate in March 2024. Nevertheless, the cabinet is still committed to combating discrimination in the labour market, for instance by enabling employers to take action to combat discrimination and by offering practical measures and interventions for objective recruitment.

Announced measures to restrict citizenship policies

The new Dutch cabinet intends to make the rules for obtaining Dutch citizenship more restrictive. As such, the cabinet intends to increase the required level of Dutch to B1 as well as increase the period required to live in the Netherlands before applying for Dutch citizenship from five to ten years. Legislation on this matter is being prepared.

Study migration

The increasing number of international students in Dutch higher education in the past few years has garnered a lot of attention and discussion on whether limits should be imposed. The Dutch ministry of Education and Culture holds the position that while internationalisation carries risks for Dutch higher education, the benefits of the international dimension of higher education is very important for the Dutch knowledge economy, education, and science. In line with this position, the government is working on plans to manage the flows of international students, including introducing capacity limits for university programmes. At the same time, the government aims to combat housing shortages for all students, including international students, by creating 60,000 additional student housing units by 2030. The government also aims to create more support from universities for the accommodation of international students, as well as more protection from abusive housing practices.

The new cabinet, installed in July 2024, has announced measures to restrict international study migration. The government wishes to strengthen Dutch as the primary language in research universities and

universities of applied sciences, and decrease the pressure of international study migration on student housing. For the goals, the cabinet intends to rely on the proposed bill to balance internationalisation (*Wet Internationalisering in balans*) which was submitted to the House of Representatives and is expected to be treated in the fall of 2024.

1.5 Displaced persons from Ukraine

Since February 2022, tens of thousands of people from Ukraine have fled to the Netherlands. These refugees have been received throughout the Netherlands, both by municipalities and private individuals. By mid-2024 around 115,000 refugees from Ukraine had been registered in Dutch municipalities.

Displaced persons from Ukraine can receive temporary protection in the Netherlands under the European Union Temporary Protection Directive. In June 2024, the Council agreed to extend the protection for Ukrainian displaced persons based on the Temporary Protection Directive until 4 March 2026. Also in June 2024, the Temporary law on the reception of displaced Ukrainians came into effect. This law provides a more detailed legal basis for the reception of Ukrainian displaced persons, and includes the responsibility for medical care, the Funding Scheme for the Reception of Displaced Persons from Ukraine and the processing of personal data.

Under the temporary protection directive, Ukrainians are entitled to living allowances and access to health care in kind. From 1 July 2024, Ukrainian displaced persons aged 18 or older no longer receive a living allowance if they have a job or receive an income in another way, for example through unemployment benefits. Ukrainian displaced persons with an income and residence in a municipal shelter also pay a personal contribution as of 1 July 2024. This contribution is paid to the municipality where the Ukrainian displaced person lives. With this money the municipality can pay part of the costs for reception.

Mainly due to the legal possibilities for this group to participate in education and the labour market, the participation figures compare favourably with other refugees in their first year in the Netherlands. Some statistics:

- As of mid-2024, 12,300 students of Ukrainian nationality were enrolled in primary education institutions. 8,200 Ukrainians were enrolled in secondary education.
- Of the approximately 74,000 Ukrainian refugees between the ages of 15 and 65 who were staying in the Netherlands on 1 November 2023, 55% had paid work as an employee. This amounts to more than 37,000 people.
- By the end of 2023, most working Ukrainian refugees were employed as on-call workers (26%), agency workers (39%), or had other temporary employment contracts (30%).
- At the same time, most working Ukrainian refugees were employed in the business services sector (51%), also including temporary employment agencies. In addition to business services, a large number of Ukrainian refugees also worked in the trade sector, transport sector and the hospitality sector (32%).

Short-term problems are mainly related to insufficient reception capacity at municipalities for newly arrived Ukrainians. Problems that are related to a possible longer stay in the Netherlands concern sufficient suitable housing, the possibilities to offer education to a large number of Ukrainian young people, language problems and finding work at a higher qualification level.



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Main migration trends and policies

2

2 Main migration trends and policies

This chapter is about migration policy for regular migrants who want to come to the Netherlands. Attention is paid in particular to the category of family migrants. Other migration categories will be discussed in the following chapters. The main principles of Dutch migration policy, the possibilities and obligations in relation to migration (including the obligation to pass a civic integration exam abroad) and a number of initiatives to combat human trafficking and improve economic development in a number of countries of origin are consecutively explained. In addition, a few topics having attracted a lot of media attention in 2022, and which are related to the presence of migrants in the Netherlands are shortly discussed. Subsequently, a large number of statistical aspects of migration to and from the Netherlands is clarified. Finally, some socio-demographic characteristics of foreign residents in the Netherlands are discussed.

2.1 Main statistical findings

- Between 2022 and 2023, the number of immigrants decreased slightly again. In the latter year, the number of immigrants in the Netherlands was 336,000.
- In 2023, the volume of emigration from the Netherlands amounted to almost 200,000 people. This is the highest annual number of emigrants in the last two decades.
- Between 2022 and 2023, the number of immigrants to the Netherlands from EU-27 countries remained fairly stable (from 140,619 to 138,258). Conversely, the number of migrants from other European countries notably decreased between 2022 and 2023. This decrease is mainly due to the war in Ukraine, which resulted in high immigration numbers in 2022.
- In 2023, 143,180 non-European immigrants came to the Netherlands. This number represents an increase of 17 percent compared to 2022.
- In 2023, family migrants from non-EU/EFTA-countries were by far the most important category in numbers (with more than 41,000 immigrants). In that year, asylum migrants were the second largest group (almost 32,000), followed by labour migrants (approximately 26,000).
- With regard to migration from other EU/EFTA countries to the Netherlands, labour migrants are the most important category. Nearly 47,000 migrants from other EU/EFTA-countries came to the Netherlands for economic reasons. Returning Dutch are also a prominent category, with almost 45,000 immigrants. These numbers refer to 2022, the most recent year for which these figures are available.
- On 1 January 2024, 5.0 million people with a migration background were living in the Netherlands. This number equates to 27.9% of the total Dutch population. Of the people with a migration background, 41.7% were born in the Netherlands.
- The largest ethnic groups have a Turkish, Moroccan, Suriname, Indonesian, German or Polish background. Together, these groups consist of almost 2 million people in the Netherlands (i.e. about 40% of the people with a migration background).

2.2 Main migration laws and policies

This section discusses the most important parts of the Dutch legislation and regulations regarding the possibilities for regular immigration to the Netherlands. The subjects discussed are the legal framework for migration to the Netherlands, the existence of different residence permits, an explanation of the possibilities for family migration (including civic integration obligations abroad), measures against forced marriages and marriages of convenience, projects aimed at the economic development of important countries of origin of migrants, and a number of prominent discussions about migration in the Dutch media. First of all, the main principles of the Dutch migration policy will be explained.

2.2.1 Comprehensive agenda on migration

In March 2018 the Dutch government launched the so-called Comprehensive Agenda on Migration, meant to integrate several policy domains in relation to migration and integration.¹ This agenda involves that (1) different policy areas are considered as interrelated, (2) it is considered important to take action

¹ Parliamentary Papers II 2017/18, 29362, no. 266. Integrale migratieagenda.

at all points of the migration chain, and (3) it is considered crucial to work together at different levels and with all relevant actors simultaneously. Six different policy intentions are described in the agenda:

1. Preventing illegal migration by tackling the root causes of migration in the countries of origin and by international cooperation to combat human trafficking, strengthen border control and promote return migration;
2. Strengthening reception and protection for refugees and displaced persons in the region by providing emergency assistance and setting up resettlement programs, investments in education and employment in the region, and by special attention to the most vulnerable groups;
3. The establishment of a solid Dutch and EU asylum system, with specific regard to ensuring equal protection levels within the EU, by discouraging secondary migration movements and by a solidarity-based asylum policy, in which Member States support each other in times of increased asylum inflows;
4. Less illegality and more return migration through intensive case management aimed at individual migrants and through the introduction of positive and negative incentives to encourage countries of origin to take back their own subjects;
5. Promotion of legal migration by providing information about existing possibilities for labour migration, internships by foreign students, scholarships and circular labour migration;
6. Stimulating integration and participation, by allowing integration efforts to take place as early as possible, by changing the civic integration policy and by paying even more attention to preschool and early childhood education.

Following this agenda, different governments have indicated that they wish to adopt this principle for the policy to be pursued. The coalition of Rutte IV that took office on 10 January 2022 (and fell on 7 July 2023 after failing to reach an agreement on separate treatment of refugees fleeing from war) reiterated its commitment to a just, humane, and effective asylum and migration policy, with an emphasis on well-managed migration. This should be done in accordance with international treaties and EU regulations.² The current government, which took office in July 2024, also seems to endorse most of the above principles. However, a markedly different tone is noticeable. The Schoof 1 government is particularly keen on a strict policy for asylum seekers, a cutback in reception facilities and the return of illegal migrants.

2.2.2 The Aliens act

In April 2001, the Aliens Act 2000 entered into force. This act regulates the admission and expulsion of foreign nationals, border control, and the supervision of foreign nationals residing in the Netherlands. The Aliens Act 2000 makes a distinction between aliens who migrate to the Netherlands through a regular procedure and aliens who come to the Netherlands through the asylum procedure. Below some important parts of the regular procedure will be explained, with special attention to the possibilities for short stay and long stay (particularly within the framework of family migration). The legal framework for labour migration, knowledge workers and students will be dealt with in chapter 4 and 6. The legal possibilities for those who seek asylum in the Netherlands is further explained in chapter 5.

Short stay in the Netherlands

Foreign nationals to stay in the Netherlands for no more than three months must be in possession of a valid passport. In case these foreigners originate from outside the EU, they also may need a visa – a Schengen visa – in order to travel to the Netherlands (as part of the Schengen area). This visa must be lodged with the Dutch embassy, the Dutch consulate, or through external service providers. Nowadays, a substantial number of 62 countries – most of which are part of the more industrialised countries in the world – are exempt from the visa requirements.³

Currently, the fees for short-stay visas are €80 for adults and €40 for children aged 6-12. Renewing a visa costs €30.⁴ In addition, to ensure that short-stay visa holders are able to support themselves financially

² <https://www.rijksoverheid.nl/regering/coalitieakkoord-omzien-naar-elkaar-vooruitkijken-naar-de-toekomst/7.-internationaal/migratie>.

³ Regulation (EU) 2018/1806 of the European Parliament and of the Council of 14 November 2018. Since 1 January 2024, Kosovo has also been included in this list.

⁴ <https://ind.nl/nl/leges-kosten-van-een-aanvraag>.

during their stay, the Dutch embassy/consulate in the country of the foreigners' residence asks the foreigner to prove that he has at least €55 per day during his stay in the Netherlands.⁵

A stay for longer than three months in the Netherlands

The start of the procedure for a stay of more than 90 days in the Netherlands is the application for a residence permit. This application can be made by the migrant himself or by a (recognised) sponsor in the Netherlands. A condition for a residence permit is a provisional residence permit (*Machtiging tot voorlopig verblijf*, Mvv). An Mvv is a special visa that allows migrants to travel to the Netherlands. The application to obtain the document must be lodged at a Dutch diplomatic post in the country of origin or current residence. The residence permit is issued by the Immigration and Naturalisation Service (*IND*) upon arrival in the Netherlands. The application for the Mvv and the residence permit have been merged with the MoMi Act of 2013 in a combined procedure (TEV-procedure) for Entry and Residence (see box 2.1).

Foreigners with the nationality of an EU/EEA country, Australia, Canada, Japan, Monaco, New Zealand, Vatican City, United Kingdom, United States, South Korea or Switzerland are exempt from this provisional residence permit. In addition, there are situations in which the foreign national does not need an Mvv, for example in case the migrant is a family member of a citizen of the EU, EEA or Switzerland. The government has drawn up an extensive list that includes all situations in which no Mvv is required.⁶

Box 2.1 Modern migration policy

An important achievement within the framework of international migration has been the introduction of the Modern Migration Policy Act (*Wet modern migratiebeleid*, *MoMi*) in 2013. Modern migration policy particularly relates to modernising the processes regarding applications for residence permits and the admission procedures for migrants coming to the Netherlands for regular purposes of stay, such as labour, study and family reunification. From 1 June 2013, sponsors and foreign nationals may use the Entry and Residence Procedure (*Toegang en verblijf*, *TEV*). A more detailed explanation of Dutch Modern migration policy can be found in the previous editions of the Dutch SOPEMI-report. The Modern Migration Policy Act was evaluated in June 2019.⁷

Different types of residence permits

After a positive decision on the application for a residence permit, the IND issues the permit for the specific purpose of stay. Below, a number of prominent purposes will be explained shortly.

Members of the nuclear family can come to the Netherlands to stay with a Dutch citizen or a foreign national who is lawfully resident in the Netherlands. This concerns (marriage) partners and minor children. The possibilities apply to families already existing abroad as well as new families to be formed. Notable conditions which apply to both the (marriage) partner abroad and his or her (future) partner in the Netherlands are related to age, means of support, civic integration requirements, and the nature of the relationship between the partners. More specifically:⁸

1. The partner or sponsor in the Netherlands must have had sufficient long-term means of support for at least 12 months.
2. Both partners are aged 21 or older.
3. The (marriage) partner abroad has passed the Civic Integration Exam Abroad or is exempt from this examination (see also section 2.2.3).
4. The partners must have a long-term and exclusive relationship.

In addition, family migration may be permitted if required by Article 8 ECHR. This right of residence is derived from the right to family life, as laid down in the European Convention on Human Rights (ECHR).

⁵ <https://www.schengenvisainfo.com/netherlands-visa/>.

⁶ <https://ind.nl/nl/mvv-vrijstellingen>.

⁷ Lodder, G. (2019). *Selectief naast restrictief. Evaluatie van de Wet modern migratiebeleid*. Leiden, Instituut voor Immigratierecht.

⁸ The costs for families and single parents are expressed in percentages of the Dutch statutory minimum wage. For families the income requirements correspond to 100% of the statutory minimum wage, while for single parents this is 90% of the statutory minimum wage. For the requirements, see: <https://ind.nl/Formulieren/3076.pdf>.

This concerns the assessment of whether there is a so-called positive obligation on the Dutch government to enable the exercise of this family life. The scope of application of Article 8 ECHR is broad.⁹ Admission under Article 8 ECHR includes, for example, the residence of a parent with a minor child. Residence applications from adult children with parents residing in the Netherlands and from parents with adults who reside in the Netherlands are also assessed against this article.

Children whose parents are Dutch nationals acquire Dutch nationality by operation of law. Children who are born in the Netherlands and whose parents both have a non-Dutch nationality, need their own regular residence permit. This permit depends on that of the parents.

2.2.3 Civic integration requirements abroad before migrating to the Netherlands

Foreign nationals wanting to live permanently in the Netherlands must have a basic knowledge of the Dutch language and Dutch society prior to their arrival. For both elements, foreigners must pass a civic integration exam abroad. The exam must be taken by everyone aged between 18 and retirement age wishing to come to this country for an extended period of time. This mainly includes people who want to (re-)unite with a partner in the Netherlands. Also migrants wanting to work in the Netherlands as a cleric (e.g. imam or pastor) are subject to the civic integration programme abroad.

The exam is held at the Dutch embassy or consulate in the migrant's country of origin or at the nearest Dutch embassy or consulate abroad. Migrants coming to the Netherlands can only apply for a visa (a so-called Mvv) after they have passed the civic integration exam. If a migrant fails to pass the exam abroad, their visa application may be rejected. The Mvv should be lodged at the embassy or consulate after taking the exam.

The following groups of people are exempt from the civic integration exam abroad:

- (1) children aged under 18 and adults who have reached their retirement age;
- (2) nationals of an EU or EEA country, or one of the following countries: Switzerland, Monaco, Australia, Canada, Japan, New Zealand, Vatican City, the US and South Korea;
- (3) Surinamese nationals who have received at least their primary education in Dutch and have written proof of this;
- (4) people who come to the Netherlands for a limited period, for work, study, employment as an au pair, on an exchange scheme or for medical treatment (their family members are also exempt);
- (5) family members of a person with an asylum residence permit;
- (6) people with a serious physical or mental disability.

The Civic Integration Abroad Act (*Wet inburgering buitenland, Wib*) came into force in 2006. Over time, two measures were subsequently introduced aimed at further tightening the civic integration requirements. Firstly, the level of the language test was raised from level A1 minus to level A1 according to the Common European Framework of Reference for Languages. Secondly, a literacy and reading comprehension test (Dutch: *Test Geletterdheid en Begrijpend Lezen*) was added to the requirements as part of the examination. Both measures were implemented in 2011. As a result, family migrants entering the Netherlands are expected to be better prepared and to be sufficiently aware of the demands they are expected to meet prior to their arrival.

In October 2024 the highest administrative court, the Administrative Law Department of the Council of State, announced it will ask a preliminary ruling from the EU Court of Justice whether the Civic Integration Abroad Act is discriminatory on the basis of nationality and/or contrary to the stipulations of the family reunification directive.

⁹ Ministry of Justice and Safety (2023) *De Staat van Migratie 2022*.

2.2.4 Recent policies in family migration

During the past years several legal changes were implemented. These changes particularly relate to the right of residence given to third-country parents of Dutch children (see, in more detail, the annual reports of 2018 and 2019). This section describes a few changes in Dutch family migration policies implemented last year.¹⁰

Fees for residence permits in 2023

As of 1 January 2023, fees for the application of a residence permits are:¹¹

1. for a residence permit in order to stay with a family member (incl. partner): € 210;
2. for a residence permit as a family member of a long-term resident: € 210;
3. for a residence permit in order to stay with a Turkish family member (EC-Turkey Agreement): € 70;
4. for a residence permit to work as an employee or knowledge worker: € 350;
5. for a residence permit for study: € 210.

Obligation of a provisional residence permit for Turkish migrants

On 29 August, the IND announced that from 1 October 2022, applications for a residence permit (except asylum) by Turkish citizens, including those covered by the EU-Turkey Association Agreement and their family members, will be refused if the person in question does not have the correct visa, a provisional residence permit (MVV). The change prevents evasion of the civic integration obligation by Turkish citizens because completion of integration abroad is a necessary requirement before a MVV is issued. The integration obligation for all Turkish citizens and their family members was introduced on 1 January 2022 as part of the new Civic Integration Act 2021.

Adjustment of assessment of family life upon family reunification of adult children

In order to bring the national policy on family reunification with regard to adult children into line with a ruling on 28 April 2022 by the Administrative Jurisdiction Division of the Council of State (AbRvS), the assessment for family reunification has been partly adjusted.¹² From that date, when assessing family life during family reunification, justification must be given as to why an adult child does or does not fall under the young adult policy, even if the child is (much) older than 25 years old. This means that rejection can no longer take place purely on the basis of age, as was the case before.

Mandatory weighing of interests in family reunification decisions 8 ECHR

Following a ruling by the Administrative Jurisdiction Division of the Council of State (AbRvS) on 13 July 2022, a mandatory weighing of interests was introduced in the field of decisions regarding family reunification on the basis of Article 8 of the European Convention on Human Rights (ECHR).¹³ The ruling decided that a weighing of interests must always be made in decisions on applications for family reunification based on Article 8 ECHR.

Adjusted assessment of documents for family reunification

Due to a ruling by the Administrative Jurisdiction Division of the Council of State (AbRvS) of 26 January 2022, an adjusted assessment of the documents for family reunification has been introduced.¹⁴ It follows from the ruling that in the case of family reunification, all documents submitted with the application must be assessed in their entirety and in conjunction to determine whether identity and family ties could be proven. More than before, the specific circumstances in which status holders and their family members may find themselves are taken into account.

Policy Adjustment for Family Reunification Applications in Non-Marital Partnerships

On 26 April 2023, the Immigration and Naturalisation Service (IND) revised its policy regarding family reunification applications.¹⁵ The amendment stipulates that an application for family reunification of a

¹⁰ The explanation of new policy measures is based on EMN (2022, 2023, 2024) *Jaaroverzicht Migratie en asiel in Nederland*. The Hague, European Migration Network.

¹¹ For a complete overview of all fees per residence permit or visa: <https://ind.nl/nl/leges-kosten-van-een-aanvraag#kosten-visa>

¹² <https://www.uitspraken.nl/uitspraak/raad-van-state/bestuursrecht/vreemdelingenrecht/hoger-beroep/ecli-nl-rvs-2022-1260>.

¹³ <https://www.uitspraken.nl/uitspraak/raad-van-state/bestuursrecht/vreemdelingenrecht/hoger-beroep/ecli-nl-rvs-2022-2006>.

¹⁴ <https://www.uitspraken.nl/uitspraak/raad-van-state/bestuursrecht/vreemdelingenrecht/hoger-beroep/ecli-nl-rvs-2022-245>.

¹⁵ IND (2023) 'IB 2023/36 Afdelingsuitspraak exclusiviteitseis bij ongehuwde partnerrelaties', 26 April 2023.

non-EU partner cannot be denied solely on the grounds that the family relationship, as defined in the Aliens Decree (Vb) 2000, is not exclusive. However, this non-exclusive relationship must be durable; that is, it must be comparable to the state of a marriage. This adjustment was implemented to align practice with the 2021 case law. A ruling by the Council of State (AbRvS) on 24 November 2021, clarified the conditions of exclusivity in non-marital partnerships.¹⁶

Revision application procedure for the 'EU Law Assessment Procedure for Family Members of EU Citizens'
To improve efficiency in application procedures, on 1 July 2023, a change was made to the 'EU Law Assessment Procedure for Persons from Outside the EU who are Family Members of EU Citizens'.¹⁷ Previously, there were two separate application procedures: one for the non-EU family member and one for the EU citizen who is the sponsor. The separate procedure for the EU citizen was abolished; the requirement for the EU citizen's lawful EU residence remains, but this is assessed during the application process for the non-EU family member. The EU citizen no longer needs to register with the Immigration and Naturalisation Service.¹⁸

2.2.5 British citizens and their relatives

The United Kingdom left the EU on 31 January 2020 on the basis of the Withdrawal Agreement, known as Brexit. Under this agreement, British citizens and their family members already living in the Netherlands on 31 December 2020 can continue their residence under the same conditions. In 2020, the Dutch Immigration and Naturalisation Service (IND) sent invitation letters to Britons living in the Netherlands and their family members to submit an application for a new Brexit residence document. This residence application should have been submitted before 1 October 2021. However, due to the social impact of Brexit, the Netherlands decided in the first half of 2021 to be lenient with Brexit residence applications submitted too late.¹⁹ This means that Brexit residence applications that were not submitted in time, regardless of the reason for the late submission, could be submitted until 1 October 2022.

Up to and including 31 December 2022, 40,210 Brexit residence applications have been submitted, the majority of which were submitted in 2020. In addition 5,620 EU permanent residence documents have been exchanged for a permit under the withdrawal agreement. The option to apply for a Brexit permit ended on 1 October 2022. However, family members traveling to join the family can still rely on the withdrawal agreement under certain conditions.²⁰

Amendments concerning a proper enforcement of the EU-UK Withdrawal Agreement²¹

On 31 March 2023, the Dutch government made changes to the Aliens Act Implementation Guidelines 2000 (Vc). This amendment followed a clarification request by the Dutch government to the European Commission regarding Article 15(2) of the EU-UK Withdrawal Agreement. The Commission's response clarified that British nationals with a non-permanent Brexit residence permit may be absent from the Netherlands for a maximum of 6 months per year, or, in case of compelling reasons, a total of 12 uninterrupted months. Exceeding this maximum permitted absence period results in the loss of residence rights under the EU-UK Withdrawal Agreement. The Dutch government decided, however, not to enforce it immediately due to its sudden and significant impact. Enforcement of this provision started on 1 October 2023.²²

¹⁶ See, in more detail, https://www.emnnetherlands.nl/sites/default/files/2024-08/EMN_jaaroverzicht2023_EN_def.pdf, page 21.

¹⁷ Government Gazette, 2023, nr. 17810.

¹⁸ See, in more detail, https://www.emnnetherlands.nl/sites/default/files/2024-08/EMN_jaaroverzicht2023_EN_def.pdf, page 22.

¹⁹ Ministerie van Justitie en Veiligheid (2022) De Staat van Migratie, page 74.

²⁰ Ministerie van Justitie en Veiligheid (2023) De Staat van Migratie, page 32.

²¹ See, in more detail, EMN (2024) Migration and Asylum in the Netherlands Annual Report 2023, page 24.

²² Government Gazette, 2023, nr. 26470.

2.2.6 Measures against marriages of convenience and forced marriages

Already in 2013, the Dutch government developed an action plan against forced marriages. This plan was based on a sequential approach, including prevention, detection, damage reduction and sanctioning. (see also the Dutch national SOPEMI-report 2014 and 2015).²³ In addition, the Law on the prevention of forced marriages (*Wet tegengaan huwelijksdwang*) came into force on 5 December 2015. With this law, marriage can only take place between partners aged 18 years or older. The same age limit applies to the recognition of foreign marriages.

On 18 February 2020, the Rutte III cabinet has presented a number of concrete additional measures brought together in the 'harmful practices action agenda'.²⁴ This agenda contains measures for preventing, identifying and combating forced marriages. For instance, it is announced that it will be enshrined in the law that child marriages cannot be recognised. In addition, hymen repair operations are no longer allowed. Also in 2020, additional funding was made available for several organisations that aim to reduce suppression and promote self-determination.²⁵

2.2.7 The asylum procedure

People who apply for asylum in the Netherlands fall into a separate category. Asylum seekers can be awarded a residence permit on the basis of the 1951 Geneva Convention relating to the Status of Refugees or the European Convention for the Protection of Human Rights and Fundamental Freedoms; for compelling humanitarian reasons relating to their individual circumstances; and if return to their country of origin would place them at great risk. More detailed information on the legal possibilities for asylum seekers to stay in the Netherlands is provided in chapter 4.

2.2.8 Legislative changes with regard to foster children

The Netherlands aligned its national legislation or practices on family reunification with Court of Justice of the European Union (CJEU) rulings.²⁶ Legislative changes allowed foster children who were already part of the foster family in the country of origin to move to the Netherlands together with their foster parents, under certain conditions.²⁷

2.3 Measures against human trafficking and cooperation with third countries

The Dutch Ministry of Foreign Affairs has initiated several initiatives against human trafficking and also promotes activities in the field of migration and development. In addition, several grant opportunities are made available for those – often non-government organisations (NGOs) – that seek funding for migration and economic development projects. Several eye-catching projects will be discussed briefly below.²⁸

The Dutch Africa Strategy 2023-2032

New geopolitical challenges and changing realities prompted a revised and specific strategy in 2023. Consequently, the then Minister of Foreign Affairs and the Minister for Foreign Trade and Development Cooperation presented the Dutch Africa Strategy 2023-2032 to the House of Representatives on 30 May.²⁹ One of the goals of this strategy is to reduce irregular migration. Other goals of the strategy in-

²³ *Aanpak huwelijksdwang en achterlating*. Policy document of 6 June 2013 informing the Dutch House of Representatives about planned measures to combat forced marriages and the phenomenon of abandonment.

²⁴ Parliamentary Letter of 18 2020, by the Ministers Health, Well-being & Sports. Concerning a *Actieagenda Schadelijke Praktijken*.

²⁵ <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/06/16/kamerbrief-reactie-op-initiatiefnota-in-nederland-beslis-je-over-je-eigen-leven>

²⁶ C-273/20, C-355/20 concerning family reunification with a minor refugee; C-279/20 concerning a minor reuniting with his refugee parent; FI aligned national legislation on family reunification with rulings of the CJEU cases C-133/19, C-136/19 and C-137/19, 16 July 2022.

²⁷ EMN (2023) Annual Report on Migration and Asylum 2022. European Migration Network. European Migration Network, July 2023, page 32.

²⁸ The project descriptions are to a great extent based on an overview of migration and development projects presented by the European Migration Network (EMN (2022, 2023 and 2024) Annual Policy report for The Netherlands).

²⁹ Report of the Ministerie van Foreign Affairs (2023) 'De Nederlandse Afrikastrategie 2023-2032'.

clude equal economic development, poverty reduction, and adherence to human rights. The Netherlands aims, together with its EU partners, to offer African countries an alternative in addressing cross-border challenges in the areas of stability, migration, trade, the energy transition, raw materials, and food security. Establishing migration partnerships is a policy priority within the so-called Africa Strategy. This is the first comprehensive strategy outlining the Dutch vision for cooperation with Africa, including a section on migration. It is still unclear whether the current Schoof cabinet will continue this strategy.

Together against human trafficking

In 2018, the programme Together Against Human Trafficking was set up. The Dutch coalition agreement of the Rutte IV cabinet stipulated that this programme would be continued in 2023 and later years. For the execution and implementation of this programme, €2 million is structurally available as of 1 January 2023. The government takes a comprehensive approach to combating human trafficking and enlists all parties that can help.³⁰ It also offers victims support. In order to combat human trafficking it is vital that various parties work together. Recognising victims of human trafficking often involves spotting a combination of signs. The action lines of the programme Together Against Human Trafficking are (1) creating broad awareness, (2) increasing willingness to report, (3) investing in and working towards better identification of victimisation and protection of victims, (4) improving (supra-regional and regional) cooperation, and (5) improving information sharing and data processing. Together with experts, investigation services, municipalities, non-governmental organisations (NGOs), and other organisations involved, an Action Plan was drawn up according to the method of Task-oriented Work.

Foreign Trade and Development Cooperation (BHOS)

Per year € 128 million is available for funding programmes offering protection (including mental health care), stimulating employment and improving education. It concerns eight focus countries in particular (Egypt, Ethiopia, Iraq, Jordan, Lebanon, Kenya, Uganda and Sudan). The main instrument is the Prospects Partnership (2019-2023, € 500 million) with International Finance Corporation (IFC), International Labour Organisation (ILO), UNHCR, UNICEF, and the World Bank. In 2020, the partners, both humanitarian and development actors, have jointly worked towards concrete results, with flexible adjustments to their programming needed in the light of the COVID-19 pandemic.

Other projects with a longer history can be found in earlier versions of this annual report. See the Regio-plan website (www.regioplan.nl) for more information.

2.4 Remigration

In addition to return policies for undocumented migrants, the Netherlands also provides a scheme for voluntary return of unemployed and elderly migrants legally residing in the Netherlands. As of 1 July 2014, the new Remigration Act is effective. Currently, the Remigration benefit is available to migrants who:

- are 55 years or older;
- have legally resided in the Netherlands for at least eight years;
- have received social benefits for at least one year;
- are first-generation migrants;
- were 18 years or older when arriving in the Netherlands

The opportunity to apply for a remigration benefit will end on 1 January 2025. Those who applied for a remigration benefit before 1 January 2025 will continue to be entitled to this benefit after this date. The Remigration Act remained unchanged in 2023.

³⁰ <https://www.government.nl/topics/human-trafficking/combating-human-trafficking>.

2.5 Some issues from the public debate

The most discussed issue in 2023 was that of deficiencies in the asylum chain, with the result that the reception of asylum seekers and housing of those with a residence permit fell far short of what is needed. In addition, due to insufficient housing for refugees with residence status in municipalities there is no outflow from the reception centres. Agreements have now been made between the central government and municipalities, but the acute problems have not yet been resolved. Eventually, the Rutte IV coalition cabinet resigned in July 2023 due to mutual disagreements about reducing asylum applications in the Netherlands in order to solve the capacity problem with regard to the reception of migrants seeking asylum in the Netherlands. The new cabinet, installed in July 2024, has announced various measures to reduce the number of asylum seekers in the Netherlands and thus also relieve the pressure on reception facilities (see also chapter 4).

Furthermore, the final report of a Boosting Team for the Protection of Migrant Workers concluded in October 2020 that a significant group of poorly skilled labour migrants are being abused by a (limited) number of employers in the Netherlands.⁸⁴ Limited labour market legislation and inadequate enforcement contribute to this undesirable result. The report has led to a broad political and social discussion about the persistence of undesirable practices in the Dutch labour market. New fact reports and discussions on this issue also took place in 2023 and 2024.

In addition, the past year saw a heated discussion about ethnic profiling. The reason for this were the fraud detection practices at the Tax and Customs Administration, which especially affected people with a non-Western migration background. Amnesty International's conclusions point to a deliberate link between ethnic origin and alleged fraud in the daily working practices of the tax authorities.³¹ This conclusion is, however, contradicted by both the Tax and Customs Administration itself and by an investigation by the Dutch Data Protection Authority. The latter organisation does nevertheless call the tax authorities' working method discriminatory and extremely inappropriate. There was also discussion about the fraud team of the Education Executive Agency (DUO) after it emerged that the supervisors remarkably often focused their activities on students with a migration background.³²

Last but not least, the debate on the influx of foreign students has intensified in 2022 and 2023. The reason for this is that higher education institutions increasingly notice that the continued growth in the number of students from abroad can also lead to immediate problems. In particular, reference is made to the lack of opportunities for Dutch students, the workload among teachers and the lack of housing for these students. The problem with all this is that universities themselves can take few measures to reduce this influx. In the meantime, the current cabinet has announced that it will take measures to gain more control over the desired number of foreign students in the Netherlands (see also chapter 5).

2.6 Statistical overview of migration to and from the Netherlands in 2022

In this section we discuss the most important statistical information about migration to and from the Netherlands. First of all, total immigration and emigration is discussed. Subsequently, the immigration of Dutch nationals and foreigners is explained. We then discuss the main motives for migration to the Netherlands. We conclude with a description of some demographic characteristics of migrants in the Netherlands.

2.6.1 Main migration trends

The main migration trends in the Netherlands from 2000 to 2023 are presented in figure 2.1 in terms of immigration, emigration and migration surplus.

³¹ <https://www.amnesty.nl/actueel/kabinet-moet-stoppen-met-het-toestaan-van-discriminerende-risicoprofielen>.

³² <https://nos.nl/op3/artikel/2479700-studenten-met-migratieachtergrond-opvallend-vaak-beschuldigd-van-fraude-minister-wil-systeem-grondig-nagaan>.

Immigration. The highest number of immigrants was reached in 2022 with around 403,000 individuals entering the Netherlands. After the downward trend in immigration during the COVID pandemic, we have seen that the number of immigrants increased sharply again between 2021 and 2022. Naturally, this increase is also related to the war in Ukraine. Between 2022 and 2023, the number of immigrants decreased slightly again. In the latter year, the number of immigrants in the Netherlands was 336,000.

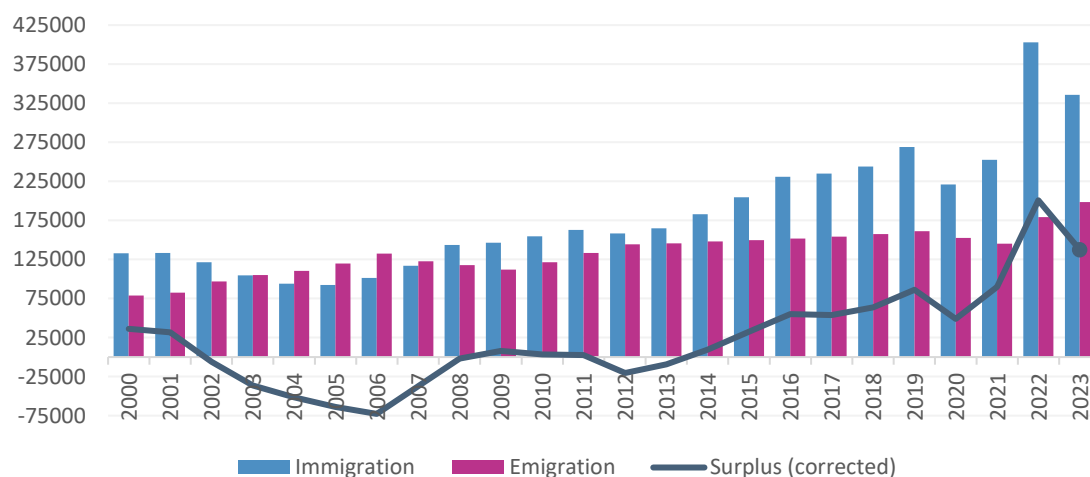
Emigration. In 2023, the volume of emigration from the Netherlands amounted to almost 200,000 people. This is the highest annual number of emigrants in the last two decades. Between 2022 and 2023 the number of emigrants increased with about 10%.

Surplus. The migration surplus, also referred to as the 'net migration rate', is the difference between the number of immigrants and emigrants. Hence, a positive value represents more individuals entering than leaving the country, while a negative value implies a reverse picture. Figure 2.1 reveals that, after a dip in the surplus between 2019 and 2020, the surplus reached its ultimate peak in 2022 (200,708 persons). However, in 2023 the surplus of migrants was at a significantly lower level (137,366 persons). Incidentally, in Dutch statistics a distinction is drawn between two types of data: the *uncorrected* net migration rate and the *corrected* net migration rate. In this chapter we will only report data including these corrections. See box 2.2 for an explanation.

Box 2.2 Corrected net migration rate

The uncorrected net migration rate is calculated by subtracting the total number of emigrants from the total number of immigrants per year. The corrected net migration rate is based on the same method, but also includes the balance of administrative corrections. These corrections consist of both entries in and removals from the municipal population register for reasons other than birth, death, arrival or departure.³³

Figure 2.1 Immigration to and emigration from the Netherlands, and net migration rate (surplus)¹, 2000-2023



Source: Statistics Netherlands, online statistics (2024); ¹ Net migration has been corrected for administrative errors.

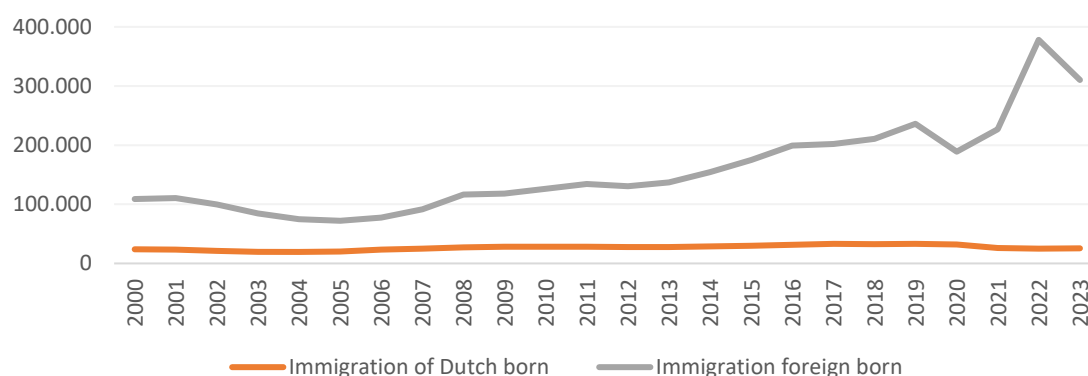
2.6.2 Immigration of Dutch born and foreign born

The official Dutch migration statistics draws a distinction between persons born in the Netherlands and persons born in foreign countries. In this section we will discuss some statistics for Dutch-born immigrants who are re-entering the Netherlands.

³³ An administrative *entry* is a decision by a municipality to include a person in its population while the municipality has not received information on birth, immigration or establishment of that person from another municipality in the Netherlands. An administrative *removal* is a decision by a municipality to no longer include a person in its population, once it has been established that the address of the person is unknown, the person cannot be contacted and probably no longer resides in the Netherlands.

A rather modest share of immigrants entering the Netherlands were originally born in the Netherlands (see figure 2.2). Compared to the number of non-Dutch immigrants, the size of this group of immigrants remained fairly small between 2000 and 2023. On the other hand, the number of non-Dutch immigrants has increased sharply since 2020. Both the end of the COVID-19 pandemic and the war in Ukraine have contributed to this growth (from approximately 189,000 in 2021 to 378,122 in 2022). In 2023, we see a drop in the number of foreign-born immigrants coming to the Netherlands, decreasing to 310,013 persons.

Figure 2.2 Immigration by Dutch and foreign-born individuals, 2000-2023



Source: Statistics Netherlands, online statistics (2024)

In addition, the category of foreign-born nationals can be discussed in more detail. In figure 2.3 a distinction is made between immigrants (i) from the EU-27 countries (as of 2020 excluding the United Kingdom), (ii) from other countries within Europe (such as Switzerland, Norway and Turkey), and (iii) non-European countries.

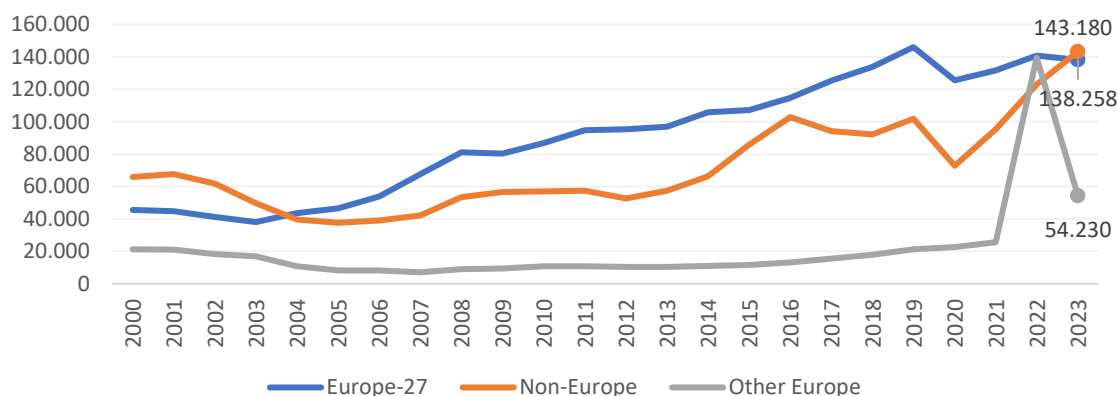
EU-27 countries. The number of immigrants from EU-27 countries steadily increased from 20,000 in 2000 to 145,979 in 2019. Between 2019 and 2020, the number of immigrants from EU-27 countries significantly decreased, mainly due to the travel restrictions resulting from the COVID-19 pandemic and a downturn in employment opportunities for (Eastern-)European labour migrants.³⁴ Between 2021 and 2023, the number of immigrants from EU-27 countries increased again (from 131,610 to 143,180).

Other European countries. Between 2000 and 2021, the influx of immigrants born in other European countries gradually increased to a number of about 25,674 immigrants. This number strongly increased in 2022, mainly due to the war in Ukraine. In that year, more than 138,000 immigrants from other European countries entered the Netherlands. In 2023, a sharp drop occurred to 54,230 immigrants from other European countries, which can be observed in figure 2.3.

Non-European countries. Between 2005 and 2019, we see a gradual increase in the number of immigrants from non-European countries. However, between 2019 and 2020, these numbers slightly decreased as a result of the COVID-19 pandemic. Between 2021 and 2023, the number of non-European immigrants strongly increased (from 72,757 to 143,180).

³⁴ <https://www.cbs.nl/nl-nl/nieuws/2021/29/vooral-minder-immigranten-van-buiten-de-eu-in-2020>.

Figure 2.3 Immigration of foreign-born nationals to the Netherlands by country-group, 2000-2023

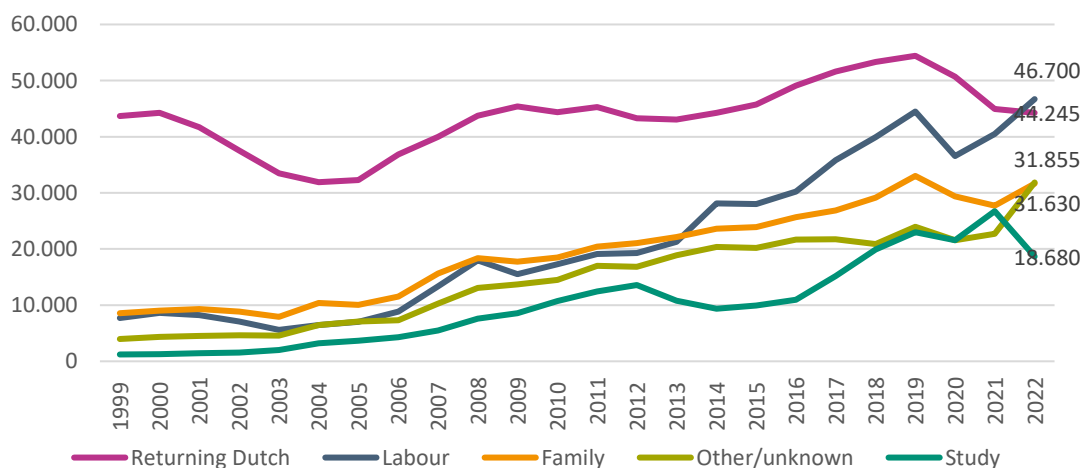


Source: Statistics Netherlands, online statistics (2024)

2.6.3 Migration motives of migrants from (non) EU/EFTA countries

With regard to migration from other EU/EFTA countries to the Netherlands, labour migrants are the most important category (see figure 2.4). Almost 47,000 migrants from other EU/EFTA-countries came to the Netherlands for economic reasons. Returning Dutch people are also a prominent category with nearly 45,000 immigrants. In absolute numbers, study and family are slightly less important categories. Between 2021 and 2022, we have seen an increase in labour and family migrants, compared to a decrease in study migrants and returning Dutch people.

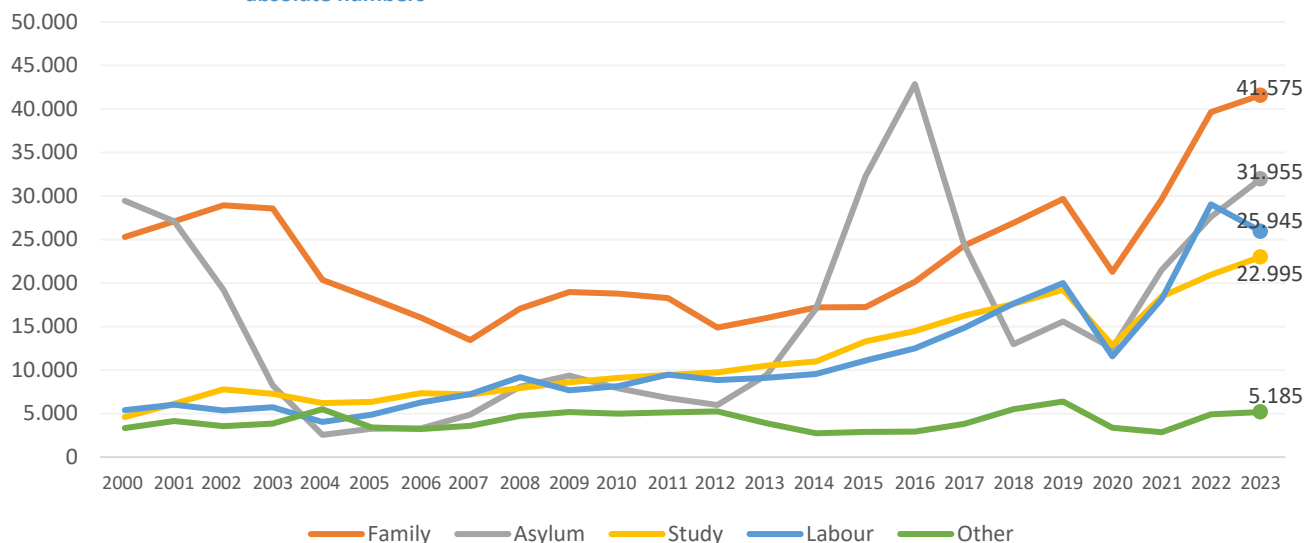
Figure 2.4 Migration motives of immigrants from EU/EFTA countries by year of migration (2000-2022), absolute numbers



Source: Statistics Netherlands, online statistics (2024)

The motives of migrants who originate from outside the EU/EFTA-countries differ from those originating from EU/EFTA-countries (see figure 2.5). In 2023, family migrants from non-EU/EFTA-countries were by far the most important category in numbers (with more than 41,000 immigrants). In that year, asylum migrants were the second largest group (almost 32,000), followed by labour migrants (approximately 26,000). Migration for reasons of study is a slightly less important category (almost 23,000 immigrants). For all categories, we notice a substantial increase in numbers between 2021 and 2023, with only a small decrease in the number of labour migrants between 2022 and 2023.

Figure 2.5 Migration motives of immigrants from non-EU/EFTA countries by year of migration (2000-2023), absolute numbers



Source: Statistics Netherlands, online statistics (2024)

2.6.4 Top 10 nationalities by migration motive

In table 2.1, the top 10 nationalities of immigrants from within the EU/EFTA region are shown by migration motive. In 2022, most labour migrants originated from Poland (23.1%), Romania (13.6%) and Spain (9.4%). Poland (24.1%), Romania (10.6%) and Bulgaria (10%) are the most import countries of origin in terms of family migration. Finally, most of the study migrants in the Netherlands originated from Germany (14.4%), followed by Bulgaria (9.9%) and Romania (9.5%) in 2022.

Table 2.1 Top 10 nationalities within the EU/EFTA by migration motive, 2022

Labour (N=46,700)		Family (N=31,630)		Study (N=18,683)	
	%		%		%
Polish	23,1	Polish	24,1	German	14,4
Romanian	13,6	Romanian	10,6	Bulgarian	9,9
Spanish	9,4	Bulgarian	10	Romanian	9,5
Bulgarian	9,1	German	7,7	Italian	8,4
Italian	8,8	Italian	7,1	Polish	8
Portugese	5,6	Spanish	7	Spanish	7,6
Greek	4,9	French	5	Greek	6,5
French	4,8	Portugese	4,4	French	5,5
German	4,6	Belgian	4,2	Hungarian	3,5
Hungarian	3,1	Greek	4	Portugese	3,5
Other	16,1	Other	19,9	Other	26,7
Total	100,0	Total	100,0	Total	100,0

Source: Statistics Netherlands, online statistics (2024)

In table 2.2, the top 10 nationalities of immigrants from outside the EU/EFTA region are shown by migration motive. In 2023, most labour migrants originated from India (18.5%), China (10%), and Turkey (9.7%). The numerically most important countries of origin among family migrants were India (13.1%), Turkey (10%), and Russia (5.9%). Most study migrants came from China (16.2%), the United States (8.9%), and India (7.9%). Finally, more than half of the asylum migrants came from Syria (54.9%), followed by Turkey (8.5%), and Eritrea (4.2%) in that year. It is worth mentioning that the Ukrainians who migrated to the Netherlands within the framework of the Temporary Protection Directive are not included in this table.

Table 2.2 Top 10 nationalities outside of the EU/EFTA region by migration motive, 2023

Labour (N=25,945)		Family (N=41,575))		Study (N=22,995)		Asylum (N=31,955)	
	%		%		%		%
Indian	18,5	Indian	13,1	Chinese	16,2	Syrian	54,9
Chinese	10	Turkish	10	American	8,9	Turkish	8,5
Turkish	9,7	Russian	5,9	Indian	7,9	Eritrean	4,2
Russian	6,9	Syrian	4,6	Turkish	7,6	Somalian	3,8
American	6,6	American	4,5	Indonesian	5,5	Afghan	3,2
South-African	6,6	South-African	4,5	South-Korean	3,9	Iraqi	2,3
British	5,7	Moroccan	4,5	Iranian	3,8	Iranian	0,9
Iranian	3,6	Surinamese	3,5	British	3,1	Russian	0,6
Brazilian	3,4	Chinese	3,4	Russian	2,8	Chinese	0,5
Japanese	2,4	Iranian	3,3	Canadian	2,3	Moroccan	0,1
Other	29	Other	46	Other	40,3	Other	21,1
Total	100	Total	100	Total	100	Total	100

Source: Statistics Netherlands, online statistics (2024)

2.6.5 Country of destination and demographic characteristics of emigrants

Below we discuss the demographic characteristics of migrants leaving the Netherlands and the most important countries of destination. The first column of table 2.3 shows that most emigrants from the Netherlands moved to other European countries in 2023. Germany (14,499 emigrants) was the most popular destination, followed by Poland (13,806) and Spain (11,724). Popular destinations of people migrating to countries outside the EU were the United States of America (7,073) and the United Kingdom (6,092). Another notable country of emigration in 2023 was Ukraine.

In general, emigrants often migrate to the countries in which they were born. However, there are notable exceptions to this pattern. For instance, people who emigrate to Belgium or Spain are more often born in the Netherlands.

Table 2.3 Demographic background (sex and country of birth) of emigrants from the Netherlands, 2023 (uncorrected immigration figures)

Country of destination	Total emigrants ¹	% of total	% male	% female	% born in country of destination	% born in the Netherlands	% born in other countries
Total	165,984	100	49.6	50.4	53.6	24.1	22.2
Total EU27	94,328	56.8	49.3	50.7	55.0	23.0	21.9
Total Europe	116,199	70.0	51.6	48.3	53.6	25.1	21.3
Germany	14,499	8.7	47.7	52.3	43.2	24.1	32.6
Poland	13,806	8.3	55.9	44.1	86.6	6.8	6.5
Spain	11,724	7.6	50.2	49.8	33.9	40.9	25.1
Belgium	10,794	6.5	49.7	50.3	17.1	53.0	29.8
Ukraine	10,059	6.0	27.5	72.5	92.2	0.5	7.2
United States of America	7,073	4.2	47.7	52.2	40.7	27.5	31.7
France	6,208	3.7	46.2	53.7	46.2	29.4	24.3
United Kingdom	6,092	3.6	49.0	51.0	33.3	23.8	42.7
Italy	5,705	3.4	50.5	49.5	70.1	13.4	16.3
Romania	5,064	3.0	59.5	40.5	89.2	3.5	7.1

Source: Statistics Netherlands, online statistics (2024)

¹The emigration statistics in this table are uncorrected and therefore do not match with figures presented in figures 3.1 and 3.2, which display corrected emigration statistics. For this table we use uncorrected figures because we only know the country of destination for emigrants who deregister from the municipality themselves.

2.6.6 Demographic characteristics of foreign residents in the Netherlands

Table 2.4 shows the number of foreign-born residents in the Netherlands. On 1 January 2023, 5.95% of the population in the Netherlands was born in another European country and 10.29% was born outside Europe. Expressed in absolute numbers, more than 2.9 million people in the Netherlands were born abroad.

Table 2.4 Number of foreign-born residents by birth country, 1 January 2024

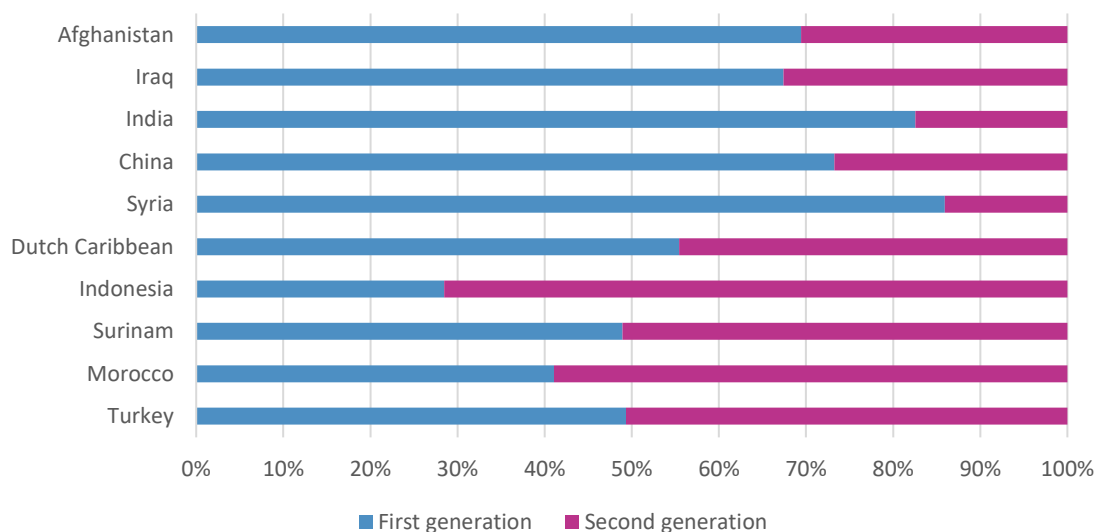
	Abs.	% of total Dutch population
Total Dutch population	17,942,942	100.00
Foreign-born residents	2,914,939	16.24
<i>of whom</i>		
Born in Europe (excl. The Netherlands)	1,068,687	5.95
Born outside Europe	1,846,252	10.29

Source: Statistics Netherlands, online statistics (2024)

In addition to foreign-born residents, Statistics Netherlands registers whether residents have a migration background. A person is considered to have a migration background if the person himself or at least one of his/her parents was born outside the Netherlands. On 1 January 2024, 5,001,194 people with a migration background were living in the Netherlands.³⁵ That equates to 27.9% of the total Dutch population. Of the people with a migration background, 41.7% were born in the Netherlands.

Figure 2.6 shows the proportion of persons born in and outside the Netherlands among different migrant groups. In particular, migrant groups who have recently come to the Netherlands as labour migrants (i.e. from Poland and the UK) and recent asylum groups (Ukrainians) consist to a significant extent of first-generation migrants.

Figure 2.6 Proportion of persons born in and outside the Netherlands by county of origin, 1 January 2024 (percentages)



¹ The Top-10 largest groups with a migration background based on population size are presented.

Source: Statistics Netherlands, online statistics (2024)

Table 2.5 shows the (numerical) size of different migrant groups in the Netherlands. The table refers to persons of both the first and second generation. The largest groups are people with a Turkish, Moroccan, Surinamese, Indonesian or German background. Together they make up more than 10% of the total population in the Netherlands.

³⁵ <https://www.cbs.nl/nl-nl/dossier/dossier-asiel-migratie-en-integratie/hoeveel-mensen-met-een-migratieachtergrond-wonen-in-nederland>.

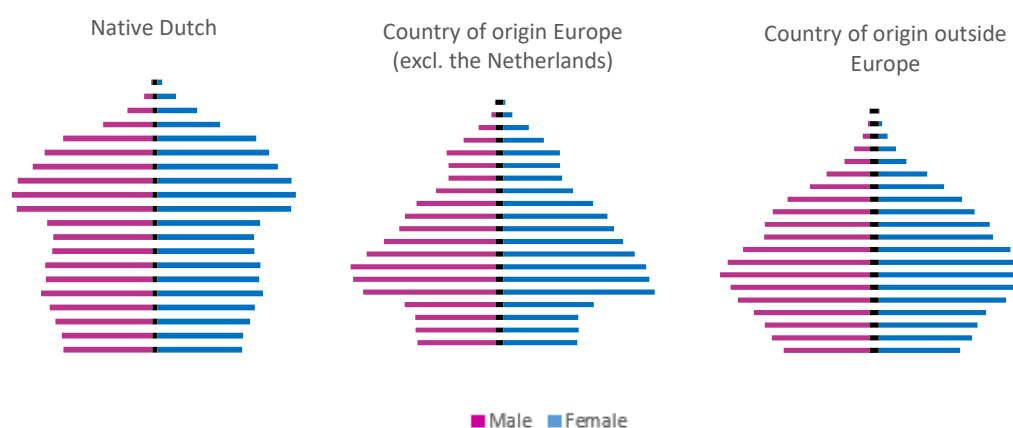
Table 2.5 Top 10 Migrant groups in the Netherlands, 1 January 2024

Country of origin	Abs.	% of total Dutch population
Turkey	471,100	2.5
Morocco	429,176	2.4
Surinam	365,352	2.0
Indonesia	356,566	2.0
Germany	348,712	1.9
Poland	241,403	1.3
Dutch Caribbean	194,454	1.1
Syria	165,557	0.9
Curacao	147,939	0.8
Belgium	138,037	0.8
Total non-native residents	5,001,194	27.9

Source: Statistics Netherlands, online statistics (2024)

There are some apparent differences between the population pyramids of native Dutch residents, residents originating from another European country, and residents originating from outside Europe (see figure 2.7). What is particularly striking is that population groups with a migration background have a larger representation of young people. In contrast, the proportion of people in the older age cohorts is smaller among the groups with a migration background.

Figure 2.7 Population pyramids by country of origin, 1 January 2023



Source: Statistics Netherlands, online statistics (2024)

2.6.7 Regions of settlement

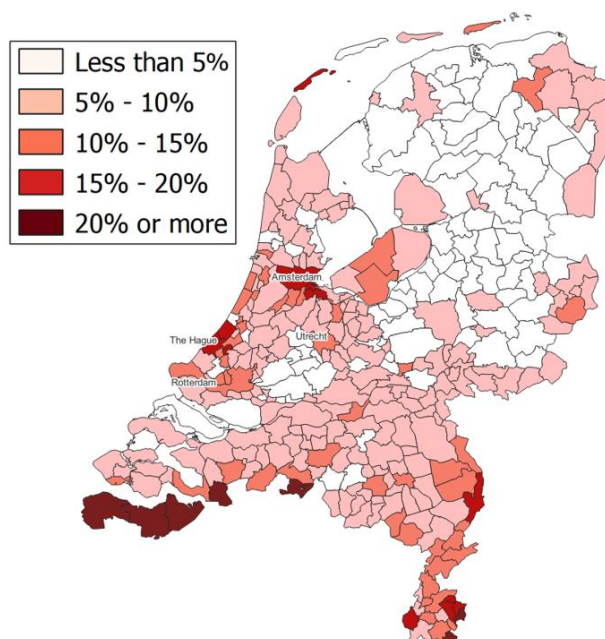
In this section we present the main regions of settlement of foreign-born residents in the Netherlands.

Residents born in Europe (excluding the Netherlands). European immigrants tend to live near the border areas of the Netherlands, particularly the southern parts. In addition, the larger cities of the Netherlands are popular locations for these immigrants, especially Amsterdam and The Hague. See figure 2.8a for a graphical overview of the main regions of settlement of European immigrants on 1 January 2023.

Residents born outside Europe. Immigrants from outside Europe tend to live in large cities, particularly in the metropolitan areas of Amsterdam, Rotterdam, The Hague, and Utrecht (also referred to as G4 cities). See figure 2.8b for a graphical representation of the Dutch regions of settlement of immigrants from outside Europe on 1 January 2023. In addition, immigrants originating from major 'refugee coun-

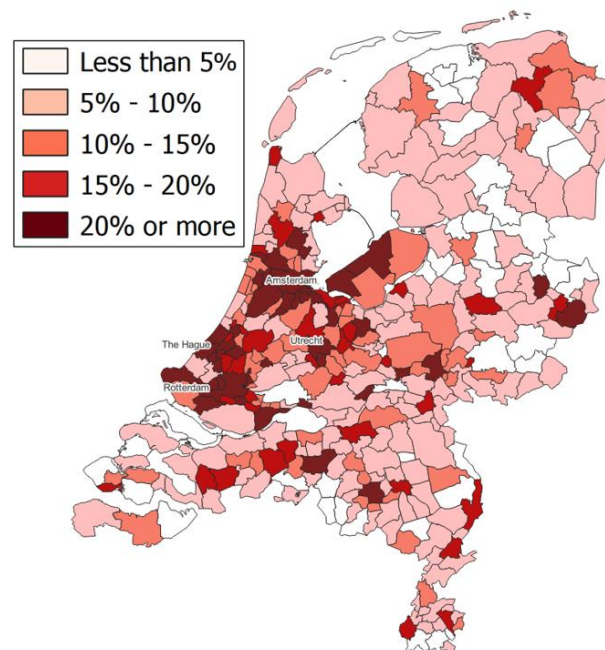
tries' live relatively equally spread across the Netherlands. This pattern is likely to arise from the arrangements between the national government and all municipalities throughout the country to provide housing for people with a refugee status.³⁶

Figure 2.8a Region of settlement of foreign born European residents, 1 January 2024 (in %)



Source: Statistics Netherlands (2024), adapted by Regioplan

Figure 2.8b Region of settlement of foreign-born non-European residents, 1 January 2024 (in %)



Source: Statistics Netherlands (2024), adapted by Regioplan

³⁶ <https://www.rijksoverheid.nl/onderwerpen/asielbeleid/huisvesting-asielzoekers-met-verblijfsvergunning>.



REGIOPLAN
BELEIDSONDERZOEK

Labour Migration to the Netherlands

3

3 Labour Migration to the Netherlands

This chapter deals with labour-based migration patterns to the Netherlands. Firstly, laws and policies for labour migrants from other EU Member States are explained, also including an overview of the main labour migration flows from these countries. Secondly, laws and policies with regard to labour migration from so-called third countries are described, followed by an outline of the most important labour migration patterns from these countries. We start with an overview of the main statistic findings.

3.1 Main findings

- In December 2022, 635,100 employees and 59,700 self-employed people from other EU Member States were employed in the Netherlands. Another 35,000 immigrants with employment in the Netherlands originated from the United Kingdom.
- Since 2020, foreign service providers and self-employed people from other EU-countries are required to report it when they carry out work in the Netherlands. The total number of unique service providers (posted workers) reported to the national counter was 96,290 in 2023. This number is exclusive of reporting of postings in road transport.
- Of these posted workers, 72,780 had an EU nationality and 23,510 employees had a nationality from outside the EU, EEA or Switzerland.
- In 2022, a total of 13,590 reports were submitted by self-employed workers from other EU-countries.
- The total number of issued work permits for migrant workers from non-EU/EEA countries or Switzerland increased from 8,992 in 2021 to 14,913 in 2022 to 19,067 in 2023.
- The number of granted residence permits for highly skilled workers from outside the EU/EEA or Switzerland increased from 14,341 in 2021 to 24,488 in 2022 and decreased to 17,569 in 2023. The number of issued permits for researchers from these countries increased from 3,147 to 3,492 between 2021 and 2022. In 2023, 3,494 permits were issued for researchers from these countries.
- A large part of the combined number of issued work permits and favourable decisions were granted to nationals of India, China and the United States (together 38%).

Announced measures in the new coalition government's programme 2024³⁷

With regard to labour migration, cabinet Schoof I intends to address the balance between the economic needs for labour migration, and the pressure that migration can put on public services. Based on the coalition agreement, three important ambitions can be distinguished:

1. The cabinet intends to address excesses and abuse of labour migrants in lower-skilled sectors. More specifically, the government wants to target low salaries that enable abuse in lower-skilled sectors.
2. The coalition agreement outlines plans for a targeted labour migration policy: migration must be more in balance with the broader social and welfare needs of the Netherlands.
3. The cabinet intends to make the rules for highly skilled migration more restrictive, for instance by using more restrictive salary requirements or requirements for employers to become recognised sponsors.

In the autumn of 2024, these ambitions were followed up in more concrete plans regarding labour migration.³⁸ It was indicated that the positive and negative impact of labour migration require a more coherent approach. Plans that form part of this approach are: a framework for assessing new business activities, combating abuses at work, measures in the area of housing, better registration and more effective supervision and enforcement.

3.2 Laws and policies for labour migration within the EU

Below, the legal framework for labour mobility from other EU Member States is briefly discussed. A distinction is made between employed labour migrants, secondment structures and self-employed workers. A number of undesirable practices related to these forms of migration are also taken into account.

³⁷ <https://www.rijksoverheid.nl/documenten/publicaties/2024/09/13/regeerprogramma-kabinet-schoof>.

³⁸ Parliamentary letter of 14 November 2024 'Naar een selectiever en gericht arbeidsmigratiebeleid'.

Legal framework for labour immigration from within the EU

Since the completion of the internal market in 1992, citizens of the EU/EEA countries and Switzerland have the right to move and work freely within the territory of the EU. The free movement of persons, workers and services is enshrined in the European Treaty on the Functioning of the European Union (TFEU).³⁹ Central to these rights is the prohibition of discrimination on the basis of nationality of workers from the EU/EEA Member States and Switzerland. Therefore, the number of EU labour migrants cannot be limited. Neither can these migrants be obliged to have a work permit. In 2020, the Dutch Council of State reaffirmed these rights of free mobility and concluded in its advice that EU law does not permit measures that limit the number of labour migrants from other Member States in the Netherlands. These restrictions are considered contrary to the prohibition of discrimination based on nationality within the EU.⁴⁰

Protection from undesirable labour practices and labour exploitation

The existence of regulations protecting the position of workers from the EU does not alter the fact that the arrival of these migrants is accompanied by various problematic developments, such as poor working conditions, public health issues and inadequate housing facilities. These problems prompted the government to appoint a Taskforce with the task of making concrete recommendations to improve the position of European migrant workers (see also the box below).

Task force Protection of Migrant Workers in the Netherlands⁴¹

When dealing with labour migrants in the Netherlands, the Taskforce distinguishes between three types of Dutch employers. In the first place, there is a large group of employers who treat migrant workers well. They provide fair and safe work. In addition, there are employers who benefit from the limited regulations in the Netherlands to protect migrant workers. Their revenue model consists of maximising the costs for the labour migrants and minimising their earnings. This is considered highly undesirable, however, it is not illegal. Finally, there are employers who deliberately abuse the vulnerable position of labour migrants. They do not pay full wages, offer unsafe work and are responsible for poor housing. The starting point for the recommendations is that labour migrants should be treated as full and equal participants in Dutch society. The recommendations form a comprehensive system of clear legislation, effective enforcement and ex post control. Most importantly, the advice refers to a mandatory certification of employment agencies, better registration of migrant workers, improved housing for migrants, and permanent access to the health care system, also after an employment contract has ended.

During the cabinet period of Rutte IV, starting on 10 January 2022 and ending on 2 July 2024, the government was committed to countering undesirable labour practices and labour exploitation, in response to the recommendations of the Task Force for the Protection of Migrant Workers. The progress of the measures undertaken by the government to respond to the recommendations of the Task force Protection of Migrant Workers is kept track of in governmental yearly reports on labour migrations. The annual reports for 2023 and 2024 list a number of 50 measures that the Dutch government has taken or is committed to take in combatting undesirable labour practices. The report further reports on the planning and progress of the measures.⁴²

Among the most important measures is a new admission system for employment agencies.⁴³ To combat undesirable practices in temporary employment, the government is introducing a new admission system for temporary employment agencies. The essence of this system is that these agencies may only operate on the market if they are allowed to do so. In order to be allowed, they must, among other things, submit a Certificate of Good Conduct, transfer a deposit of one hundred thousand euros, demonstrate that

³⁹ Title IV of the TFEU enshrines the free movement of persons, services and capital. Articles 45-48 TFEU regulate the free movement of workers, Articles 49-55 the right of establishment, Articles 56-62 the services and Articles 63-66 the capital.

⁴⁰ Information from the Council of State of 18 November 2020, Parliamentary Papers II 2020/21, 35359, no. 23.

⁴¹ Aanjaagteam Bescherming Arbeidsmigranten (October 2020) *Geen Tweederangs burgers. Aanbevelingen om mistanden bij arbeidsmigranten tegen te gaan*. Advisory committee commissioned by the Minister of SZW.

⁴² <https://open.overheid.nl/documenten/ronl-17987f607b6b04a7f9c8beedaa4a135d403a5d57/pdf>

⁴³ <https://www.rijksoverheid.nl/actueel/nieuws/2023/10/10/nieuw-toelatingsstelsel-moet-misstanden-bij-uitzendbureaus-tegen-gaan>.

they pay the correct wages and pay their taxes properly. This system contains better rules and better enforcement in a sector where many people depend on a temporary employment agency for work, housing and health insurance.

In addition, since October 2022, all labour migrants who register as a non-resident can also opt to have their address and other contact details entered in the Personal Records Database. As of 2023, this data is provided to authorised users and municipalities in 2023. In the meantime, the National Office for Identity Data (RvIG) is working on various quality measures to keep this data as up to date and accessible as possible. As a result, municipalities will gradually get a clearer idea of who is living in their area, and this will enable them to improve their policies and monitor the situation more effectively.⁴⁴

The Good Landlordship Act (*Wet goed verhuurderschap*) came into effect on 1 July 2023.⁴⁵ The law sets general rules for renting homes to migrants. For example, from the date mentioned it is mandatory to offer the employment contract and the rental contract separately when renting housing to migrant workers.⁴⁶ Municipalities are responsible for the enforcement of these standards. Local authorities can also introduce a permit requirement for landlords from 1 July 2023. In addition, a policy plan has been prepared to offer more customised measures to homeless EU citizens.⁴⁷ Finally, investments have been made to facilitate a more effective supervision and better enforcement.

Protection from human trafficking

The government is taking action to modernize the human trafficking legislation (Article 273f of the Dutch Criminal Code). The aim is to make the criminal law approach to human trafficking, also including labour exploitation and serious harm to labour migrants, more effective and to improve the prosecution of offenders and the protection of victims.⁴⁸ The proposed bill has been submitted to the House of Representatives on 25 April 2024 and will be treated in parliament in April 2025.⁴⁹

Self-employed workers from the EU

Under Article 49 TFEU, access of self-employed workers to the Dutch labour market is permitted under the same conditions as those laid down for own nationals. Directive 2006/123/EC19 (Services Directive) regulates the freedom of establishment of service providers. Conditions that apply to the establishment of service providers may not discriminate on the basis of nationality and must be necessary and proportionate.

A critical issue regarding the position of EU self-employed workers in the Netherlands is the problem of false self-employment. False self-employment applies to those who are formally hired as self-employed persons, but who in daily practice are treated or act as employees. According to the European Court of Justice, a self-employed person is considered an employee if he is, like an employee, obliged to comply with the time, place and performance of the tasks. People who are working under these conditions thus inevitably acquire the status of employee.⁵⁰

In the Netherlands, the question of whether someone is self-employed or in paid employment is regulated in the Civil Code (*Burgerlijk Wetboek*) and the regulation regarding payroll tax (*Wet op de Loonbelasting 1964*). This law states that an employment contract applies to someone who carries out activities over a certain period of time, who is paid for the activities and who is subject to a relationship of authority with the person for whom these activities are performed. Yet this law has not put an end to the problem of false self-employment. According to the Netherlands Court of Audit, several problems have contributed to an insufficient enforcement, including the existence of an enforcement moratorium, limited capacity at the Tax and Customs Administration and unclear regulations, in particular with

⁴⁴ <https://open.overheid.nl/documenten/ronl-17987f607b6b04a7f9c8beedaa4a135d403a5d57/pdf>.

⁴⁵ <https://www.rijksoverheid.nl/onderwerpen/buitenlandse-werknemers/nieuws/2023/03/21/eerste-kamer-stemt-in-met-wets-voorstel-goed-verhuurderschap>.

⁴⁶ [Wet goed verhuurderschap | Home | Volkshuisvesting Nederland](#).

⁴⁷ <https://www.rijksoverheid.nl/documenten/rapporten/2022/09/13/plan-van-aanpak-kwetsbare-dakloze-eu-burgers>.

⁴⁸ Wetsvoorstel Modernisering en Uitbreiding Strafbbaarstelling Mensenhandel van 25 april 2023, www.internetconsultatie.nl

⁴⁹ [Wet modernisering en uitbreiding strafbaarstelling mensenhandel \(36.547\) - Eerste Kamer der Staten-Generaal](#).

⁵⁰ The Court of Justice has introduced this term false employment in the so-called FNV Kiem judgment of 2014.

regard to the criterion of authority.⁵¹ The previous government set as an intention to improve the position of the self-employed by making the rules more future-proof. To achieve this, the government aimed for a level playing field between contract types (line 1), more clarity about the question whether a person works as an employee or as a self-employed person (line 2) and improving enforcement of false self-employment (line 3).⁵² The government is currently working on a bill (Bill on Clarifying the Assessment of Employment Relationships and Legal Presumptions, VBAR) to combat false self-employment and unfair competition on employment conditions. In September 2024, the Dutch government announced it would lift the enforcement moratorium on false self-employment. This means that as of 1 January 2025, the Tax and Customs Administration will enforce payroll tax on companies that hire falsely self-employed persons, with measures to make 2025 a transition year.

The position of posted workers from other EU Member States

The mobility of posted workers within the territory of the EU is legally enshrined in Directive 96/71/EG. However, over the past decades, the Commission has proposed a number of reforms to this framework. The two most important legislative proposals are the Enforcement Directive 2014/67/EU and the Revised Posting of Workers Directive of 28 June 2018 (Directive 2018/957/EU). In the Netherlands, the Posting of Workers Directive, the Enforcement Directive and the Revised Posting of Workers Directive have been converted into the Employment Conditions of Posted Workers in the European Union Act (*WagwEU*). The Implementation Act Revised Posting of Workers Directive (*Implementatiewet herziene detacheringsrichtlijn*) of 2020 constitutes a recent amendment to the *WagwEU*.

The Act on Combatting Sham Arrangements came into force in 2017. It is meant to protect employees against underpayment and to protect employers against unfair competition. This is done, among other things, by introducing a system of chain liability for wages, requirements with regard to the payment of wages, checks by the Netherlands Labour Authority (*Nederlandse Arbeidsinspectie*, formerly called I-SZW, a public inspection authority) and by exchanging information about practices of employers. The *WagwEU* was introduced in 2016 and replaced the *Waga* (*Wet arbeidsvoorwaarden grensoverschrijdende arbeid*). The *WagwEU* describes the terms and conditions of employment for posted workers with a foreign employer established in another EU/EEA country or Switzerland. This law provides better protection for these employees and attempts to combat unfair competition on the basis of working conditions. In addition, an obligation of notification for foreign employers and self-employed persons who work in the Netherlands on a temporary basis has entered into force in 2020.⁵³ This online registration desk is designed to provide a better overview of European service providers in the Netherlands. Only very specific forms of transport are excluded from the reporting obligation (e.g. passenger transport by rail and transit transport).⁵⁴

The Revised Posting of Workers Directive has been implemented in the *WagwEU* via the Implementation Act of 2020. The emphasis of this law is on ensuring the protection of posted workers during their work in the Netherlands by establishing additional provisions on the terms and conditions of employment. It is noteworthy that after 12 months – with a possible extension of another 6 months – posted workers are entitled to all Dutch employment conditions, in addition to the employment conditions for posted employees from the EU. These workers are, however, not entitled to a supplementary pension or protection under the law of the receiving country in the event of dismissal.⁵⁵ The rights of posted agency workers and national agency workers have also been largely aligned. In addition, the basic terms and conditions of employment have been expanded to include conditions of workers' accommodation where provided by the employer to workers away from their regular place of work, and certain allowances.⁵⁶

⁵¹ Algemene Rekenkamer (2022) *Focus op handhaving Belastingdienst bij schijnzelfstandigheid*. Den Haag, Algemene Rekenkamer.

⁵² <https://open.overheid.nl/documenten/ronl-f98f32872a47dfb3ee3d073cf1273827fdffe0de/pdf>.

⁵³ The transport sector is excluded from the notification obligation and it is possible to use an annual notification for road freight transport.

⁵⁴ <https://www.postedworkers.nl/werkgever/uitzonderingen>.

⁵⁵ <https://www.rijksoverheid.nl/onderwerpen/buitenlandse-werknemers/arbeidsvoorwaarden-buitenlandse-werknemers>.

⁵⁶ See, more in detail, *Implementatiewet herziene detacheringsrichtlijn*, Articles II, III and IV.

As of 1 June 2023, the Netherlands has adopted new European rules on the posting of drivers in international road transport.⁵⁷ This legislation is meant to ensure a level playing field across the EU and to guarantee fair labour conditions. The legislation concerns drivers that work for a transport company in another EU country, but carry out certain activities in the Netherlands. The legislation specifies regulations on what counts as posting of drivers, and the rights these drivers are entitled to. The enforcement is ensured by the Netherlands Labour Authority (*Nederlandse Arbeidsinspectie*), in cooperation with the Human Environment and Transport Inspectorate (*Inspectie Leefomgeving en Transport*).

Despite all these legal provisions and reforms, the aforementioned drawbacks in relation to the free movement of workers within the EU also apply to the category of posted workers. These migrants often deal with low salaries, poor working conditions and inadequate housing. As argued by the Taskforce for the Protection of Migrant Workers in the Netherlands, the employment of posted workers is a strategy used by some employers to keep labour costs as low as possible.

Information app MyInfoNL

On 13 December 2022, the Association for Dutch Municipalities (VNG) launched an app called MyInfoNL. The app is aimed at EU labour migrants and other labour migrants from outside the EU and provides information on living and working in the municipality where these migrants (will) live. The information is provided in several languages.⁵⁸

3.3 Working migrants from EU-27 countries

Figure 3.1 shows the number of employees and self-employed people from EU-27 countries between 2015 and 2023. Because figures on both employees and self-employed migrants are not yet available for 2023, we report on the total figures of 2022. In December 2022, 694,800 first generation migrants from other EU Member States were employed in the Netherlands. This number consists of all persons employed, not just those who had labour as their migration motive (see paragraph 2.6.3 for figures on persons with employment as (derived) migration motive). Another 175,700 with employment in the Netherlands originated from the candidate Member-States⁵⁹ and 35,000 employed immigrants came from the United Kingdom. Within the group of EU-27 countries, 429,100 immigrants with employment in the Netherlands originated from the EU-11 Member States (particularly Central-Eastern Europe).

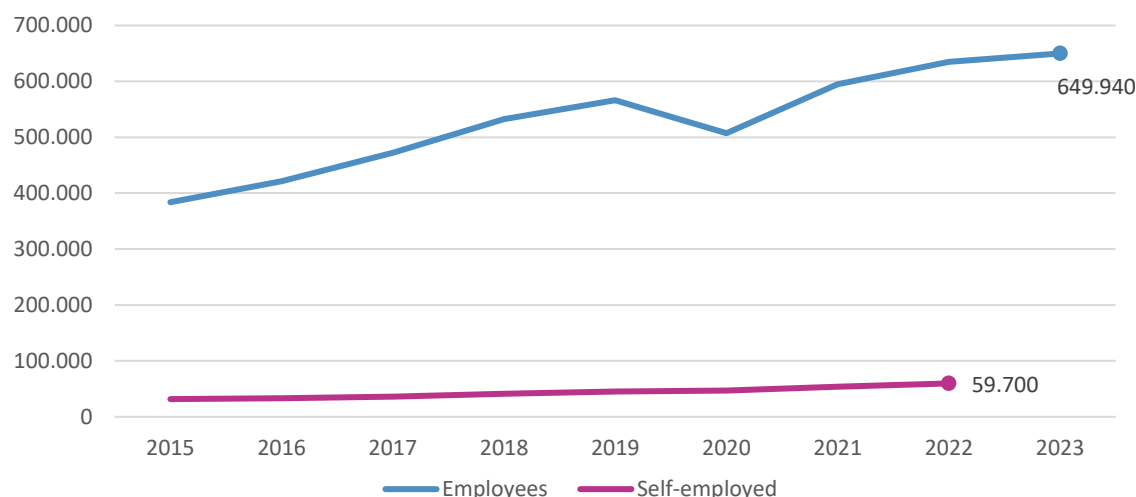
As also shown in figure 3.1, the number of migrants from EU Member States working as an employee in the Netherlands increased from 383,840 in 2015 to 566,400 in 2019. Then – as a result of the COVID-19 pandemic – the number of employees from the EU decreased slightly, but after 2021 we saw an increase again (to 649,940 in 2023). In addition, between 2015 and 2022 we notice a slight continuous increase in the number of self-employed migrants from other EU countries (from 31,710 in 2015 to 59,700 in 2022).

⁵⁷ <https://www.postedworkers.nl/opdrachtgever/nieuws/2023/06/01/nederlandse-wetgeving-over-detachering-in-het-internationaal-wegvervoer-van-kracht-per-1-juni-2023>, see also <https://www.tweedekamer.nl/kamerstukken/wetsvoorstellen/detail?id=2022Z14786&dossier=36166>.

⁵⁸ Vereniging Nederlandse Gemeenten (VNG), 'Informatieapp voor arbeidsmigranten nu beschikbaar'.

⁵⁹ The candidate countries are Albania, North Macedonia, Montenegro, Serbia and Turkey.

Figure 3.1 The number of employees and self-employed people from EU-27 countries, 2015-2023



Source: CBS Migrantenmonitor (2015-2023)

The largest labour market region in terms of employed EU migrants in 2022 in the Netherlands was Greater Amsterdam with 93,600 persons, followed by Haaglanden (The Hague) with 58,500 persons and Rijnmond (Rotterdam) with 45,300 persons (see table 3.1). In addition, labour market regions traditionally known for high employment in agriculture, particularly in the provinces of Brabant and Limburg, are also in the list of regions with most employed EU migrants in the Netherlands. No numbers are yet known for the year 2023.

Table 3.1 Employed persons in the Netherlands in December 2021 from EU-27, EU-11 and candidate countries, by top 10 labour market region

Labour market region	Total	EU-27 (incl. EU-11)	EU-11	Candidate countries
Groot Amsterdam	307,630	95,600	39,090	26,210
Rijnmond	146,960	44,070	26,800	16,550
Haaglanden	128,780	48,640	33,920	3,270
Midden-Utrecht	82,780	25,510	12,800	8,020
Zuidoost-Brabant	69,960	31,900	17,060	6,990
West-Brabant	56,480	32,340	23,930	4,990
Noordoost-Brabant	45,900	24,390	18,630	4,470
Zuid-Limburg	44,710	25,800	7,900	2,980
Midden-Brabant	44,210	25,020	19,210	3,980
Noord-Limburg	39,330	29,830	22,720	2,800

Source: CBS Migrantenmonitor 2022

In December 2023, more than two-fifths of all employed migrants from the EU and candidate countries worked in business services (table 3.2), including temporary work agencies. Other economic sectors that are highly attractive to workers from the EU are industry, trade, transport, hotels and catering and public services (including health care). Workers from Central-Eastern Europe (EU-11) are relatively strongly oriented towards agriculture and the business services. Many migrants from the EU and candidate countries work in the temporary agency sector and work via these agencies in other sectors.

Table 3.2 Persons with a job in the Netherlands in December 2022 from EU-27, EU-11 and candidate countries, by employment sector

Sector	Total	EU-27 (incl. EU-11)	EU-11	Candidate countries
A Agriculture, forestry and fisheries	25,760	20,200	18,570	2,480
B-E Industry (no construction), energy	69,750	67,950	36,780	22,440
F Construction	32,400	12,780	7,480	4,690
G-I Trade, transport, hotels, catering	423,180	150,120	78,720	44,300
J Information en communication	77,950	21,810	6,690	7,040
K Financial institutions	43,990	12,290	3,650	4,700
L Renting, buying, selling real estate	6,180	1,880	830	640
M-N Business services	530,610	286,090	224,490	57,850
O-Q Government and care	256,490	64,720	15,880	22,920
R-U Culture, recreation, other services	48,080	12,100	3,930	5,980
Unknown	0	0	0	0
Total	1,614,390	649,940	397,020	173,040

Source: CBS *Migrantenmonitor* 2023

3.3.1 Posted workers originating from the EU

Since 1 March 2020, foreign service providers must report their arrival, the nature, and the duration of the work they perform in the Netherlands in the online reporting desk that can be reached via www.postedworkers.nl. In 2023 it was decided that road transport postings must be reported to the European Road transport posting declaration portal.⁶⁰

The total number of posted workers excluding road transport reported in 2023 was 96,290. 72,780 of these migrant workers were nationals of one of the EU Member States, and the other 23,510 persons were nationals of countries from outside the EU, EEA or Switzerland. Most posted workers come from Poland, Germany or Lithuania (table 3.3). Remarkably, a significant part of the reported employees from Poland, Croatia and Portugal are persons with a non-EU nationality.

Table 3.3 Top countries of residence by number of reported posted workers, excluding road transport, 2023

Country of residence	EU citizens	Outside the EU	Total
Poland	12,450	10,490	22,940
Germany	17,370	2,680	20,050
Lithuania	11,290	4,500	15,790
Belgium	10,040	250	10,290
Portugal	2,310	1,580	3,889
Romania	3,110	10	3,120
Spain	1,910	400	2,300
Croatia	890	760	1,660
Hungary	1,400	120	1,520
Slovakia	1,370	120	1,490

Source: *Staat van Migratie* 2024

Table 3.4 shows the origin of posted workers in the transport sector in the Netherlands at a certain time in 2022.⁶¹ Once again, Polish companies appear to be the main suppliers of these employees. Lithuanian companies are now in second place. The numerical importance of workers from third countries also becomes evident. This is especially true for Poland and Lithuania.

⁶⁰ <https://zoek.officielebekendmakingen.nl/stb-2023-153.html>.

⁶¹ Transport companies can update posting statements in real time. The figures are therefore not annual and cannot be added to or compared with the other figures about posted workers. Please note that these data refer to 2022 for these data were not updated in the most recent publication of *De Staat van Migratie*.

Table 3.4 Top countries of residence by number of reported posted workers* in road transport in 2022

Country of residence	EU citizens	Third-country nationals	Total
Poland	58,070	53,780	111,850
Lithuania	6,250	40,690	46,940
Spain	20,500	3,650	24,150
Romania	19,460	210	19,670
Germany	18,690	760	19,440
Belgium	12,160	350	12,510
Bulgaria	10,770	70	10,840
Portugal	8,300	1,850	10,840
Hungary	7,130	720	7,850
Czech Republic	4,730	900	5,630

Source: *De Staat van Migratie 2023*

*By EU-member state and nationality at one time.

3.3.2 Reported self-employed persons from other EU Member States

Since 1 March 2020, foreign service providers including self-employed persons in certain sectors which are considered to have a higher risk of unfair working conditions⁶² must report their arrival, and the nature and duration of the work they perform in the Netherlands in an online reporting desk at www.post-edworkers.nl. In 2022 5,500 self-employed persons from the EU submitted one or more reports.⁶³ Incidentally, a self-employed person can submit several reports per year. Most reports came from individuals originating from Poland (2,860 people), Slovakia (1,220), and Belgium (480).

3.4 Laws and policies for third-country labour migration

The principle of selectivity forms the core of the Dutch policy on labour migration for third country nationals. Policies for migrants for whom there is deemed to be an economic need (the ‘highly skilled and talent’ category) are inviting while policies for other categories of labour migrants are restrictive. The legal framework for labour based migration is the 2013 Modern Migration Policy Act (*MoMi*) and the Aliens Employment Act (*Wet arbeid vreemdelingen, Wav*).

3.4.1 Aliens Employment Act

An employer who wants to employ a non-EU/EEA-national must apply for a work permit (*Tewerkstellingsvergunning, TWV*) at the Public Employment Service (*UWV WERKbedrijf*) if the labour migrant stays shorter than 90 days; if they stay longer, the labour migrant must apply for a single permit. These permits are only granted if there are no Dutch or EU/EEA jobseekers, the so-called prioritised labour supply, available for the job. Also, the wages paid to non-EU/EEA workers must be in accordance with the applicable collective labour agreements. The aims of the Aliens Employment Act (*Wav*) are to regulate and protect the labour market, prevent and combat illegal employment and to protect employees.

In accordance with Directive 2011/98/EU, measures were implemented to facilitate the application process for a work permit. As of 1 April 2014, non-EU/EEA workers coming to the Netherlands to work for a period longer than three months must apply for a single permit (combined residence and work permit)⁶⁴ at the Immigration and Naturalisation Service (*Immigratie- en Naturalisatiedienst, IND*). For non-EU/EEA workers with a shorter contract period in the Netherlands, a work permit and short stay visa is required. In addition, advice concerning the availability of prioritised labour supply is requested from the Employee Insurance Agency (*UWV*) for these foreign workers.

In addition, within the Aliens Employment Act a distinction is made between third-country nationals who migrate as ‘knowledge and talent’ migrants and third-country ‘labour migrants’. The first group is only required to obtain a residence permit without a labour market test. These workers must, however,

⁶² These sectors are mentioned in article 8 Decree on employment conditions of posted workers.

⁶³ Ministry of Justice and Safety (2022) *De Staat van Migratie 2022*, Figure 41 and 42.

⁶⁴ Dutch: *GVVA (Gecombineerde vergunning voor verblijf en arbeid)*.

earn a minimum salary and the employer in the Netherlands must be a recognised sponsor (see also Section 3.3.4). For the second group, the admission policy is considered more restrictive. These migrants are required to obtain a work permit, and in case they stay more than 90 days employers need to apply for a single permit (combined residence and work permit or *Gecombineerde vergunning voor verblijf en arbeid, GVVA*). Box 3.1 provides an overview for which groups residence permits or work permits are required.

3.4.2 Revisions in the Aliens Employment Act in 2022

The amended Aliens Employment Act entered into effect in January 2022.⁶⁵ Due to the amendment of this act, a work permit can be granted for a maximum of 3 years from 1 January 2022, instead of a maximum of 1 year. A work permit with a full labour market test (see 3.5.5) can be granted for a maximum of 2 years, instead of 1 year.

Another change is that the employer must pay the wages stated on the work permit to the employee via a bank account, over a maximum period of one month. This allows the Dutch Labour Inspectorate to better check wage payments. If the employer does not pay the wages in this way, the work permit or single permit can be revoked or is not extended. The application for a permit can also be rejected within the amended Aliens Employment Act if no economic activities are taking place at the employer's company. This is to prevent a foreign employee from coming to the Netherlands while the employer is unable to pay wages.

On 21 March 2023, the government applied an amendment to the Implementation Decree of the Aliens Employment Act. This amendment exempts third-country nationals employed in cruise ships that serve as shelters for asylum seekers from needing a work permit (TWV).⁶⁶ This decision has retroactive effect and is meant to ensure enough personnel in these cruise ships, given the shortages in shelter for asylum seekers and the necessity of using cruise ships for this purpose.

Box 3.1 Required permits for third-country nationals who come to the Netherlands for remunerated activities

	Residence permit	Work permit
'Knowledge and talent'		
• <i>Highly skilled</i> : a foreign national coming to the Netherlands to work as a highly skilled employee, thus making a contribution towards the Dutch knowledge-based economy. No work permit is required for this category.	V	
• <i>Scientific researcher</i> : a foreign employee involved in a research project approved by a Dutch research institute in the Netherlands. No work permit is required for this category.	V	
• <i>Self-employed and freelance workers</i>	V	
• <i>Recent graduates with an orientation year</i>	V	
• <i>Highly skilled staying shorter than three months</i>		V
'Labour migrants'		
• <i>Labour migrants staying longer than three months</i>	V (SP)	
• <i>Labour migrants staying shorter than three months</i>		V
• <i>Migrants staying longer than three months who are already in possession of a residence permit (e.g. foreign students)</i>		V

Source: EMN (2015); IND website (2016)

3.4.3 New regulation for chefs from Asia

From 1 January 2022, the special arrangements for cooks from Asia have been abolished.⁶⁷ As of this date, the rules of the Wav again apply in full to these workers. This means that employers must first

⁶⁵ Staatscourant 2021, 48624.

⁶⁶ Kamerstukken II, 2022-2023, 30573 nr. 201.

⁶⁷ These requirements put an end to the special arrangement for Asian cooks. This arrangement was in effect between 2014 and 2021.

search for employees in the Netherlands, the EU/EEA countries and Switzerland. The vacancy must also be officially reported at the Employee Insurance Agency (UWV). If the search fails and the vacancy has been open for at least 5 weeks, the employer can apply for a work permit for a cook from Asia at the Immigration and Naturalisation Service (IND).

3.4.4 Highly qualified workers

The Netherlands has various schemes aimed at attracting highly qualified workers who are expected to make a positive contribution to the Dutch economy. The various schemes (Highly Skilled Migrant Scheme (*Regeling Kennismigranten*), the EU Blue Card, a Scheme for Intra Corporate Transferees and measures aimed at foreign graduates) were discussed in the previous SOPEMI-reports. Wage criteria are used in the various schemes to define highly skilled labour. Table 3.5 provides updated wage criteria used in the various schemes.

Table 3.5 Wage criteria as of 1 January 2024 (in gross monthly wages)

	Excl. 8% holiday allowance
Highly Skilled Migrant Scheme: knowledge workers >= 30 years	€ 5,331
Highly Skilled Migrant Scheme: knowledge workers < 30 years	€ 3,909
'Foreign graduates'	€ 2,801
EU Blue Card	€ 5,331

Source: [Inkomenseisen normbedragen | IND](#), visited on 1 August 2024

3.4.5 A reimbursement scheme for foreign employees with specific skills

The 30% facility is for employees who come from outside the Netherlands and work temporarily in the Netherlands. If these employees meet certain conditions, they pay no tax on a maximum of 30% of their wages. In so doing, the government compensates them for the extra costs they incur to be able to work in the Netherlands. The 30% ruling is meant to make the Netherlands attractive for foreign employees with specific skills which are scarce in this country. In 2019, the government shortened the term of the 30% facility from a maximum of 8 to 5 years. Those employees who were already using the scheme before 2019, are subject to these changes as of 1 January 2021.⁶⁸

From 1 January 2024, the government introduced even more restrictions on the scheme. The 30% tax-free ruling applied to the first 20 months of work in the Netherlands. For the 20 months after that these foreign employees pay no tax on 20% of their income, and for the last 20 months of the five years they are entitled to this ruling, they pay no tax on 10% of their income. This change applied to everyone employed from 1 January 2024.⁶⁹ However, the new cabinet, in power since 2 July 2024, decided to abolish this staggered reduction in the tax benefit, and instead apply a slightly lower flat rate of 27% tax-free ruling for foreign workers for their first five years of working in the Netherlands, starting from 1 January 2027. In addition, there is also a higher salary standard (€ 50.436 instead of € 46.107). For all foreign employees starting in 2025 and 2026, the 30% ruling will continue to apply.⁷⁰

3.4.6 Foreign investors

In October 2013 an admission scheme for foreign investors was introduced in the Netherlands. Under this scheme foreign investors who invest a minimum of € 1.25 million in a Dutch company or Dutch investment fund can obtain a temporary residence permit for a period of three years (*Regeling voor Buitenlandse Investeerders*). In 2021, the government decided to abolish the regulation as very limited use was made of this rule.⁷¹ As of 17 April 2024, it is no longer possible to apply for new residence permits for foreign investors.

⁶⁸ <https://www.rijksoverheid.nl/onderwerpen/inkomstenbelasting/belastingvoordeel-buitenlandse-werknemers>.

⁶⁹ <https://www.rijksoverheid.nl/onderwerpen/inkomstenbelasting/belastingvoordeel-buitenlandse-werknemers>.

⁷⁰ <https://www.rijksoverheid.nl/documenten/kamerstukken/2024/09/17/aanbiedingsbrief-belastingplan-2025>.

⁷¹ Letter to Parliament from the Minister of Justice and Security concerning Admission scheme for foreign investors (Toelatingsregeling voor buitenlandse investeerders), 11 January 2021, ref 3119981.

3.4.7 Foreign entrepreneurs: start-up visa scheme⁷²

In order to facilitate the establishment of innovative foreign entrepreneurs in the Netherlands, the so-called start-up visa scheme was introduced on 1 January 2015.⁷³ This scheme makes it possible for ambitious entrepreneurs to apply for a temporary residence permit for the Netherlands. Originally, the scheme allowed these entrepreneurs to launch an innovative business within a one-year period. After an evaluation of the start-up scheme, published on the IND website in September 2022⁷⁴, the government has decided to extend the duration of the residence permit from one to two years, but the adaption has not yet entered into effect.⁷⁵ A prerequisite for obtaining a visa is that this start-up must be guided by an experienced mentor (facilitator) who is based in the Netherlands. After two years, successful start-ups have to apply for a residence permit as an independent entrepreneur. Their spouse and children can join the permit holder in the Netherlands.

3.4.8 Residence scheme for essential staff of start-ups⁷⁶

As of 1 June 2021, a pilot started for a new residence permit for essential or experienced staff of start-ups. The permit is supposed to make it possible and/or easier for young, innovative businesses in the Netherlands to attract staff from outside the European Union. The driver of this change were signals from the business sector that start-ups experience barriers when trying to employ staff, because the residence permit for highly skilled migrants is not yet fitting in relation to the starting character of their company. Therefore, a lower salary criterion applies for this new residence scheme (2,631 as per 1 January 2023)⁷⁷, with the additional requirement that the desired employee is given at least a 1% share in the company.⁷⁸ The pilot has a duration of four years and will be evaluated twice: mid-2023 and at the end of the pilot.⁷⁹ The mid-term evaluation (2023) was done by the IND in cooperation with the Netherlands Enterprise Agency (RVO). The evaluation shows that executing the scheme is feasible for both the IND and RVO, but the complexity of the scheme affects the efficiency of the IND. Due to this complexity, the evaluation also identifies a risk in the target group not making use of this pilot.⁸⁰

3.4.9. Working holiday programme⁸¹

Young people from non-EU/EEA countries aged 18 to 30 can participate in the Working Holiday Programme (WHP) or Working Holiday Scheme (WHS). Currently, the Netherlands has a WHP/WHS agreement with nine countries, namely: Argentina, Australia, Canada, Hong Kong, New Zealand, South Korea, Taiwan, Uruguay and Japan. Taiwan, Uruguay and Japan joined the programme in 2020. A quota of 100 young people per year applies to Argentina, Hong Kong, Taiwan and Uruguay. For Japan and South Korea a quota of 200 applies. No quota applies to the other countries. Young people aged 18 to 30 from these countries can reside in the Netherlands temporarily under certain conditions in the context of the cultural exchange programme. The main purpose and the basis of a WHP/WHS is to become acquainted with Dutch culture and society. This basis is set out in a Memorandum of Understanding (MoU) between the two partner countries. The partner country also admits Dutch young people to their country on the same basis. The participating young person may not do any work that is contrary to the main purpose of the WHP/WHS. The applicants may therefore only work occasionally to support their holiday financially.

⁷² <https://business.gov.nl/coming-to-the-netherlands/permits-and-visa/startup-visa/>.

⁷³ There is an exception for startup entrepreneurs of Australian, Canadian, Japanese, New Zealand, USA and South Korean nationality. These entrepreneurs can submit an Netherlands visa application directly with the IND using the application form on the website.

⁷⁴ [Evaluatie: regeling voor het aantrekken van start-ups is succesvol | IND](#). This evaluation has been carried out by the Dutch Immigration and Naturalisation Service (IND).

⁷⁵ Kamerstukken II, 2022 – 2023, 31 311 & 30 573, nr. 245.

⁷⁶ The information is largely based on EMN Netherlands (2022) Annual report Migration and Asylum in the Netherlands. The Hague, October, 2022.

⁷⁷ <https://ind.nl/en/required-amounts-income-requirements>, Accessed 14 September 2023.

⁷⁸ <https://ind.nl/en/residence-permits/work/residence-permit-for-essential-start-up-personnel>, Accessed 14 September 2023.

⁷⁹ See, in more detail, Ministry of J&V (2022) *De Staat van Migratie 2022*, page 69.

⁸⁰ <https://www.rijksoverheid.nl/documenten/rapporten/2024/04/25/tk-bijlage-onderzoeksrapport-tussenevaluatie-pilot-essentieel-startup-personeel>.

⁸¹ See, in more detail, Ministry of J&V (2024) *De Staat van Migratie 2024*, page 49.

3.4.10. Au pair regulations

In the Netherlands it is possible to work as an au pair for a host family under certain conditions.⁸² Au pairs coming from outside of the European Union must be older than 18 years old and hosted by families made up of at least two people with the Dutch nationality or a Dutch residence permit. The residence permit can only be requested through an au pair employment agency. An additional requirement applies from 30 September 2022, namely that third-country nationals who want to work as an au pair in the Netherlands must be unmarried and must not have any (foster) children. The age requirement was also increased: the au pair must not be older than 25 years old (previously the age limit was 30) at the moment of the filing of the residence request.⁸³ Other rules and regulations applicable to hosting an au pair relate to labour rights meant to protect the au pair from exploitation, such as two free days a week (guaranteed) and no more than 30 hours a week of light household tasks.⁸⁴

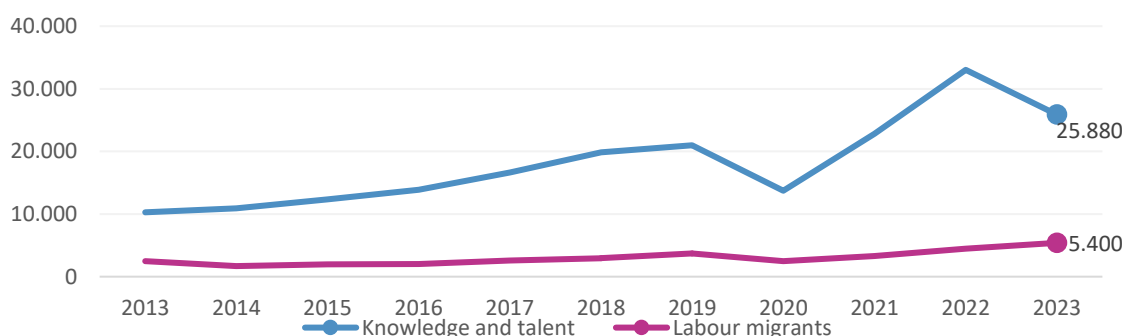
3.5 Statistical Developments related to the Aliens Employment Act

In this section, we provide information on residence permits issued to third-country nationals who come to the Netherlands for work. Special attention is given to highly skilled migrants and scientific researchers. Next, we describe the number of issued work permits or favourable advice procedures on combined residence and work permits, required for the category 'labour migrants'.

3.5.1 Decisions on resident permits

In the Netherlands, the Dutch Immigration and Naturalisation Service (*IND*) is responsible for issuing residence permits to certain categories of labour migrants (see also Box 3.1). Most third-country labour migrants who apply for a residence permit belong to the 'knowledge and talent' category. Due to the restrictive labour market policy towards employees in the 'labour migrants' category, the number of applications by this group is much smaller. Between 2015 and 2019, the number of applications for both categories increased (see figure 3.2). Between 2019 and 2020, however, we notice a sharp drop in the number of applications, especially among 'knowledge and talent' migrants. This decrease can be explained by the outbreak of the COVID-19 virus in 2020. Between 2020 and 2022, the number of residence permit applications in the 'knowledge and talent' category increased again to a new high of 33,030. In 2023, we observe a notable decline to 25,880 in this category. The number of residence permit applications in the 'labour' category increased during these years (from 2,480 in 2020 to 5,400 in 2023), although not as sharply as compared to the 'knowledge and talent' category.

Figure 3.2 Number of residence permit applications (2013-2024)



Source: Annual reports IND

⁸² <https://www.rijksoverheid.nl/onderwerpen/buitenlandse-werknemers/vraag-en-antwoord/wanneer-mag-een-au-pair-in-nederland-werken>.

⁸³ The information is largely based on EMN Netherlands (2023) Annual report Migration and Asylum in the Netherlands. The Hague, September 2023.

⁸⁴ <https://www.nlarbeidsinspectie.nl/onderwerpen/au-pairs>.

Table 3.6 shows that most applications for residence permits result in a favourable decision by the IND, although the approval rate is much higher for the ‘knowledge and talent’ category (91% in 2023) than for the ‘labour migrants’ category (68% in 2023).

Table 3.6 Positive decisions on residence permit applications, in percentages (2016-2023)

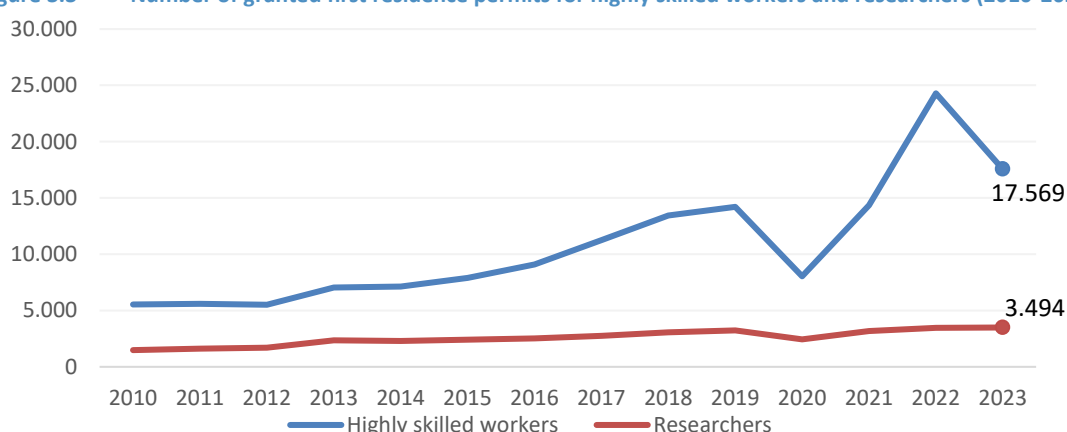
	2016	2017	2018	2019	2020	2021	2022	2023
Knowledge and talent	93%	94%	94%	94%	91%	94%	94%	91%
Labour migrants	79%	74%	78%	78%	70%	72%	64%	68%

Source: Annual report IND

3.5.2 Highly skilled migrants and scientific researchers

In this section, the number of residence permits issued to highly skilled migrants and scientific researchers is discussed in more detail. These are two prominent subcategories of the ‘knowledge and talent’ group. The number of residence permits issued to these categories was increasing until 2019, as shown in figure 3.3. After a sharp decline between 2019 and 2020, the number of granted residence permits increased again in the following years, to 24,488 for highly skilled workers and 3,492 for researchers in 2022. In 2023, we see a sharp decline in highly skilled workers being granted residence permits, to 17,569 in total. The number of researchers remained about the same in 2023.

Figure 3.3 Number of granted first residence permits for highly skilled workers and researchers (2010-2023)



Source: Eurostat, online statistics (2024)

3.5.3 Work permits

In this section we will discuss the statistics on issued work permits and favourable advice procedures on combined residence and work permits. Work permits are particularly required for the different categories of ‘labour migrants’ (see box 3.1).

In the Netherlands, the Employee Insurance Agency (*UWV*) assesses employer applications for work permits (*Tewerkstellingsvergunning, TWV*). There are two different ways to obtain a work permit, depending on the duration of stay:

1. If labour migrants stay for a shorter period than three months the employer must apply for a TWV. This is also the case for asylum seekers (who are allowed to work for a limited period pending the outcome of their asylum procedure).
2. If the migrant stays longer, the employer must apply for a different permit, namely the Combined residence and work permit (GVVA). This permit combines the work permit (TWV) with a residence permit. Applications for a GVVA must be lodged at the IND, after which the IND sends a request to the UWV to advice on admission to employment. The IND almost always follows this advice.

3.5.4 Decisions on work permits and advice procedures

In this section we will discuss the statistics on issued work permits and favourable advice procedures on combined residence and work permits. In 2023, most decisions on requests for work permits were positive (85%, see table 3.7). The total number of issued work permits increased strongly between 2021 and 2022 (from 8,992 in 2021 to 14,913 in 2022). This trend continues in 2023 (19,067 in total). With respect to the advice procedures (GVVA), 74% of the decisions were positive in 2023 (see also table 3.7).

Table 3.7 Handled requests for work permits and advice procedures (abs.) and decisions (%) (2015-2023)

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Handled requests for work permits (TWV) (abs.)	5,245	5,843	6,565	7,864	9,746	6,866	8,992	14,913	19,067
Work permit denied (%)	7.2	6.9	8.9	6.7	7.3	7.8	7.7	6.4	5.2
Work permit issued (%)	87.0	89.1	86.9	89.5	89.7	87.8	86.8	86.8	84.6
Requests withdrawn (%)	5.4	3.9	3.5	3.5	3.1	3.9	4.9	4.7	7
Handled requests for advice procedures (GVVA) (abs.)⁸⁵	3,034	3,087	3,970	3,691	5,471	4,023	4,853	5,373	5,499
Unfavourable advice (%)	17.5	16.1	16.5	14.3	14.2	15.2	14.5	17.6	19
Favourable advice (%)	78.7	80	79.2	81.7	82.6	79.5	79.1	74.7	74.3
Requests withdrawn (%)	3.3	3.2	3.4	3.4	3.2	4.6	4.5	5.1	4.9
Total handled requests (for work permits or advice procedures) (abs.)	8,279	8,930	10,535	11,555	15,217	10,889	13,845	20,286	24,566
Work permits denied/unfavourable advice procedures (%)	11.0	10.1	11.8	9.1	9.7	10.7	10.1	9.4	8.3
Work permit issued/favourable advice procedures (%)	84.0	86.0	84.0	87.0	87.1	84.7	84.1	83.6	82.3
Requests withdrawn (%)	4.7	3.7	3.4	3.5	3.1	4.1	4.8	4.8	6.6

Source: UWV annual reports on the implementation of the labour aliens act (*Wet Arbeid Vreemdelingen*), supplied on request

3.5.5 Labour market tests

Employers are only allowed to hire an employee from outside the EU/EEA after proving they are unable to find a suitable candidate from within an EU/EEA country (also including the Netherlands). UWV assesses whether the employer has undertaken sufficient efforts to fulfil this requirement. There are three degrees of strictness of this so-called labour market test: (i) a full labour market test, (ii) a limited labour market test, and (iii) no test.⁸⁶

The decision to select one of the three procedures depends on the type of employment for which a work permit is required. In the case of a full labour market test, a work permit is only granted if an employer can demonstrate that, after active attempts to find suitable candidates in the Dutch and/or European labour market within a certain period of time, the vacancy could not be filled.⁸⁷ In the case of a limited labour market test, the employer does not need to meet all the criteria (e.g., it is not necessary to post the vacancy on the UWV website). This limited version applies, for example, to an IT specialist with high educational qualifications or management staff and specialists receiving an above-average gross monthly salary. Finally, there are also situations in which employees are hired without being subjected to a labour market test. For example, a labour market test is not needed for intercompany transferees in an executive position.

⁸⁵ The number of residence permit applications for the category 'labour migrants' is not comparable to the number of GVVA advice procedures by the UWV (there are more advice procedures than applications). The number of GVVA advice procedures includes both applications for paid employment as well as for learning & working combinations, while the residence permit applications in the previous chapter only includes applications for paid employment.

⁸⁶ In a full labour market test, the employee must show that they exhausted all means to find a suitable candidate for the position in the Netherlands or within the European Economic Space (EES). In a limited test, this is not required. The limited test is used for, among others, working students, trainees, key personnel from international concerns, and chefs in the Asian catering industry.

⁸⁷ For all conditions, see revised Aliens Employment Act (*Wav*), Article 8.

Table 3.8 shows the number of granted TWVs and favourable advice procedures for different labour market tests (no test, limited test and full test). This overview gives rise to the following conclusions:

- The total number of granted TWVs and favourable advice procedures increased from 11,624 in 2021 to 20,228 in 2023.
- For 92,5% of the applications, a limited labour market test was carried out in 2023. In 7,5% of applications, full tests were conducted.
- Between 2021 and 2023, the share of work permits issued after a full labour market test decreased (1.7% in 2021 to 1.0% in 2023).
- The share of full labour market tests that led to a favourable advice increased (from 7.9% in 2021 to 33,3% in 2023).

Table 3.8 **Granted TWVs and favourable advice procedures for different labour market tests (absolute figures and in %), 2021-2023**

		Issued work permits		Favourable advice		Total	
		<i>abs</i>	%	<i>abs</i>	%	<i>abs</i>	%
2021	No test	0	0.0	0	0.0	0	0.0
	Limited test	7,637	97.9	3,518	91.7	11,155	95.8
	Full test	132	1.7	305	7.9	437	3.8
	Unknown	35	0.4	15	0.4	50	0.4
	Total	7,804	100	3,838	100	11,642	100
2022	No test	0	0.0	0	0.0	0	0.0
	Limited test	12,785	98,8	3,330	83,0	16,115	95,0
	Full test	159	1,2	682	17,0	841	5,0
	Unknown	2	0	0	0	2	0
	Total	12,946	100	4,012	100	16,958	100
2023	No test	0	0,0	0	0,0	0	0,0
	Limited test	15.981	99,0	2.724	66,7	18.705	92,5
	Full test	161	1,0	1.362	33,3	1.523	7,5
	Unknown	0	0,0	0	0,0	0	0,0
	Total	16.142	100	4.086	100	20.228	100

Source: UWV annual reports on the implementation of the labour aliens act (*Wet Arbeid Vreemdelingen*), supplied on request

3.5.6 Characteristics of third country labour migrants

Table 3.9 shows the composition of issued permits and positive advice per nationality of the applicants. In 2023, the combined number of issued TWVs and favourable advice procedures were in the vast majority of cases granted to people from India and China, followed by immigrants from the United States. In 2023, people from India most often received a TWV, while Chinese people most often received a positive advice with regard to the single permit. From this we may conclude that migrants from India generally spend a shorter time in the Netherlands for work than Chinese labour migrants.

Table 3.9 Top 15 highest numbers of issued work permits and favourable advice procedures by nationality, 2021-2023

2021				2022				2023			
Natio- nality	Issued work per- mits	Favoura- ble advice procedu- res	Total	National- ity	Issued work per- mits	Favour- able ad- vice proce- dures	Total	Nation- ality	Issued work per- mits	Fa- voura- ble advice proce- dures	Total
Chinese	438	2,217	2,655	Indian	2,427	365	2,792	Indian	3207	392	3599
Indian	1,250	261	1,511	Chinese	923	1,816	2,739	Chinese	1252	1869	3121
Ameri- can	412	242	654	American	666	288	954	Ameri- can	705	249	954
British	443	109	552	British	618	176	794	Vietna- mese	817	80	897
Vietna- mese	426	62	488	Turkish	568	133	701	Turkish	702	135	837
Iranian	351	20	371	Vietna- mese	598	85	683	British	622	179	801
Nigerian	352	6	358	Indone- sian	624	56	680	Indone- sian	713	70	783
Turkish	282	70	352	Iranian	472	19	491	Iranian	712	17	729
Bangla- deshi	291	30	321	Surina- mese	385	67	452	Surina- mese	500	133	633
Indone- sian	262	41	303	Bangla- desi	416	36	452	Syrian	549	3	552
Surina- mese	254	20	274	Russian	386	22	408	Nigerian	502	31	533
Russian	220	32	252	Nigerian	370	11	381	Russian	423	21	444
Japa- nese	147	83	230	South- Korean	281	24	305	South- Korean	347	25	372
South- Korean	155	24	179	Thai	213	66	279	Bangla- deshi	279	48	327
Pakis- tani	29	30	59	Japanese	167	105	272	Pakis- tani	217	56	273

Source: UWV annual reports on the implementation of the labour aliens act (*Wet Arbeid Vreemdelingen*), supplied on request

Table 3.10 shows the total number of issued TWVs and favourable advice procedures per profession in 2022 and 2023, sorted by the total number of positive decisions. Only the fifteen professions with the highest numbers of total favourable applications are included in the list. Professions related to food services (food preparation and serving: waiter/waitress), as well as teaching and delivery are high on the list in both 2022 and 2023.

Table 3.10 Top 15 highest numbers of issued work permits and favourable advice procedures, 2022-2023

2022	Issued work permits	Favourable advice procedures	Total	2023	Issued work permits	Favourable advice procedures	Total
Food preparation	643	2,220	2,863	Food preparation	887	2,429	3,316
Teaching	2,116	65	2,181	Serving: waiter/waitress	2,910	20	2,930
Serving: waiter/waitress	2,033	29	2,062	Teaching	2,014	85	2,099
Delivery	1,596	0	1,596	Delivery/transport/carrying	1,608	0	1,608
Other	1,138	97	1,235	Other	992	140	1,132
IT: development/ consulting	491	34	525	Cleaning: Home/office	1,056	0	1,056
Advising: technical/technology	457	48	505	IT: development/ consulting	697	43	740
Cleaning: Home/office	471	0	471	Sales	679	3	682
Religious worker	53	310	363	Advising: technical/technology	538	41	579
Sales	351	11	362	Research/analysis	417	71	488
Caretaking/helping: people	229	95	324	Caretaking/helping: people	232	206	438
Research/analysis	246	65	311	Religious worker	76	316	392
Leadership: cooperating	219	60	279	Leadership: department	297	36	333
Leadership: department	202	49	251	Production work	323	4	327
Educate/inform	223	26	249	Educate/inform	258	2	260
Other functions	2,478	903	3,381	Other functions	3,158	690	3,848
Total	12,946	4,012	16,958	Total	16,142	4,086	20,228

Source: UWV annual reports on the implementation of the labour aliens act (*Wet Arbeid Vreemdelingen*), supplied on request

3.5.7 Issued work permits by duration

Table 3.11 shows the duration of issued work permits by the maximum period for which these permits were issued. Between 2017 and 2023, a significant increase in the number of issued work permits for a period of 3 to 12 months is visible. The number of permits for a maximum of 3 months is more or less on the same level as in 2017, after a sharp decrease between 2019 and 2020 and an increase between 2021 and 2022. Once again, we see the influence of the corona pandemic, which greatly reduced the possibilities for short-term mobility. In 2023, we see a sharp increase in the number of 12 months work permits being issued.

Table 3.11 Duration of the issued work permits (TWV) (2017-2023)

Duration	2017	2018	2019	2020	2021	2022	2023
< 3 months	3,460	3,269	3,612	1,586	1,558	3,214	3,562
3-12 months	2,105	3,666	3,858	4,267	6,033	9,474	8,359
12 months	22	10	947	108	6	31	3,902
1-3 years	120	92	110	67	207	221	315
Unknown	1	2	10	0	1	6	4
Total	5,708	7,039	8,739	6,028	7,805	12,946	16,142

Source: UWV annual reports on the implementation of the labour aliens act (*Wet Arbeid Vreemdelingen*), supplied on request



The immigration and reception of asylum migrants

4

4 The immigration and reception of asylum migrants

This chapter deals with the legislation and regulations relating to asylum seekers and refugees in the Netherlands. First of all, the most important legal and policy measures with regard to the possibilities for admission and reception are discussed. This is followed by a discussion of the rules regarding voluntary and forced return. The statistical section deals with a large number of topics related to the number of asylum seekers, decisions about possible residence, and reception. The most important statistical findings are first listed below.

4.1 Main findings

- Between 2022 and 2023, the number of asylum requests in the Netherlands slightly increased from 47,990 to 49,890.
- In 2023, there were 38,375 first asylum requests. By far most asylum requests were made by Syrian refugees (13,030). Next in line were Turks (2,860), Eritreans (2,345) and Yemeni (1,980).
- In 2023, 14,485 first asylum requests were granted and 3,425 asylum requests were rejected.
- The number of resettled refugees decreased from 1,422 in 2022 to 830 in 2023. These numbers also include resettled refugees under the EU-Turkey Statement.
- In 2023, the number of asylum applications by unaccompanied minors increased to 5,805 (from 4,205 in 2022). Unaccompanied minors account for more than 15% of the total number of requests.
- On 31 December 2023, a number of 64,300 asylum migrants in Dutch asylum centres.

4.2 Asylum laws and policies

In this section attention is paid to the Dutch asylum chain programme, measures in relation to COVID-19, the issue of reception capacity shortages, measures in relation to immigrants from safe countries, decisions with regard to a departure moratorium, a new work instruction for medical advice (within the framework of the Dublin Regulation), measures regarding asylum seekers causing public nuisance, austere reception facilities, hosting schemes for refugees and measures with respect to unaccompanied minors. Most of the legal and policy changes that are discussed are from 2021.

4.2.1 Flexibilisation of the asylum system

One of the six pillars of the Comprehensive Agenda on Migration of the Dutch government is the establishment of a solid Dutch and EU asylum system, with specific regard to ensuring equal protection levels within the EU, by discouraging secondary migration movements and by a solidarity-based asylum policy, in which Member States support each other in times of increased asylum inflows. This part of the Comprehensive Agenda on Migration is addressed in the Flexibilisation Asylum Chain Programme (*Programma Flexibiliserend Asielketen*) of 2018. In so doing, the Dutch government intends to create an asylum system that is more efficient, flexible and robust. Measures are being developed in five related fields⁸⁸:

- increasing predictability, transparency and efficiency of asylum procedures;
- reducing processing times;
- better alignment of reception capacity with fluctuations in asylum applications;
- better alignment of asylum procedure with either settlement and integration in municipalities or return in case of a rejected asylum application;
- improved cooperation with civil society actors and other levels of government.

⁸⁸ Letter from the Ministry of Justice and Security to Parliament, dd 5 July, 2018. Flexibiliserend asielketen, Ref.: 2301074.

Reception facilities

In May 2020 the so-called Agenda on the flexibilisation of the asylum system (*Uitvoeringsagenda flexibilisering asielketen*) was established. The agenda encourages local, provincial and national governments to work together in order to create flexible forms of reception for asylum seekers and improved support and guidance of asylum seekers towards either integration or return. Provincial governments are to coordinate regional action plans to meet the new requirements for the reception of asylum seekers based on current estimations on the needed reception capacity. It is anticipated that the transition to the new system can take several years and that the timeline of implementation will differ regionally.⁸⁹

In the new asylum system three types of reception facilities are envisaged:

- Common alien reception centres (*Gemeenschappelijke Vreemdelingenlocatie - GVL*): a medium-sized reception centre locating all stakeholders in the asylum procedure in one location. This includes the Immigration and Naturalisation Service (IND, the organisation for admission), the Central Agency for the Reception of Asylum Seekers (COA, the organisation for reception), the Repatriation and Departure Service (DT&V, the organisation for return), the Royal Netherlands Marechaussee (KMar), and the Unit Foreign National's Identification and Human Trafficking (AVIM) of the National Police. Asylum seekers are supposed to stay at a GVL from the beginning of their procedure until the time of admission or rejection.
- Satellite locations: locations that provide alternative reception capacity when GVL maximum capacity is reached as well as reception for specific groups of asylum seekers.
- Regional reception centres: locations at which asylum seekers (i.e. those who are likely to obtain a residence permit) or already been granted one, can make a start with their integration process near the municipalities where they ultimately will be housed (the relation between these locations and satellite locations is still under discussion).

From 25 June 2021 onwards, several changes to the asylum procedure have entered into effect:⁹⁰

- Termination of the initial personal interview in the general asylum procedure. To avoid duplication, there is no longer a separate initial personal interview within the general asylum procedure.
- The possibilities to cancel the 'rest and preparation period' (RVT) have been adjusted and expanded (e.g., in case of caused nuisance in a reception facility). During the RVT, the asylum seeker has a minimum of six days in order to rest from the travel to the Netherlands and prepare for the registration interview.
- The general asylum procedure has been shortened: in the new situation, the asylum procedure takes 6 days (instead of 8). In addition, the possibility has been added to extend the asylum procedure (AA) by three days (AA+). This extension can be used in complex cases, and in cases where there are special procedural guarantees or a medical advice indicating that more time is needed for the interview.
- The working method for asylum applications of persons from safe countries of origin or persons who benefit international protection in another EU Member State has been formalised. This means that the third country national will be informed by his/her legal assistance provider and the Dutch Council for Refugees (VluchtelingenWerk Nederland - VWN), and that there will be one day for submission of views.

Validity of asylum permit

In November 2019, the government announced several measures aimed at 'structural system improvements in the asylum procedure which in addition may contribute to alleviation of bottlenecks, such as backlogs in the application procedure'.⁹¹ A notable proposed change in legislation was the reduction of the validity from five to three years of the temporary asylum permit. In December 2020, the Council of State advised the government not to bring the bill before Parliament. This high advisory body pronounced serious objections against the proposed changes as the costs (due to processing of requests, legal aid and court cases) would exceed possible benefits. Moreover, it was argued that current legislation already makes it possible to withdraw a residence permit within five years if changes in the country

⁸⁹ <https://www.rijksoverheid.nl/onderwerpen/migratie/uitvoeringsagenda-flexibilisering-asielketen>.

⁹⁰ <https://ind.nl/en/news/application-interview-and-first-interview-combined-flexible-general-asylum-procedure-aa-introduced>.

⁹¹ Letter from the Ministry of Justice and Security to Parliament, dd 11 April 2019. Stand van zaken programma Flexibilisering asielketen, Ref.: 2553175.

of origin would occur.⁹² Currently, the length of temporary residence permits for asylum seekers is still five years.⁹³

Processing times and penalty payments

In July 2020, the Temporary Act on the Suspension of Penalties for the IND (*Tijdelijke wet opschorting dwangsommen IND*) has been adopted by the Dutch Parliament. With this Act the obligation for the Immigration and Naturalisation Service (IND) to pay a penalty to asylum applicants when the legal timeframe for processing the application is exceeded, was (temporarily) suspended. The Act was in effect from 11 July 2020 to 11 July 2021. On 6 July 2022, the Administrative Jurisdiction Division of the Council of State rendered a decision on the Temporary Act on the Suspension of Penalties for the IND. The Division ruled that the elimination of the option to submit an appeal against failure to take a decision in time is contrary to EU law and therefore non-binding.⁹⁴ The ruling and its implications for the implementation of the Temporary Act are currently being studied by the government.⁹⁵

4.2.2 Shortage of reception capacity

The problem of acute shortages of reception facilities for asylum seekers and housing for asylum migrants with a residence permit continued to exist in the year 2023. To prevent shortages in reception facilities, the Minister for Migration announced a package of measures on 10 February 2023 for COA to increase reception capacity by 19,000 places by 1 July 2023. These measures included keeping some existing reception locations open, opening new locations, expanding hotel accommodations, using flexible accommodations in asylum seekers' centers, and creating atypical reception places.⁹⁶

On 7 June 2023, COA and the Red Cross signed a declaration of intent for sustainable cooperation.⁹⁷ In collaboration with COA, the Red Cross continues to provide daily reception for applicants for international protection at certain, often smaller, reception locations, but on a more structural basis. Where possible and necessary, the Red Cross will expand its involvement. COA remains responsible for resident administration and retains final responsibility.

At the beginning of 2023, the Central Agency for the Reception of Asylum Seekers (COA) stated that 75,500 extra places will be needed this year. This is because more asylum seekers were expected to come to the Netherlands.⁹⁸ Based on a more recent asylum forecast of the Ministry of Justice and Security, COA calculated that 77,100 reception places would be needed on 1 January 2024.⁹⁹

4.2.3 Immigrants from safe countries

Since 2021, based on a ruling by the Council of State (RvS), the designation of a safe country of origin in the Aliens Circular 2000 must be reassessed every two years. In 2023, the following countries were reassessed as safe countries of origin: Georgia, Morocco, Tunisia, Albania, North Macedonia, Montenegro, Ghana, and Senegal.¹⁰⁰ Exceptions are made for Morocco, Tunisia, and Senegal for individuals facing potential criminal prosecution, particularly those who can demonstrate that their rights and freedoms cannot be guaranteed by the state. For Ghana and Senegal, based on consulted sources, there was no reason to continue the previously made exception for individuals facing discrimination. However, this exception does still apply to journalists and LGBTI individuals from Ghana.

⁹² Council of State Advice concerning the Bill to amend the Aliens Act of 2000 in order to adapt the period of validity of the asylum residence permit for a fixed period (Advies Raad van State inzake het voorstel van wet tot wijziging van de Vreemdelingenwet 2000 teneinde te voorzien in aanpassing van de geldigheidsduur van de verblijfsvergunning asiel voor bepaalde tijd). Date: 16 December 2020.

⁹³ <https://ind.nl/nl/verblijfsvergunningen/asiel/asiel-aanvragen-in-nederland#de-verblijfsvergunning->.

⁹⁴ <https://www.raadvanstate.nl/actueel/nieuws/@131914/opschorting-dwangsommen-ind/>.

⁹⁵ https://www.eerstekamer.nl/wetsvoorstel/35476_tijdelijke_wet_opschorting.

⁹⁶ Ministry of Justice and Security, 'Uitwerking maatregelen opvangopgave', 10 February 2023.

⁹⁷ COA, 'Langdurige samenwerking tussen het COA en Rode Kruis', 7 June 2023.

⁹⁸ <https://nos.nl/nieuwsuur/artikel/2461058-opvang-asielzoekers-tekort-aan-bijna-40-000-plekken>.

⁹⁹ <https://www.coa.nl/nl/nieuws/de-groeiopgave-voor-de-asielopvang-stijgt-licht-2023>.

¹⁰⁰ Government Gazette, 2023, 24054. <https://cmr.jur.ru.nl/cmr/tbv/tbv13/23/wbv.2023.21>.

4.2.4 Decisions with regard to a departure moratorium

A decision moratorium is a decision made by the Minister for Migration to extend the deadline for making a decision on applications for international protection for a certain category of applicants. The uncertainty with regard to the civil war in Sudan prompted the Dutch government by the end of 2023 to announce a 6-month suspension of decisions on applications for international protection and the execution of return decisions for Sudanese nationals. During this period, Sudanese nationals applying for asylum in the Netherlands retained their right to reception.¹⁰¹ Also, in December 2023, the government announced a suspension of decisions on applications for international protection and return decisions for applicants from the Palestinian territories.¹⁰² Since then, the IND has not made decisions on Palestinian applications for international protection, and no Palestinians have been deported from the Netherlands. In contrast, in June 2023, the Dutch government decided to no longer suspend applications and return decisions for Russian conscripts.¹⁰³

4.2.5 Measures regarding asylum seekers causing public nuisance and criminality

In 2022, the Dutch government allocated a structural budget of € 45 million per year to tackle disruptive behaviour of asylum seekers. This approach encompassed various initiatives under four pillars: quick decision-making in the asylum procedure, providing tailored solutions in accommodation, implementing an immediate response policy in public spaces, and focusing on return.¹⁰⁴ In 2023, this approach to dealing with disruptive behaviour was enhanced.¹⁰⁵ In 2023, COA also implemented various pilots to prevent disturbances and to maintain the safety of reception facilities for both asylum seekers and COA staff. In case of serious disturbances, COA could take measures such as relocating asylum seekers to a special enforcement and supervision location.¹⁰⁶ Additionally, in September 2023, the government made € 2 million available for municipalities to implement local and small-scale measures to address disturbances caused by asylum seekers in public spaces via a so-called Special Grant (SPUK).¹⁰⁷

4.2.6 Reception facility with austere nature

In September 2020, a pilot started to place asylum seekers with low chances of receiving a positive decision on their application in the Netherlands (often from safe countries of origin) in separate, austere reception and more closely supervised facilities. This pilot ended on 1 January 2022. During the processing of the asylum application, people from safe countries of origin now stay in a sober COA location in Ter Apel or Budel-Cranendonck. Asylum seekers can appeal against the rejection of their asylum application. During the appeal phase, the COA places them in regular asylum seekers' centers spread across the country. COA is looking for new locations where they can also use all austerity measures in the appeal phase.¹⁰⁸

4.2.7 Hosting scheme for refugees

Asylum seekers who have been granted a residence permit often have to wait for appropriate housing in Dutch municipalities. Refugees can reside for three months with family and friends or a Dutch host family in expectance of (permanent) housing in a municipality. An external evaluation showed positive effects of this scheme on learning the Dutch language and creating a social network. Additionally, it can help to reduce pressure on the available reception capacity within COA facilities.¹⁰⁹

4.2.8 Extension of the decision period

In August 2022, the State Secretary for Justice and Security announced that the decision period in the asylum procedure will be extended by nine months, from six to fifteen months. The reason for this extension is the increased number of asylum applications since August 2021 and the subsequent backlogs

¹⁰¹ Ministry of Justice and Security, 'Kamerbrief over besluit en vertrek moratorium Sudan van 26 juni 2023'.

¹⁰² Ministry of Justice and Security, 'Kamerbrief over besluit en vertrek moratorium Palestijnse Gebieden van 19 december 2023'.

¹⁰³ Government Gazette, 2023, 17940, 'Besluit van de Staatssecretaris van Justitie en Veiligheid van 28 juni 2023, nummer WBV 2023/17, houdende wijziging van de Vreemdelingen-circulaire 2000'.

¹⁰⁴ EMN (2023) Migration and Asylum in the Netherlands 2023. European Migration Network, The Netherlands, July 2024.

¹⁰⁵ Government of the Netherlands (2023, 10 November) 'Voortgangsbrieven aanpak overlast en crimineel gedrag door asielzoekers'.

¹⁰⁶ EMN (2023) Migration and Asylum in the Netherlands 2023. European Migration Network, The Netherlands, July 2024.

¹⁰⁷ Government of the Netherlands (2023), 'Lokale maatregelen overlast asielzoekers', 26 september 2023.

¹⁰⁸ <https://www.rijksoverheid.nl/onderwerpen/asielbeleid/vraag-en-antwoord/wat-gebeurt-er-met-asielaanvragen-van-mensen-uit-veilige-landen>.

¹⁰⁹ De Gruijter et al. (2019) *Evaluatie Logeeregeling COA*. Utrecht: Verwey-Jonker Instituut.

of the IND.¹¹⁰ In 2023, the number of applications for international protection continued to increase. Therefore, the government prolonged the extension of the decision period for applications for international protection submitted during this year.¹¹¹ This extension aimed to enable the Immigration and Naturalisation Service to decide on applications for international protection within the statutory time limits.

4.2.9 Dublin Procedures

On 20 January 2023, the Minister for Migration informed the House of Representatives about the resumption of transfers of Dublin claimants to Croatia.¹¹² Earlier, on 13 April 2022, the Council of State (RvS) ruled that migrants could not be transferred from the Netherlands to Croatia under the Dublin Regulation until the situation for Dublin claimants in Croatia was investigated by the Dutch government. Investigation showed that the Croatian authorities adhered to the European Dublin Regulation and that Dublin claimants in Croatia received reception and access to the national asylum procedure.

On 26 April 2023, the RvS ruled that the Netherlands could not rely on the principle of interstate trust regarding Italy.¹¹³ The RvS inferred from reports by the Italian authorities that there were no reception facilities available for Dublin claimants in Italy. This created the risk that they would end up in a situation not meeting international standards for basic needs such as shelter, food, and running water. In response to this ruling, the IND stopped making transfer decisions in Italian Dublin cases and processed these asylum applications itself.

4.2.10 Unaccompanied minors (UAM)

Unaccompanied minor foreigners (amv) are accommodated in small-scale reception locations where they are intensively supervised in their development towards adulthood. If the minor asylum seekers are younger than 15, they will in principle end up in a foster family under the responsibility of the Nidos foundation. If they are older than 15, they will end up in the small-scale reception of the COA. However, due to the great shortage of reception places, many young people are now (forcedly) accommodated in emergency shelters.¹¹⁴ In 2023, all efforts were focused on changing this as quickly as possible. However, the 2022 measure that makes it possible to place minor asylum seekers in temporary emergency shelters is still in effect.¹¹⁵ On 6 April 2023, the House of Representatives adopted a motion calling on the government to report on a quarterly basis on the reception and housing of these asylum seekers.¹¹⁶

4.2.11 End of a maximum 24-week requirement for asylum seekers

For many years asylum seekers without residence status in the Netherlands were allowed to work for a maximum of 24 weeks per year. The limitation was mainly set to prevent entitlements of this group to unemployment benefits. However, on 29 November 2023, the Council of State ruled that the 24-week limit for access to the labour market for applicants for international protection was in violation with European law (i.e. the EU Directive on Reception Conditions 2013/33/EU). This ruling meant that the Employee Insurance Agency (UWV) could no longer limit the access of applicants to the Dutch labour market to 24 weeks per year. Now that there is clarity from the highest administrative court, a work permit can be issued for longer than 24 weeks.¹¹⁷

4.2.12 The Act Municipal task enabling asylum reception

Another law that was discussed at length within the government in 2022 and 2023, and on which ultimately agreement was reached, is the Municipal task enabling asylum reception Act (so-called *Spreadingswet*).¹¹⁸ The law must ensure a better distribution of reception places across the Netherlands

¹¹⁰ Letter from the State Secretary for Justice and Security of 26 August 2022, 1. Parliamentary Papers II, 2021-2022, 19637, no. 2982.

¹¹¹ Ministry of Justice and Security, 'Verlengen wettelijke beslistermijn asielaanvragen', 3 February 2023.

¹¹² Parliamentary Papers II, 19637 nr. 3061.

¹¹³ Ministry of Justice and Security, 'Kamerbrief van de Staatssecretaris van Justitie en Veiligheid over Italiaanse Dublinzaken van 23 mei 2023'.

¹¹⁴ <https://www.coa.nl/nl/asielopvang-van-jongeren-die-alleen-naar-nederland-komen>.

¹¹⁵ EMN (2023) *Annual Report on Migration and Asylum 2023*. European Migration Network, July 2024, page 47.

¹¹⁶ Parliamentary Papers II, 2022-2023, 19637 nr. 3089.

¹¹⁷ <https://www.rijksoverheid.nl/actueel/nieuws/2023/11/29/asielzoekers-mogen-meer-dan-24-weken-per-jaar-werken>.

¹¹⁸ <https://www.rijksoverheid.nl/documenten/rapporten/2023/06/22/tk-bijlage-2-infographic-spreidingswet-juni-2023>.

and provides financial resources to municipalities when they voluntarily offer places for asylum reception. If necessary, this law can force municipalities to arrange reception places for asylum seekers. Notwithstanding the demissionary status of the Rutte IV cabinet, a majority in parliament voted in favour of this bill in October 2023. On 23 January 2024, the Senate also voted in favour of the *Spreidingswet*. The law intended to enable a more equal distribution of asylum seekers across the country have become effective from 1 February 2024. However, the current cabinet, installed on 2 July 2024, has announced that it will withdraw this law.¹¹⁹

4.3 Policies on return

Policies to stimulate the return of undocumented migrants form an integral part of the Comprehensive Agenda on Migration (see chapter 2). Implying more effective cooperation within the EU (harmonisation of asylum procedures, more surveillance of the EU-border) and with third countries (reception in the region of origin, cooperation with transit countries) are central parts of this policy. The government also intends to implement positive and negative sanctions to induce countries of origin to accept the return of their citizens. Ideas concerning this were the provision (or denial) of bi-lateral aid, measures regarding the issuance (or refusal) of visa for government officials, limiting entry to preferential trade status and the granting (or withdrawal) of landing rights.

4.3.1 Return of undocumented migrants

Data from the Repatriation and Departure Service (DT&V) shows the absolute number of returnees between 2016 and 2023 (see Table 4.1). From 2021 we notice a significant increase in the number of independent and forced returnees. The largest share is however made up of the category 'independent return without surveillance'. It is important to note that within this category the actual departure of a significant group cannot be determined.

Table 4.1 Number of returnees by category in 2015-2023

	2016	2017	2018	2019	2020	2021	2022	2023
Independent return	6,760 (40%)	3,400 (22%)	3,610 (24%)	4,460 (26%)	2,630 (24%)	2,100 (23%)	2,450 (28%)	3,380 (31%)
Forced return	2,220 (13%)	2,700 (18%)	2,650 (18%)	2,760 (16%)	1,650 (15%)	1,630 (17%)	1,850 (21%)	2,360 (22%)
Independent return without surveillance (*)	8,100 (47%)	9,020 (60%)	8,620 (58%)	9,660 (57%)	6,880 (62%)	5,600 (60%)	4,310 (50%)	4,950 (46%)
Total	17,080	15,120	14,880	16,880	11,160	9,330	8,610	10,690

(*) Returnee is no longer under surveillance of the Repatriation and Departure Service, actual departure from the Netherlands was not established.

Source: <https://www.dienstterugkeerenvertrek.nl/over-dtv/cijfers>.

4.3.2 Repatriation support

Through the Subsidy Scheme Support Independent Departure 2023 (OZV 2023), DT&V finances projects by non-governmental organisations that provide reintegration support to foreigners. In addition, this scheme subsidises projects aimed at actual departure of foreigners from the Netherlands. The emphasis should be on activities aimed at encouraging foreigners who are obliged to depart to leave the Netherlands independently. In 2024, the State Secretary for Justice and Security introduced a new period and opened a subsidy ceiling of €2,700,000.¹²⁰

¹¹⁹ <https://www.kabinetsformatie2023.nl/documenten/publicaties/2024/05/16/hoofdlijnenakkoord-tussen-de-fracties-van-pvv-vvd-nsc-en-bbb>.

¹²⁰ <https://www.dienstterugkeerenvertrek.nl/ondersteuning-bij-terugkeer/subsidieregeling-ondersteuning-zelfstandig-vertrek>.

4.3.3 Expansion of Dutch Support for Voluntary Return and Reintegration (AVRR)

On 1 July 2023, the Dutch government expanded support for Voluntary Return and Reintegration (AVRR). The AVRR (Assisted Voluntary Return and Reintegration) is a programme of the IOM (International Organization for Migration), aimed at the humane return and reintegration of migrants who cannot or do not wish to stay in the Netherlands, a host country, or a transit country, and who voluntarily wish to return to their country of origin. Migrants from Algeria, Belarus, Egypt, Lebanon, Mongolia, Morocco, Turkey, and Tunisia were temporarily excluded from this programme. With the expansion, migrants from these countries can once again apply for assistance with voluntary return and reintegration.¹²¹

4.3.4 Detention

In the Netherlands, a foreign national who resides illegally or does not leave voluntarily can be detained until their departure to the country of origin. Following a ruling by the Administrative Jurisdiction Division of the Council of State (*AbRvS*) on 15 November 2023, the procedure for detaining foreign nationals was amended.¹²² To fulfill the duty to inform detained foreign nationals, the State Secretary must henceforth inform them in writing in a language they understand. Previously, this was done orally. The duty to inform does not require a full translation of the detention measure.¹²³

4.3.5 The bed, bath and bread-discussion: pilot National Immigration Facilities (LVVs)

For many years, there has been a discussion between the national government and the municipalities on providing basic support to undocumented migrants who have exhausted all legal means. In 2018 the Ministry of Justice and Security signed an agreement with the Association of Netherlands Municipalities (VNG) on the construction of so-called National Immigration Facilities (*Landelijke Vreemdelingen Voorzieningen*, LVVs). In 2019, five municipalities started pilots for third-country nationals without a right of residence in the Netherlands and without access to other forms of shelter and support. By providing counselling for assisted voluntary return, the facilities aim to prevent irregular stay and to limit the consequences of irregular stay for the local environment. In 2020, an evaluation study showed that no more than 10% eventually returned to their country of origin.¹²⁴ In anticipation of a national scheme for these undocumented migrants, the five pilot municipalities have received a total of 24 million euros annually in 2022 and 2023 for the reception costs.¹²⁵ However, the new cabinet, installed in July 2024, has announced that it will end the central government contribution to the National Immigration Facilities (LVV).¹²⁶ Government funding for this scheme will cease on 1 January 2025.

4.3.6 Return of unaccompanied minors

Following a CJEU ruling, the Netherlands amended the Aliens Act Implementation Guidelines to provide unaccompanied minors whose asylum application had been denied – but for whom it had not been ascertained that they had access to adequate reception and care in the country of return – with a legal right to stay in the Netherlands for the period in which adequate reception and care was investigated.¹²⁷ Throughout the investigation, unaccompanied minors have lawful residence in the Netherlands.

4.3.7 Returning people with medical issues to their country of origin

The Netherlands introduced two specific changes to the Aliens Act Implementation guidelines, following case-law on people with medical issues that had to be returned to their country of origin.¹²⁸ Applicants can appeal to medical issues to prevent expulsion when the access to necessary medical care in the country of return is limited. In legal migration procedures, when an applicant appeals to medical issues to prevent expulsion and their identity is deemed trustworthy, the IND must take the information provided by the applicant on their access to necessary medical care in the country of return into account.

¹²¹ IOM Netherlands, 'AVRR-assistentie uitgebreid', 10 July 2023. AVRR-assistentie uitgebreid - IOM Nederland (iom-nederland.nl)

¹²² Council of State, 'Staatssecretaris schendt informatieplicht bij vreemdelingenbewaring', 15 november 2023.

¹²³ EMN (2024) Migration and Asylum in the Netherlands. Annual Report 2023, page 66.

¹²⁴ Regioplan (2020). *Plan- en procesevaluatie Landelijk Vreemdelingenvoorzieningen*; Verwey-Jonker Instituut (2021) *Tussenevaluatie pilot landelijke vreemdelingen voorzieningen*.

¹²⁵ NRC (11 mei 2023) Ongedocumenteerden. *Plots is er toch geld voor bed-bad-brood*, written by Wafa Al Ali.

¹²⁶ <https://vng.nl/sites/default/files/2024-05/20240517-eerste-analyse-van-het-hoofdlijnenakkoord-voor-gemeenten.pdf>.

¹²⁷ <https://wetten.overheid.nl/BWBR0012288/2023-07-13>.

¹²⁸ EMN (2023) *Annual Report on Migration and Asylum 2022*. European Migration Network, July 2023, page 49.

This is also the case when they are unable to provide original identification documents. Previously, their identity had to be confirmed with official identification documents before this access to necessary medication could be investigated. Changes were also linked to the information that foreign nationals must provide when seeking to prove that care is not accessible in their country of origin. For the assessment, it is crucial that the foreign national provides insight into the costs of treatment locally, their financial situation, the possibility of taking out health insurance, wage expectations and the extent to which family members can contribute to the cost of care. The frequency of travel to the healthcare facility and the time involved are also considered relevant. The response time for the supporting documents was extended from two to four weeks because the information must be requested in the country of origin.

In addition, the previously strict 3-months period for decisions on temporary suspension of deportation due to medical reasons may no longer be strictly applied. Following a ruling by the European Court of Justice (ECJ) in case C-69/21 on 22 November 2022, the Immigration Circular 2000 (Vc) was amended on 1 July 2023.¹²⁹ From that date, an indicative period can be established, but the immigration service must take into account the condition of the migrant concerned. Since the amendment in the Immigration Circular 2000 (Vc) on 1 July 2023, the Netherlands applies this indicative period when deciding on the suspension of deportation. Within the indicative period of 3 to 6 months, an accurate assessment of the disease progression and the availability of necessary care in the country of origin can be made.¹³⁰

4.4 The fall of the Rutte IV cabinet: the consequences for asylum policy

In July 2023, the Rutte IV cabinet resigned. This meant that various measures announced in the context of the access to the Netherlands and the reception of asylum migrants in the Netherlands will not be implemented by the current (demissionary) government. Relevant in this context is that the government fell whilst trying to realise a new approach on migration. Part of the discussion were the (re)introduction of a two-status system (with a distinction between refugees who fear persecution in their country of origin (for instance because of their sexual orientation) and refugees who could return in due course if the situation in the country of origin is safe again (for example after a war or natural disaster), the abolition of legal aid for asylum seekers from safe countries who want to challenge the decision in court, and the setting up of a detention centre for asylum seekers who have already applied for asylum in another European country. A main stumbling block was the demand of the largest ruling party (VVD) to limit family reunification for asylum migrants. Ultimately, the coalition parties did not reach an agreement on this migration deal and the cabinet submitted its resignation.

4.5 Intended plans of the new cabinet for 2024 and 2025

The new cabinet, installed in July 2024, aims for the toughest asylum regime and the strictest admission requirements ever. In the letter of 25 October, the government announced different laws to relieve the asylum chain immediately and to reduce the influx of asylum seekers.¹³¹ In December 2024 three legislative proposals were sent to the Council of State for advice.¹³²

- The Asylum Emergency Measures Act (*Asielnoodmaatregelenwet*) includes the abolition of permanent residence permits, limiting the period of validity of asylum permits to three years, broadening the order declaring a person an undesirable foreign national, limiting travel to the Netherlands in connection with family reunification to nuclear families and measures to make asylum procedures more efficient. The government expects these measures to help reduce the influx of asylum migrants and also have a positive effect on returns. This concerns foreign nationals who have no right of residence and foreign nationals who are able to return once the security situation in their country of

¹²⁹ Government Gazette, 2023, 16. https://ind.pucoverheid.nl/doc/PUC_1309435_1/.

¹³⁰ See, more in detail, EMN (2024) Migration and Asylum in the Netherlands. Annual Report 2023, page 66.

¹³¹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2024/10/25/brief-over-nadere-afspraken-uitvoering-hoofdstuk-2-hoofdlijnenakkoord-grip-op-asiel-en-migratie>.

¹³² <https://www.rijksoverheid.nl/documenten/kamerstukken/2024/10/25/brief-over-nadere-afspraken-uitvoering-hoofdstuk-2-hoofdlijnenakkoord-grip-op-asiel-en-migratie>.

origin improves. With fewer influx and more returns, the government expects to relieve the pressure on the IND and asylum reception centres.

- The cabinet is also proposing a so-called two-status system. The legislative proposal distinguishes between refugees and people receiving protection on other grounds. This provides additional possibilities for reducing the influx of family members of people in that second group travelling to the Netherlands for family reunification.
- Finally, the Council of State will consider an amendment to the legislative proposal for the Repatriation and Detention of Aliens Act (*Wet Terugkeer en Vreemdelingenbewaring*). Among other things, this legislative proposal provides that non-cooperation with deportation will become a criminal offence and that the distinction between criminal detainees and immigration detainees will be more sharply defined. This law also gives more powers to implementing organisations to share data that will help determine the origin of foreign nationals so that they can be returned.

On 10 February 2025, the Council of State issued its advice on two of the three aforementioned legislative processes. These are the Asylum Emergency Measures Act and the introduction of a two-status system.¹³³ The Council of State advises the government not to bring the proposals before Parliament in their current form. The Council doubts whether the laws will reduce the influx of asylum seekers and expects additional pressure on the IND and the judiciary. In addition, the Netherlands will have to implement the European Asylum and Migration Pact in 2026. According to the Council of State, if the legislative proposals are not properly aligned with this, this will undermine legal certainty and may lead to additional problems in implementation and jurisprudence. The advice of the Council of State is not binding. On 7 March 2025, the cabinet approved the virtually unchanged asylum laws. Voting on the laws in parliament is expected to take place in the spring of 2025.

In addition to the Asylum Emergency Measures Act, the cabinet is preparing an Asylum Crisis Act.¹³⁴ With this act, the Dutch government intends to take additional measures to combat the acute asylum influx and reception crisis. Parallel to these asylum crisis measures, a separate bill will repeal the Municipal task enabling asylum reception Act (the so-called *Spreidingswet*). This bill will be submitted for advice to the Council of State in the first quarter of 2025.

An asylum reform package is also being prepared.¹³⁵ The implementation of the European Asylum and Migration Pact serves as the basis for this package because it is considered essential for limiting the influx of asylum migration into the Netherlands. A bill is currently being worked on to implement various EU-regulations and a EU-directive. In the context of this implementation, it is also being examined how the asylum procedure can be shortened and simplified to a European minimum.

4.6 Asylum requests

For the purpose of displaying not only the long-term trend in total asylum applications (first and follow-up), but also figures based on the new asylum definition in the Netherlands, figure 4.1 includes two different trend lines. The blue line depicts the trend between 1975-2022 in accordance with the old definition of asylum and, therefore, also includes applications of family members of refugees. The purple line shows the trend between 2007-2022 in accordance with the new definition and does not include applications of family members of refugees (see box 5.1 for a more detailed description on this amendment).

¹³³ <https://www.raadvanstate.nl/actueel/nieuws/februari/adviezen-asielnoodmaatregelen-tweestatus/>.

¹³⁴ Parliamentary letter of 14 November 2024, 36600 XX, concerning: *Vaststelling van de begrotingsstaat van het Ministerie van Aziel en Migratie (XX) voor het jaar 2025*.

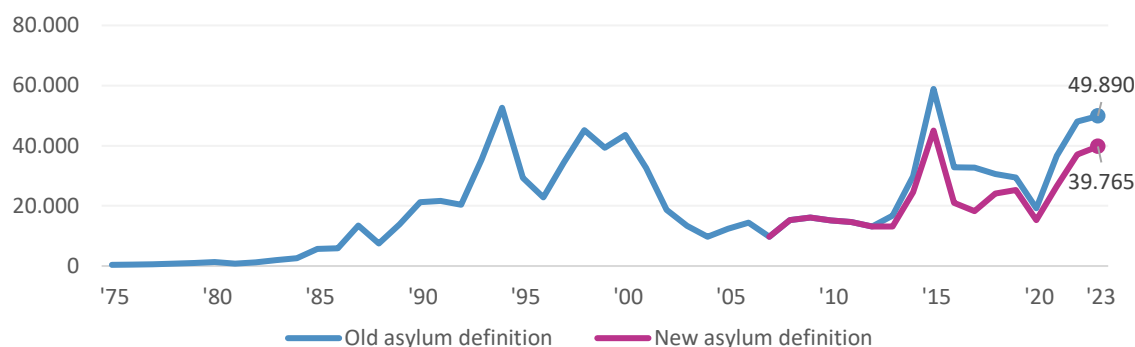
¹³⁵ Ibid.

Box 4.1 Change of definition of asylum requests in asylum statistics

In January 2014, an amendment was introduced to the Dutch definition for asylum requests in asylum statistics. Previously, lodged requests for family reunification within a period of three months after granting an asylum seeker with a residence permit were counted as asylum applications. According to the new definition, this way of counting is no longer applicable. Now, family members of asylum seekers who have been granted a status, no longer have to file an asylum application in order to receive a residence permit. Therefore, these family members are no longer included in statistics on asylum applications. By changing the definition, Dutch statistics have become better aligned with the definition used in other Member States.

Figure 4.1 shows that the number of total (first and follow-up) asylum requests fluctuated substantially during the past forty years. In 2015, the political crisis in Syria caused a large influx of refugees to the Netherlands. In the five years that followed, the annual number of asylum applications in the Netherlands decreased sharply again. The COVID-19 crisis led to a further reduction in the number of asylum seekers in 2020, due to both travel restrictions and closed borders. More recently, the number of asylum requests increased in 2021, mostly due to the political conflicts in Syria and Afghanistan.

Figure 4.1 Total numbers (first and follow-up) of asylum requests, 1975-2023



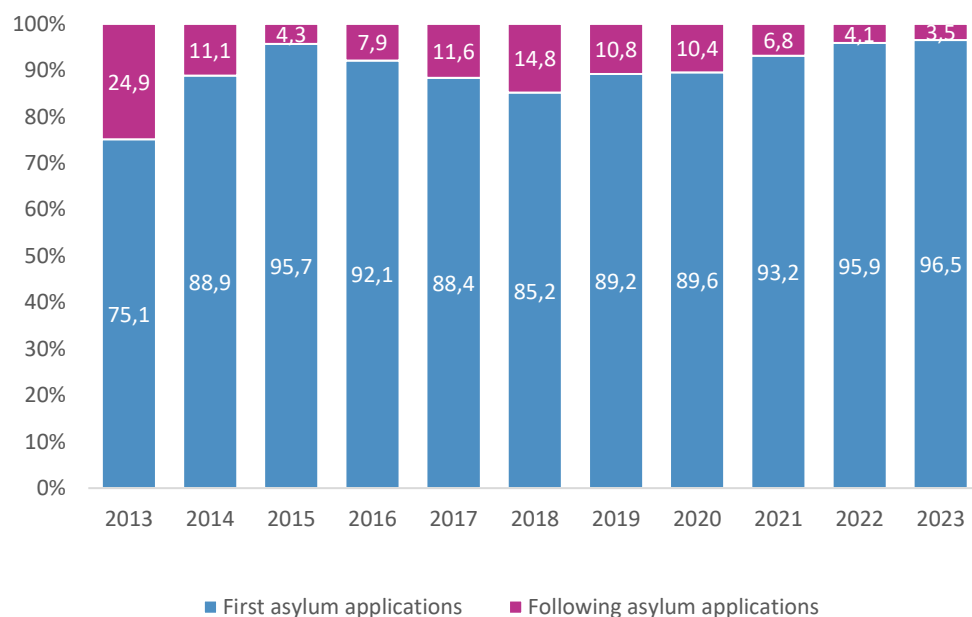
Source: Statistics Netherlands, online statistics (2024)

4.6.1 First and follow-up asylum applications

Asylum seekers can submit a follow-up application after rejection of the first application. This possibility may be used in the event of new relevant facts for the assessment of the application or in case the situation in the home country has changed. Figure 4.2 shows the share of first and follow-up applications according to the new definition.

Over the years, the number of follow-up applications fluctuates within the total number of applications. After 2018, we see that the share of follow-up applications continues to decline. In 2023, 3.5% of all asylum applications consisted of follow-up applications.

Figure 4.2 First and follow-up applications, 2013-2023 (percentages)



Source: Statistics Netherlands, online statistics (2024)

4.6.2 First asylum request by country of nationality

Table 4.2 shows the number of first asylum requests in the Netherlands by nationality. In 2023, there were 38,375 first asylum requests.¹³⁶ By far most asylum requests were made by Syrian refugees (13,030). Next in line were Turks (2,860), Eritreans (2,345), Yemeni (1,980) and Somali (1,805).

Table 4.2 Top 10 first asylum applications in the Netherlands by nationality¹, 2020-2023

Total of 2021			Total of 2022			Total of 2023		
Nationality	Abs.	%	Nationality	Abs.	%	Nationality	Abs.	%
Total	24,740	100	Total	35,535	100	Total	38,375	100
Syrian	8,380	33.9	Syrian	12,650	35.6	Syrian	13,030	34
Afghan	3,005	12.1	Afghan	2,730	7.7	Turkish	2,860	7.5
Turkish	2,460	9.9	Turkish	2,685	7.6	Eritrean	2,345	6.1
Yemeni	1,190	4.8	Yemeni	2,430	6.8	Yemeni	1,980	5.2
Algerian	1,105	4.5	Somali	1,455	4.1	Somali	1,805	4.7
Moroccan	905	3.7	Eritrean	1,365	3.8	Algerian	1,555	4.1
Somali	905	3.7	Algerian	1,205	3.4	Iraqi	1,495	3.9
Eritrean	770	3.1	Ukrainian	1,060	3	Iranian	1,120	2.9
Iraqi	745	3	Pakistani	875	2.5	Moroccan	885	2.3
Pakistani	445	1.8	Moroccan	720	2	Sudanese	810	2.1
Other	4,830	19.5	Other	8,360	23.5	Other	10,490	27.2

Statistics Netherlands, online statistics (2024)

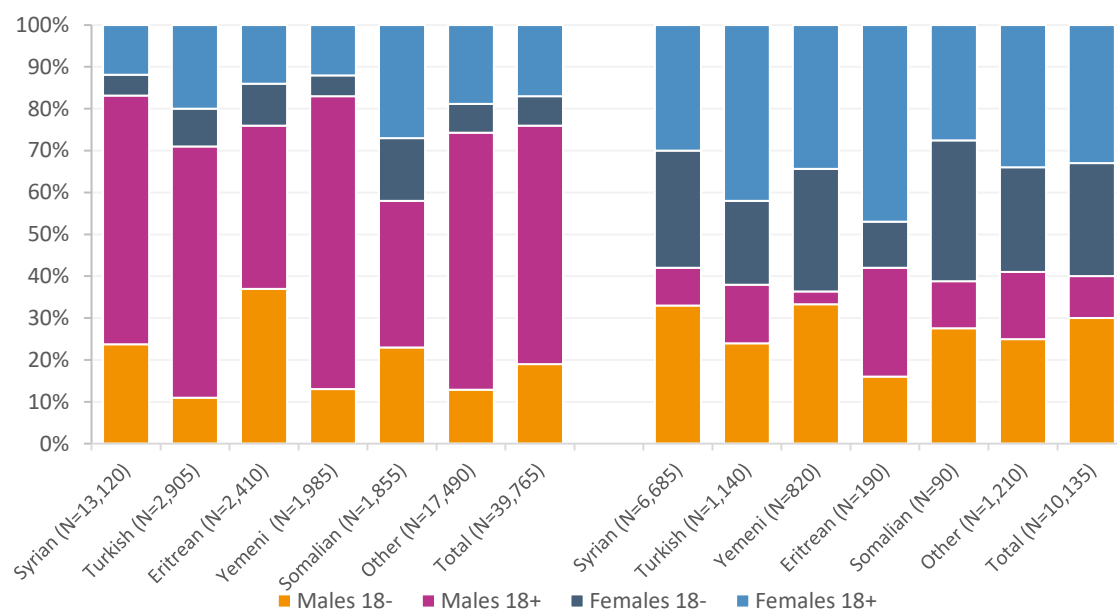
¹ The figures in the table are rounded to the nearest five to prevent possible identification of individuals.

4.6.3 Demographic characteristics of asylum seekers and family members

Figure 4.3 shows the demographic composition of asylum seekers and their family members for the most prominent countries of origin in 2023. More men than women applied for asylum. A large majority of these men are 18 years or older. Only among the Eritreans did we find relatively many young men (under 18 years). Conversely, more women than men applied for a permit within the framework of family reunification. A significant proportion of these women are under the age of 18. Once again, the Eritreans are an exception to this picture.

¹³⁶ In accordance with the new definition of asylum: family members of refugees are not included.

Figure 4.3 Top 5 Asylum applications (2023)¹ in the Netherlands by nationality, divided by sex and age



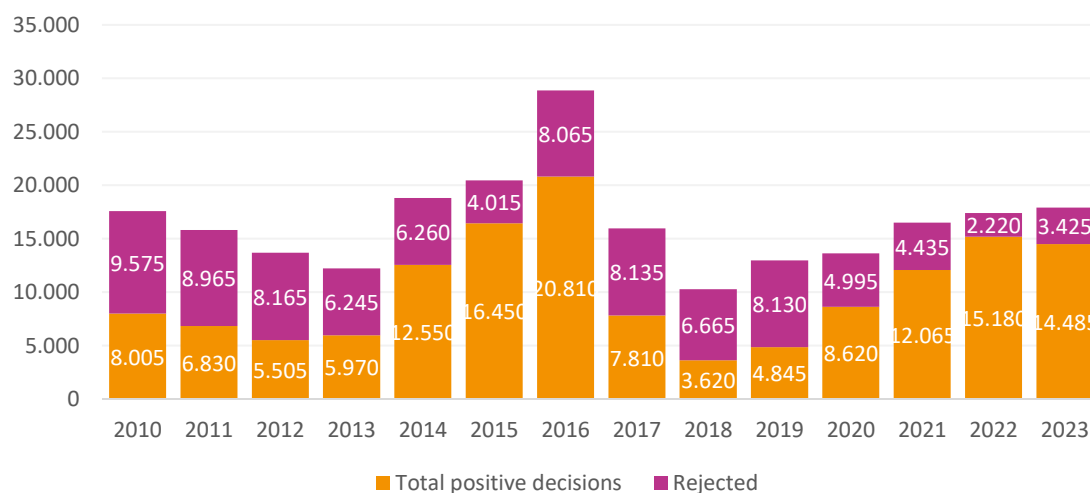
Source: Statistics Netherlands, online statistics (2023)

¹ The figures in the table are rounded to the nearest five to prevent possible identification of individuals. As a result, it may occur that the sum of the detail data is different from the total.

4.7 Decisions on asylum requests

Figure 4.4 reveals the number of first asylum decisions in the Netherlands between 2010 and 2023. The number of positive decisions and rejections fluctuates over the years. For example, between 2014 and 2016, we see that the proportion of positive decisions is relatively high compared to other years. This is also true for the most recent years. In 2023, 14,485 first requests for asylum were granted and 3,425 asylum requests were rejected.

Figure 4.4 Total number of first asylum decisions in the Netherlands divided by positive decisions and rejections¹, 2010-2023 (2013 and later years in accordance with the new definition, previous years in accordance with the old definition)



¹ The absolute data are rounded to the nearest five. As a result, it may occur that the sum of the detail data is different from the total.
Source: Eurostat (2024)

4.8 The evacuation of people from Afghanistan

The evacuation and post-evacuation of Afghans (including the Interpreter Scheme) has led to 4,540 people from Afghanistan being granted humanitarian admission in the Netherlands between January 2021 and March 2023.¹³⁷ The Netherlands has never labeled this admission of Afghans as a humanitarian admission program. However, the way in which the Netherlands carried out this mission meant that in the EU context this could be regarded as humanitarian admission in the context of the EU resettlement and humanitarian admission programs of 2021-2022 and 2023.

4.9 Resettled refugees

The Netherlands takes part in the UNHCR 'resettlement programme' to help resettle refugees from a third country as a safe, viable and durable solution.¹³⁸ UNHCR determines on the basis of its own criteria which refugees in a host country are eligible to be nominated for resettlement because they fall within certain vulnerability categories. UNHCR nominates candidates ('refers') to the Netherlands. The final decision on acceptance for resettlement is made by the Immigration and Naturalisation Service.

In order to achieve the correct balance within the migration policy to be pursued by the cabinet, it has been decided to maintain a yearly resettlement quota of 500 refugees.¹³⁹ The eligibility is assessed on the basis of the Dutch country-based and general asylum policies and the resettlement profile of individual refugees (including integration related considerations, compiled by the reception authority COA).

As of 2017, resettlement in the framework of the EU-Turkey Statement is disconnected from the multi-annual resettlement policy framework (national quota). The magnitude of the first-mentioned resettlement effort is determined for the duration of each EU Resettlement and Humanitarian Admission Programme and the execution is conditional to the mutual implementation of the cooperation and the spontaneous asylum influx. Following the decision to temporarily suspend resettlement selections in the context of the EU-Turkey Statement (see also section 4.2.3), the decision has now been made to resume this resettlement in 2023.¹⁴⁰

Figure 4.5 shows the annual number of refugees resettled to the Netherlands. This number includes those who have been resettled to the Netherlands under the EU-Turkey deal. After a more limited number of resettlers during the COVID years, the number increased to more than 1,400 resettled refugees between 2021 and 2022.¹⁴¹ In 2023, a smaller number of 830 resettled refugees came to the Netherlands.¹⁴²

¹³⁷ https://emn.ie/wp-content/uploads/2023/06/EMN_INFORM_Resettlement_Updated.pdf.

¹³⁸ <http://www.unhcr.org/pages/4a16b1676.html>.

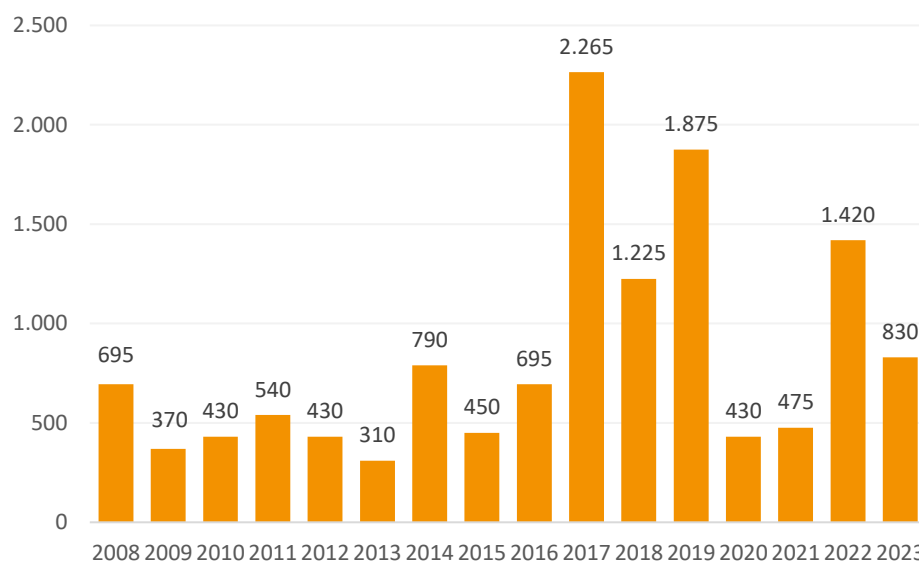
¹³⁹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/05/26/tk-meerjarig-beleidskader-hervestiging-2020-2023>.

¹⁴⁰ <https://www.tk-bijlage-incl-beslisnota-over-eu-hervestigingsprogramma.pdf>.

¹⁴¹ The numbers differ slightly from the numbers given by the IND (Asylum Trends Appendix: Relocation and Resettlement). In this latest report, the following numbers are given for 2021 and 2022: 475 and 1422. These numbers are also included in the Main findings (Section 4.1) and the Management Summary.

¹⁴² This result largely corresponds with the number of 832 asylum resettlements (of which 31 within the framework of the 2016 EU-Turkey Statement) as published by the IND (Asylum Trends Appendix: Relocation and Resettlement, December 2023).

Figure 4.5 Total number of resettled refugees in the Netherlands per year of arrival, 2008-2023^{1,2}



Source: Statistics Netherlands, online statistics (2024)

¹ Data of 2023 are provisional.

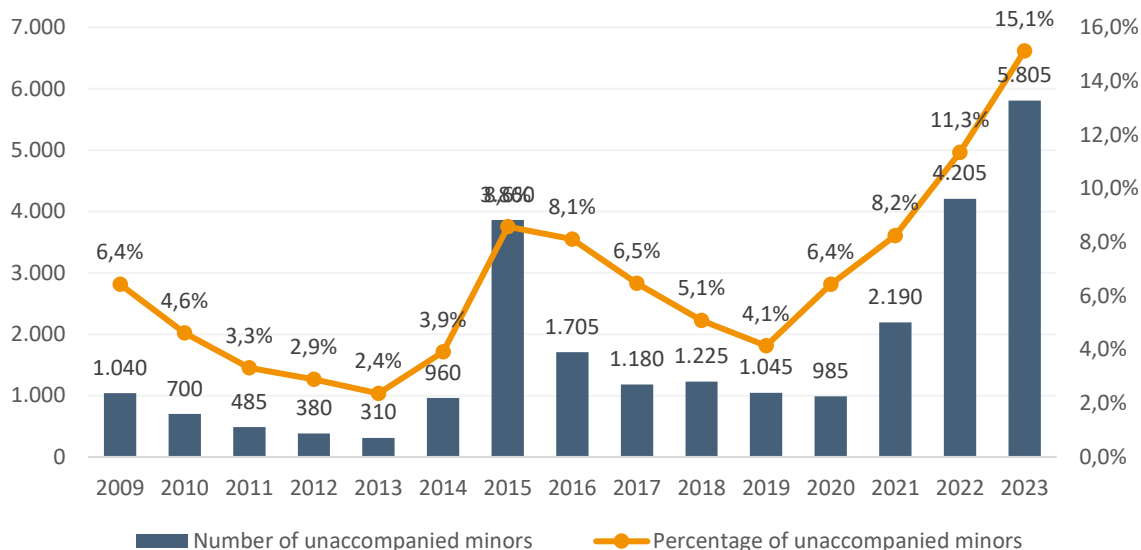
² The data are rounded to the nearest five. As a result, it may occur that the sum of the detail data is different from the total. Moreover, nationalities are only given if the number of refugees from a nationality in a given year exceeds 25.

4.10 Unaccompanied minors

Asylum seekers below the age of 18 who are travelling alone (unaccompanied by an adult) are referred to as unaccompanied minors. Figure 4.6 reveals that the total number of asylum requests by unaccompanied minors was relatively large in 2015. In the following years, a sharp decline could be observed, although the number of requests by unaccompanied minors remained slightly higher compared to the years before 2015. Since 2021, we observe a steady increase in the total number of requests by unaccompanied minors. In 2023, the number of these asylum applications increased to 5,805. Nowadays, unaccompanied minors account for about 15% of the total number of asylum requests.¹⁴³

¹⁴³Research by the WODC (*Unaccompanied minor aliens to the Netherlands*, published on 21-12-2023) indicates that the relative size of the group of unaccompanied minor asylum seekers has increased further in 2023 (16% over the period January-November 2023).

Figure 4.6 Asylum applications in the Netherlands by unaccompanied minors¹, 2009-2023 (new definition)



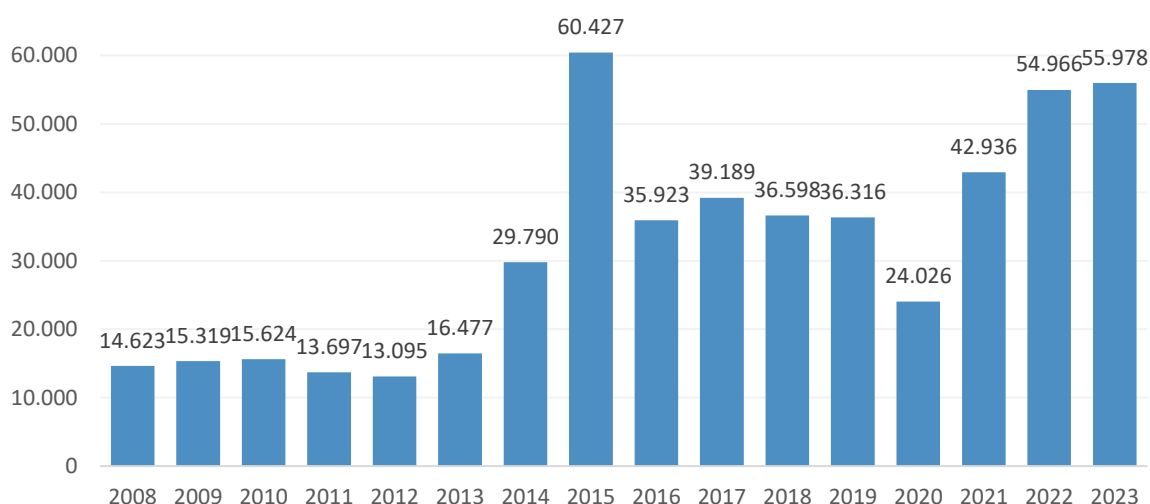
Source: Statistics Netherlands, online statistics (2024)

¹ The absolute data are rounded to the nearest five. As a result, it may occur that the sum of the detail data is different from the total.

4.11 Size of influx in asylum centres

In the Netherlands, COA is responsible for the reception of asylum seekers and the supervision and provision of information and necessities to asylum seekers. When asylum seekers arrive in the Netherlands, they await further decision on their asylum application in one of the COA centres. Figure 4.7 shows that in 2015 a relatively large number of new asylum seekers (60,427) were received in reception centres. Thereafter, the size of the influx of new asylum seekers in reception centres decreased and remained largely stable. In 2020 there was a decline in the size of influx, mainly caused by the COVID-19 pandemic. In 2023, the size of the influx of asylum seekers in reception centres again increased to a number slightly above 55,000 people. On 31 December 2023, Dutch asylum centres accommodated 64,300 asylum migrants (compared to 51,600 residents in 2021).

Figure 4.7 Influx of asylum seekers in reception centres, 2008-2023



Source: Central Agency for the Reception of Asylum Seekers (2024) Annual report 2023

Study migrants

5

5 Study migrants

This chapter is about migration to the Netherlands for reasons of study. In the first part, the policy framework for international students is outlined. This concerns the legal possibilities and obligations for both EU students and non-EU students. In the second part, some statistical aspects of this migration flow are discussed. Both the total numbers and the absolute numbers for a few categories – according to nationality and type of education – are part of this analysis. We continue this chapter with information on the number of foreign students who have changed their residence permit in order to stay in the Netherlands after finishing the study in this country.

5.1 Main statistical findings

- The number of foreign students enrolled in Dutch institutes for higher education (research universities and universities of applied sciences) has steadily increased since 2006. In 2023, more than 128,000 foreign students participated in Dutch higher education, accounting for 16% of the total student population.
- Most foreign students originate from Western-European countries (EU-14 countries), however, the share of students from the more recent Member States (EU-12 countries) increased between 2013 and 2023.
- German students represent by far the largest group of foreign students in the Netherlands with 21,362 students in 2023.
- In 2023, more foreign students were enrolled in Dutch research universities (over 90,000) as compared to universities of applied sciences (over 37,500). The share of international students at research universities has steadily increased since 2006. Conversely, the share of international students at universities of applied sciences remained fairly stable in these years.
- After a decrease in the number of admission requests to study in the Netherlands between 2019 and 2020 due to the COVID-19 pandemic, the number of admission requests increased between 2021 and 2023.
- The number of international students who changed their residence permit in order to stay and work in the Netherlands after completing their study increased between 2021 and 2023. This increase corresponds to the increasing trend during the years preceding the COVID-19 pandemic.

5.2 Laws and policies for foreign students

In the Netherlands, the Ministry of Education, Culture and Science (*OCW*) is the responsible instance for all education policies. Nuffic is an important organisation with regard to the implementation of policies specifically for foreign students. Its main goal is to support Dutch institutions and the Dutch government in different activities with regard to the internationalisation of higher education.

To gain access to the Dutch education system, international students have to meet admission requirements as specified in the Higher Education and Scientific Research Act (*Wet op Hoger Onderwijs en Wetenschappelijk Onderzoek, WHW*). In addition, most third-country students wishing to stay longer for than 90 days (and are not already residing lawfully in another Schengen Member State) need to apply for a provisional residence permit (*MVV*) before applying for a temporary residence permit in the Netherlands. The requirements are specified in the Modern Migration Policy Act (*MoMi*).¹⁴⁴ As of 1 January 2017, the maximum decision-making time on residence permit applications for study and scientific research was reduced from 90 to 60 days.²⁷ If the application is complete, a target period of 2 weeks applies for the decision.¹⁴⁵

¹⁴⁴ This act came into force on 1 June 2013, and enabled amendments to the existing Aliens Act 2000, particularly in relation to application processes and admission procedures. Through the Modern Migration Policy Act (*MoMi*), the admission process is accelerated and simplified by merging different procedures (see, in more detail, section 2.1.1 in the 2019 SOPEMI-report).

¹⁴⁵ <https://ind.nl/nl/na-uw-aanvraag/beslistermijnen>.

Over the past years the Dutch policy was mainly focused on increasing the numbers of international students. However, gradually, since 2019¹⁴⁶ the Dutch policy got a new twist, directed towards a more balance in the higher institutions system with regard to internationalisation.¹⁴⁷ And more recently, since the summer of 2024 the Dutch government has been focusing on the reduction of the growth of the number of international students. The most important measures are listed below.

Working parallel to studying

As of May 2018, students from third countries who study in the Netherlands are allowed to work 16 hours per week parallel to their studies, or full-time during the months of June, July, and August. Previously this was maximised to 10 hours per week. The amendment is pursuant to EU Directive 2016/801.¹⁴⁸ In order to work in the Netherlands, students need to be provided by their employer with a personal work permit connected to the employer.¹⁴⁹

The 'search year' following graduation

In addition, policies have been implemented to allow foreign students to stay in the Netherlands for as long as possible after they have graduated. International graduates may apply for a one year residence permit with the purpose of taking a so-called 'search year' in order to look for employment in the Netherlands.¹⁵⁰ Furthermore, international students can start internships in the Netherlands as part of their study, even if this is not an obligatory part of their curriculum. This measure is expected to increase the chances to find a suitable job in the Netherlands.¹⁵¹ Finally, these measures include a relaxation of the salary criterion to work as a highly skilled migrant in the Netherlands (see chapter 3) for those who possess a 'search year' permit or find a job in the Netherlands (while abroad) within three years after graduating in the Netherlands.

Screening of students in sensitive study programmes

On 9 April 2019, a joint task force (Ministry of Education, Ministry of Foreign Affairs and Ministry of Justice and Security) was formed for the screening of students in so-called sensitive study programmes.¹⁵² On 27 November 2020, the government presented a set of measures to improve knowledge security in the area of higher education and (applied) sciences.¹⁵³ The measures aim to promote international cooperation, while increasing the awareness about knowledge security and the development of specific security policies by knowledge institutions. In addition, the government is developing a screening mechanism against the unwanted transfer of knowledge and technology in fields with a heightened risk from the perspective of national security.

No work permit needed for student board activities

As of 1 January 2020, international students no longer need a work permit (TWV) for engaging in participation and student board activities at their higher education institution. The objective of this measure is to make these activities more accessible for and open to international students. Multiple universities had noted difficulties for international students engaging in such activities. Previously, international students without a work permit could only do an internship, whereas those with a work permit could have a part-time job of a maximum of 16 hours a week. With the decision to exempt international students from the work permit requirement for participation and student board activities, the government emphasises the importance of student access to participation activities.

¹⁴⁶ Meer balans in internationaliserend hoger onderwijs | Nieuwsbericht | Rijksoverheid.nl.

¹⁴⁷ See Letter of 21 April 2023 from the Minister of Education, Culture and Science to the House of Representatives on managing the influx of international students in higher education.

¹⁴⁸ *Staatscourant*, 2018, no. 23392.

¹⁴⁹ <https://www.nl labourauthority.nl/publications/publications/2019/09/13/flyer-working-while-studying-in-the-netherlands>

¹⁵⁰ European Migration Network (2019) 2018 Annual Policy Report Migration and Asylum in the Netherlands. The Hague, Ministry of Security and Justice (V&J), chapter 3 (section 3.2.2).

¹⁵¹ European Migration Network (2017) Policy Report Migration and Asylum in the Netherlands. Annual Report 2016, Chapter 2 (Section 2.2.2). The Hague, Ministry of Security and Justice (V&J),

¹⁵² European Migration Network (2020) Policy Report Migration and Asylum in the Netherlands. Annual Report 2019, Chapter 3 (Section 3.2.2). The Hague, Ministry of Security and Justice (V&J).

¹⁵³ European Migration Network (2021) Policy Report Migration and Asylum in the Netherlands. Annual Report 2020, Chapter 4 (Section 4.3). The Hague, Ministry of Security and Justice (V&J).

Discussion about limiting the number of foreign students

In recent years, there has been a discussion on whether the government should seek to limit the number of international students to the Netherlands. The position of the ministry of Education and Culture under cabinet Rutte IV (January 2022 to July 2024) has been that while internationalisation carries risks for Dutch higher education, the benefits of the international dimension for higher education are very important for the Dutch knowledge economy, education, and science. Therefore, the government sought to create a balance between measures that encourage internationalisation of higher education, and the presence of international students in the Netherlands, and measures that ensure some aspects of Dutch higher education remain more national in scope, such as the usage of Dutch as an academic language in many situations.¹⁵⁴ The plans of the previous government were outlined in a parliamentary letter from 2023 on managing international student flows to higher education, include introducing capacity limits for programmes, with priority given to Dutch and European Economic Area (EEA) students.¹⁵⁵

The previous cabinet proposed a bill to balance internationalisation of higher education in the Netherlands (Wet Internationalisering in balans, WIB).¹⁵⁶ This bill would enable the government to exercise more control over the mobility of international students in the Netherlands, and would foster and strengthen Dutch as a language for teaching and research in Dutch higher education. The bill recognises the added value of internationalisation in higher education but seeks to prevent decreases in quality and accessibility that unmanaged internationalisation can bring. The proposed bill was presented to the House of Representatives on 8 May 2024 and is expected to be considered by the summer of 2025.

Housing for international students

A National Action Plan for Student Accommodation aims to create 60,000 additional student housing units by 2030.¹⁵⁷ The plan also calls for more transparency regarding rents charged by student accommodation providers, given that international students are more vulnerable in the Dutch housing market: they pay often more per room than their Dutch counterparts and they are often excluded from housing opportunities by student houses that are unwilling to accept international students.

Announced changes in the new coalition government agreement 2024¹⁵⁸

Cabinet Schoof I recognises the importance of study migration for the Dutch knowledge economy and education, but intends to restrict this migration so that it is in balance with the capacity of the Netherlands to absorb it. The government is concerned about the pressure of international migration on student housing and educational institutions, as well as the maintenance of the Dutch language as the primary language in Dutch universities and universities of applied sciences. For this purpose the cabinet wants to use the proposed bill to balance internationalisation, already proposed by the previous (Rutte IV) cabinet.

5.3 A statistical overview of foreign students in Dutch higher education

In this part, some statistical aspects of this migration flow are discussed. Both the total numbers and the numbers for a few categories – according to type of higher education – are part of this analysis. Also, the main nationalities of international students are presented. We continue this chapter with information on the number of foreign students who have changed their residence permit in order to stay in the Netherlands after finishing their study in this country. These numbers include both international students from the EEA and outside of the EEA.

¹⁵⁴ <https://open.overheid.nl/repository/ronl-4391266e044aaa8a3b62cac97e4cf66864774a29/1/pdf/aan-de-tweede-kamer-internationalisering.pdf>.

¹⁵⁵ <https://www.rijksoverheid.nl/documenten/kamerstukken/2023/04/21/beheersing-internationale-studentenstromen-in-het-hoger-onderwijs>.

¹⁵⁶ <https://www.tweedekamer.nl/kamerstukken/wetsvoorstellen/detail?cfg=wetsvoorstel&details&qry=wetsvoorstel:36555>

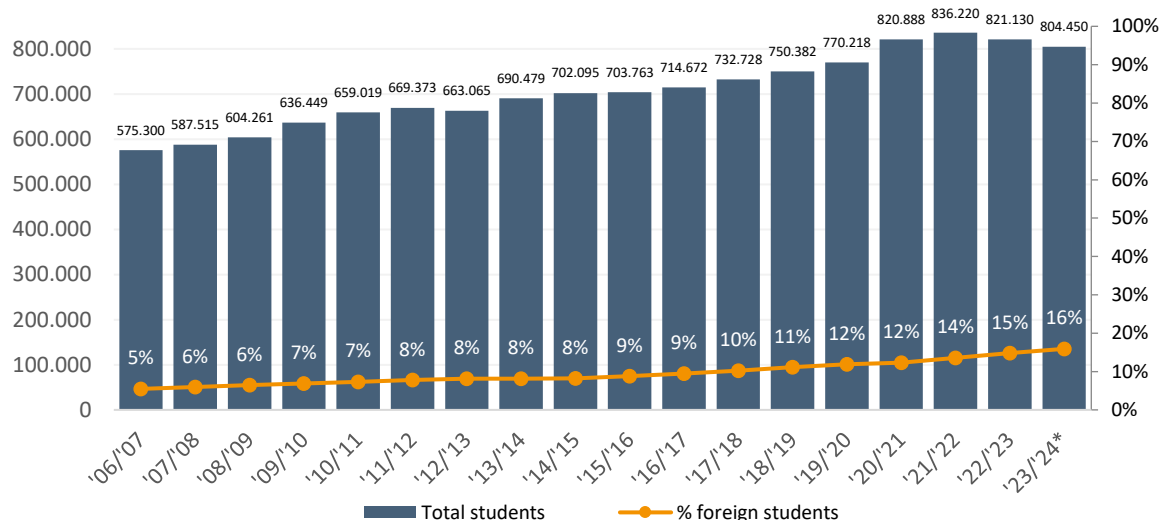
¹⁵⁷ <https://open.overheid.nl/documenten/ronl-76afe98803cfc20d9fc1f8ac882b3a6c57223826/pdf>.

¹⁵⁸ <https://www.rijksoverheid.nl/documenten/publicaties/2024/09/13/regeerprogramma-kabinet-schoof>.

5.3.1 Number of (new) international students in Dutch institutes for higher education

Over time, the number of foreign students in the Netherlands steadily increased (see figure 5.1). Whereas in 2006 31,492 foreign students participated in Dutch higher education, this number increased to 128,004 foreign students in 2023.¹⁵⁹ Not only the absolute number of foreign students increased, the proportion of foreign students compared to Dutch students also steadily increased, from 5% in 2006 to 16% in 2023.

Figure 5.1 Number of students in higher education and the proportion of foreign students, college years 2006/2007 to 2023/2024



* Data of 2023/2024 are provisional.

Source: Own calculations based on Statistics Netherlands, online statistics (2024) and Nuffic (2024)

In addition, the number of new enrolments of international degree students in Dutch public institutions is also steadily increasing, although the last year has only seen a small increase.¹⁶⁰ In the academic year 2023/24 public institutions of higher education in the Netherlands received 51,899 new international enrolments, equal to 19.3% of the total number of new enrolments (Dutch and international enrolments combined).¹⁶¹ In fact, international students accounted for 30.1% of all new enrolments in research universities' (RU) programmes this year, compared to 9.3% of the new enrolments in universities of applied sciences (UAS) programmes.

5.3.2 Admission requests and numbers of non-EU/EEA/Swiss students in the Netherlands

Students from outside the EU/EEA/Switzerland need to apply for a residence permit in order to participate in Dutch institutes for higher education. Over the last years, more students have made an admission request in order to study in the Netherlands (see table 5.1). Between 2019 and 2020, however, the number of requests suddenly decreased from more than 20,000 to a little more than 12,310. This drop can be explained by the COVID-19 pandemic, which led the Dutch government to restrict international travel. In 2021, the number of requests was back at the level of 2019, with more than 20,500 requests and in 2022, the number increased again to 22,220 requests. This trend continued in 2023, when the number increased to 23,180 requests. The main countries of origin of students who made a request to study in the Netherlands are China, the United States, and India.

¹⁵⁹ 2009 refers to school year 2009/10 and 2019 refers to school year 2019/20, etc.

¹⁶⁰ New enrolments are considered as degree students who not been previously enrolled in a given study programme, as opposed to those re-registering for a programme.

¹⁶¹ Nuffic (2024) Incoming degree mobility in Dutch higher education 2023/24. The Hague, Nuffic.

Table 5.1 Admission requests of students 2018-2023

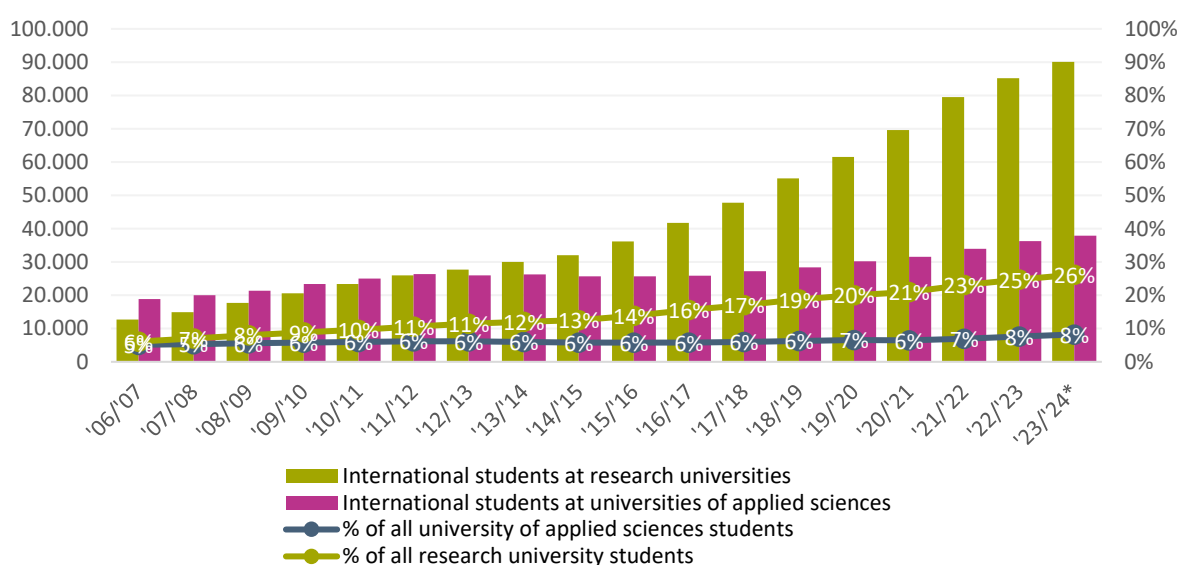
	2018	2019	2020	2021	2022	2023
Requests	18,640	20,430	12,310	20,560	22,220	23,180
Decisions	18,670	20,630	12,640	20,600	22,320	23,140
Positive decisions (%)	98%	99%	96%	99%	98%	99%

Source: IND annual figures 2023.

5.3.3 Foreign students in research universities and universities of applied sciences

In this section we describe the differences in numbers of foreign students participating in research universities and universities of applied sciences. As shown in figure 5.2, the proportion of foreign students enrolled in research universities (compared to all university students) steadily increased between 2006 and 2023, while the proportion of foreign students enrolled in universities of applied sciences (as compared to all students at this education level) remained more or less the same during this period of time. In 2023, 90,135 international students participated in Dutch research universities (26% of all students), and 37,869 international students were enrolled in universities of applied sciences (8% of all students).

Figure 5.2 Foreign students in research universities and universities of applied sciences, college year 2006/2007 to 2023/2024 (absolute numbers and percentages of all students)



* Data of 2023/2024 are provisional.

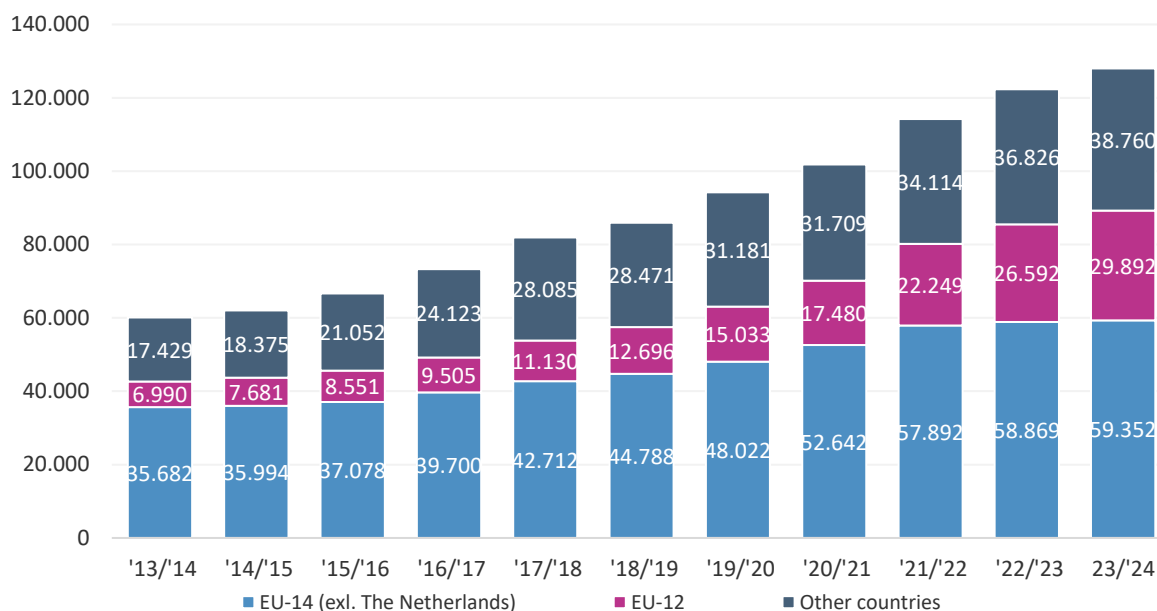
Source: Own calculations based on Statistics Netherlands, online statistics (2024) and Nuffic (2024)

5.3.4 Foreign students by country of nationality

The vast majority of foreign students originate from other Western-European countries (i.e. EU-14 Member States, see figure 5.3). Having said this, their proportion within the total foreign student population is slowly decreasing. In 2013, 59% of all foreign students originated from the EU-14 countries, while in 2023 this percentage was slightly lower (46%). Conversely, the share of foreign students from the more recent EU Member States (EU-12) increased from 12% in 2014 to 23% in 2023. The proportion of students from other countries remained around 30% during this period.¹⁶²

¹⁶² EU-15 are all countries that joined the EU before 2004. EU-12 are the countries that joined the EU in 2004 and 2007.

Figure 5.3 Foreign students by region of origin (EU-14¹, EU12² and other countries), college year 2013/2014 to 2023/2024³



Source 2014/2015-2017/2018: The Education Executive Agency (DUO). Data supplied on request (2018)

Source 2018/2019-2023/2024: Nuffic (2019/2020/2021/2022/2023/2024)

¹ EU-14: Austria, Belgium, Denmark, Finland, France, Germany, Greece, Ireland, Italy, Luxembourg, Netherlands, Portugal, Spain and Sweden.

² EU-12: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovak Republic and Slovenia.

German students represented the largest group of foreign students in the Netherlands in 2023/24 (see table 5.2). Most other countries in the top 10 are part of the EU-27. The only non-European country that is high in the ranking is China. Between 2020/21 and 2023/24, little has changed in the order of countries from which students who study in the Netherlands originate.

Table 5.2 Top 10 foreign students by country of origin, college year 2020/2021 to 2023/2024

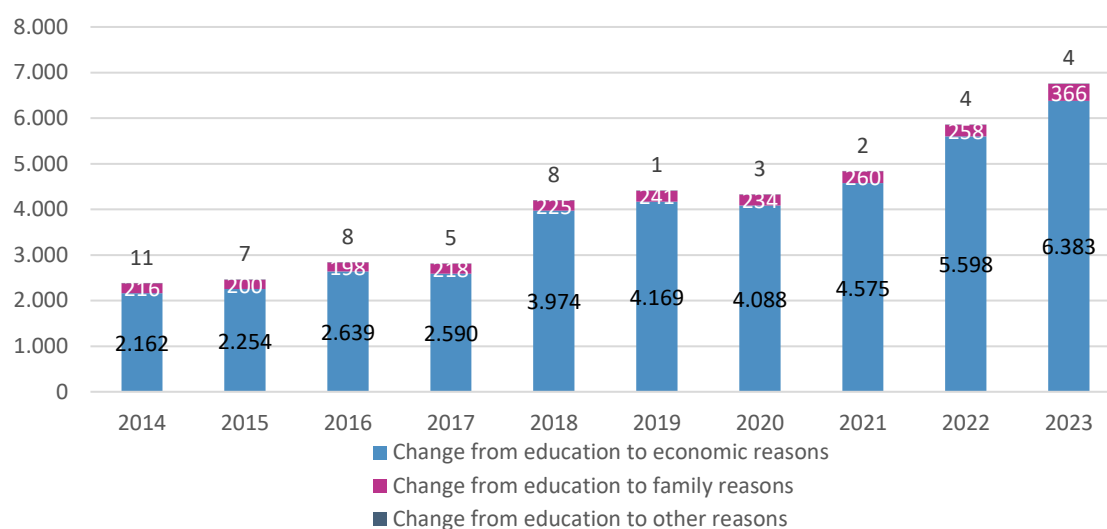
2021/2022			2022/2023			2023/2024		
	Abs.	%		Abs.	%		Abs.	%
Germany	24,507	21.4	Germany	22,775	18.6	Germany	21.362	16,7
Italy	7,201	6.3	Italy	7,633	6.2	Italy	8.227	6,4
Romania	5,640	4.9	Romania	6,717	5.5	Romania	7.420	5,8
China	5,326	4.7	China	5,610	4.6	China	6.207	4,8
Belgium	4,806	4.2	Spain	5,599	4.6	Spain	6.191	4,8
Spain	4,689	4.1	Bulgaria	5,112	4.2	Poland	5.582	4,4
Bulgaria	4,610	4.0	Belgium	4,780	3.9	Bulgaria	5.389	4,2
France	4,268	3.7	Poland	4,650	3.8	Belgium	4.891	3,8
Greece	3,858	3.4	France	4,635	3.8	France	4.863	3,8
Poland	3,552	3.1	Greece	4,406	3.6	Greece	4.514	3,5
Total top 10	68,457	59.9	Total top 10	71,917	58.8	Total top 10	74.646	58,3
Other	45,798	40.1	Other	50,370	41.2	Other	53.358	41,7
Total	114,255	100	Total	122,287	100.0	Total	128,000	100

Source: Nuffic (2024)

5.3.5 Admissions requests and status changes of foreign students

Foreign students in particular prolonged their stay in the Netherlands for the purpose of work (i.e. economic reasons, see figure 5.4). To a significantly lesser extent, a change of residence status took place in favour of family reasons (e.g. a relationship or marriage with a Dutch person).

Figure 5.4 Change of immigration status permits with 'education' as former reason, 2014-2023



Source: Eurostat (2024)



Participation and Integration of Immigrants in the Netherlands

6

6 Participation and integration of immigrants in the Netherlands

This chapter is about the participation and integration of people with a (non-European) migration background in the Netherlands. First of all, the most important policy shifts in the past year are described, with specific attention to civic integration policies, measures to improve the labour market position of people with a migration background, policies on citizenship and measures to combat discrimination. This is followed by a description of the social position of migrants in the Netherlands. We will focus in particular on labour participation, patterns of social assistance dependency, unemployment and the income position of various migrant groups.

6.1 Main findings

- In 2023, the labour market participation of those born outside Europe lags behind that of persons born in the Netherlands and Europe. In 2023, the difference between the two groups was 14 percentage points.
- In 2023, persons born outside Europe were more than twice as likely to be unemployed as persons born in the Netherlands. Unemployment rates are highest among those with a Moroccan background.
- In 2023, people born outside Europe were more than seven times as likely to receive social assistance benefits than those born in the Netherlands. However, over the last decade, the use of social assistance slightly decreased among the largest migrant groups.
- Differences in income level between those born in the Netherlands and outside the Netherlands are relatively stable over the years. People born outside Europe reveal the least favourable income levels. However, there has been a considerable increase in the average hourly wage earned by these migrants over the past 15 years.
- Refugees in the Netherlands have a low net labour participation rate and are relatively strongly dependent on social assistance benefits. Of those who received a residence permit in 2014, 48% participated in the labour market in 2022 and a lower share (32%) was dependent on social assistance benefits in that year.

6.2 Policies on civic integration

On 2 July 2018, the then Minister of Social Affairs and Employment (SZW) announced a new civic integration system.¹⁶³ The Minister explained that, under the current system, too many newcomers remain dependent on social assistance benefits for too long. This outcome was considered as undesirable and, moreover, associated with an insufficiently effective integration policy. New measures, already referred to in the Coalition Agreement of 10 October 2017, imply a drastic change in civic integration policy, and include the following basic principles:

- Municipalities will purchase the civic integration courses themselves. In so doing, municipalities will be able to monitor the quality of the language courses.
- Every newcomer will receive a personal integration plan. This customised plan will be drafted by the municipality in consultation with the candidate.
- The loan system will be ceased for immigrants with an asylum status. The government will provide municipalities with the needed funding to purchase language courses for immigrants. The loan system stays in place for immigrants who arrive for the purpose family reunification.
- Upon granting of status immigrants are expected to seek employment. Municipalities should encourage employers to create job opportunities for recognised refugees.
- Newcomers who came as asylum seekers to the Netherlands will receive part of social welfare assistance in kind within the first six months.
- Civic integration will be tested at various exam levels. The standard language requirement will be raised from level A2 to level B1.

¹⁶³ The generally formulated plan has been further elaborated in the policy document *Hoofddijnen veranderingopgave inburgering*, of 2 July, 2018. Reference number: 2018-0000117315.

On 15 February 2019, the Dutch government informed the House of Representatives that the new integration law will be introduced on 1 January 2021.¹⁶⁴ The House of Representatives passed the law for a new integration system on 2 July 2020. Ultimately, the new law came into effect on 1 January 2022.

A central element in the new system is the subdivision into three civic integration routes:

- The aim is to reach language level B1 for all candidates. This route consists of different language components, a labour market and participation module (*Module Arbeidsmarkt en Participatie, MAP*) and a test to assess the knowledge of Dutch society (*Kennis Nederlandse Maatschappij, KNM*).¹⁶⁵
- There will be an education route, helpful for obtaining an official diploma in the Netherlands. Although the education route is particularly intended for younger candidates, it is open to all age groups.
- There will be a "Z-route" for illiterate people and people with "limited learning ability". This route is intended for those for whom the above routes are not believed to be realistic.

Newcomers who were obliged to meet the previous civic integration requirements, continue to be covered by the system which was in place between 2013 and 2021. The Parliamentary Letter of 15 February 2019 states, among other things, that money will be released for these newcomers.¹⁶⁶ As newcomers who are still covered by the Civic Integration Act 2013 will not benefit from the new measures, municipalities have received extra resources from the national government. It was agreed in the Administrative Consultation that €20 million will be made available in both 2019 and 2020 for the support and guidance of these newcomers.

Mandatory participation in civic orientation programmes for new Turkish migrants

As of 2011, Turkish newcomers were exempt from mandatory participation in integration programmes as this was considered unfitting with the EU-Turkey Association Agreement. However, jurisprudence following from a European Court of Justice ruling in 2013 demonstrated that obligatory integration can be justified by pressing reasons regarding general interest. On 4 February 2020, the Minister of Social Affairs and Employment decided to reinstall the mandatory participation in civic orientation programmes for Turkish newcomers to improve their integration in the Dutch society.¹⁶⁷ The integration obligation has been in force since 1 May 2020 for Turkish newcomers with asylum status and their family members. From 1 January 2022, Turkish family migrants with Turkish nationality who want to settle in the Netherlands must first pass the basic integration exam abroad in Turkey.¹⁶⁸

Changes made to the Civic Integration Decree (Besluit Inburgering)

In 2020, several changes to the civic integration obligations were announced by the Dutch cabinet.¹⁶⁹ Firstly, in the Civic Integration Decree it has been amended that persons obliged to participate in the civic integration programme as self-employed persons no longer have to take the 'Orientation on the Dutch labour market' exam (ONA). A similar exception was made for students who have successfully completed an mbo-1 programme; they are also exempted from the ONA exam component. Secondly, the grounds to exempt illiterate newcomers from civic integration requirements were eased. Before this change, illiterate migrants participating in integration courses would have needed to complete at least 600 hours of integration courses before they could receive an exemption for passing the integration exam based on their proven effort.¹⁷⁰ After this policy change, migrants can apply for an exemption after 600 hours of any type of course being completed – be that integration or literacy courses.

¹⁶⁴ Parliamentary Letter of 15 February 2019 'Tussenstand veranderingen Inburgering'.

¹⁶⁵ If it turns out that the level of B1 is too ambitious for the candidates, they can fall back to a lower level (A2).

¹⁶⁶ <https://zoek.officielebekendmakingen.nl/kst-32824-245.html>.

¹⁶⁷ <https://www.rijksoverheid.nl/documenten/kamerstukken/2020/02/04/inburgering-turkse-nieuwkomers>.

¹⁶⁸ <https://ind.nl/nl/nieuws/inburgeringsplicht-turkse-nieuwkomers-vanaf-1-januari-2022>.

¹⁶⁹ Official notice of 16 September 2020 by the Ministry of Social Affairs and Employment to change the current civic integration act on the 1st of October 2020.

¹⁷⁰ The Minister of Social Affairs and Employment indicated that analphabetic migrants experienced this as a challenge, as only 700 hours of courses were financed by a loan.

6.2.1 Participation declaration

In 2015, the Dutch government agreed on the introduction of a so-called participation declaration (*participatieverklaring*) to raise awareness among newly arrived immigrants on both the written and unwritten rules prevailing in Dutch society.¹⁷¹ The participation declaration must be signed by all newly arrived immigrants in the Netherlands who are obliged to pass a civic integration exam. These are asylum migrants, but also migrants coming to the Netherlands for family formation or family reunification. The participation declaration also obliges the candidates to participate in an introduction on Dutch core values, offered by the municipality.

The introduction of this measure followed a comprehensive pilot phase, in which several policy measures were tested and evaluated. Eventually, the participation declaration became an integral part of the mandatory civic integration exam in the Netherlands. The amendment to the Law on civic integration was adopted by Parliament in July 2017. As of 1 October 2017, the participation declaration became mandatory for all newcomers. This declaration will also be part of the new civic integration law since 2022.

6.2.2 Extension of the pre-civic integration programme

In 2016, several initiatives have been taken to improve the supply of programmes at reception centres. For example, language education has been extended from 81 hours to 121 hours. Other pre-civic integration programme modules, including Knowledge of Dutch Society (*Kennis van de Nederlandse Samenleving*, KNS) and individual coaching, also have been expanded. Moreover, the Orientation in the Dutch Labour Market module (ONA) was added to the pre-civic integration programme in 2016. In addition, it was agreed with COA that official (NT2) language lessons provided at reception centres will be offered not only to beneficiaries of international protection, but also to asylum seekers with a likely positive decision on their asylum application. The latter category includes refugees from Syria and Eritrea. This measure has come into force in 2017.¹⁷²

Announced changes to civic integration policy in the new coalition government's programme 2024¹⁷³

With regard to civic integration, Cabinet Schoof I will continue to support the new civic integration system that has existed since January 2022. The cabinet aims to provide explicit support for learning the language for newcomers that must undergo civic integration. Additionally, the cabinet has decided that knowledge about the Holocaust and its victims should become a permanent aspect of the civic integration.

6.3 Laws and policies to improve labour market participation of migrants

The municipal labour market policy offers opportunities, in addition to the civic integration measures, to make an offer to newcomers in the context of rapid labour market introduction. More than half of the municipalities indicate that they make use of this when implementing the new Civic Integration Act. Ideally, integration and participation are tackled simultaneously and in conjunction.¹⁷⁴ We also see a clear trend in this area. Where in the past municipalities often waited with interventions until the newcomers had become established, nowadays municipalities aim at a faster start with the implementation of specific measures for this target group. This mainly concerns more intensive guidance by the municipal client managers, continued attention for the group that is already working and a more coordinated approach of the language and participation programmes. Also, combined work-study programmes are increasingly being used, especially for work-fit refugees who can make the step to work quickly.¹⁷⁵

¹⁷¹ Ministry of Social Affairs and Employment, News item 'Participatieverklaring verplicht onderdeel inburgeringsexamen', officially published by the Dutch government on 8 July 2016.

¹⁷² Parliamentary Papers II, 2015-2016, 34334 no. 23. Onderwijs aan vreemdelingen; Brief regering; Taalles aan asielzoekers.

¹⁷³ <https://www.rijksoverheid.nl/documenten/publicaties/2024/09/13/regeerprogramma-kabinet-schoof>

¹⁷⁴ Gruijter, M. de e.a. (2021) Monitor gemeentelijk beleid arbeidstoeleiding en inburgering statushouders 2021. Utrecht, KIS/Divosa, table 13.3.

¹⁷⁵ Razenberg, I & M. e Gruijter (2020) Monitor gemeentelijk beleid arbeidstoeleiding vluchtelingen 2020. Op weg naar een nieuw inburgeringsstelsel. Utrecht, KIS, november 2020.

At the same time, there are still various risks involved in the route of immigrants to work. For example, the vast majority of municipalities still do not succeed in starting employment counselling before the newcomers are transferred from the reception centres to municipalities. As a result, many months are often lost before the candidates can start working.¹⁷⁶ In addition, better coordination between civic integration and the participation policy does not automatically mean that municipalities actually offer the group of participants a work-oriented programme. It seems that municipalities generally limit such policy efforts mainly to those who are most likely to get a job.¹⁷⁷ Of the newcomers with fewer employment opportunities, only a small minority (approximately 15%) are offered a programme aimed at guidance to work. In addition, we see that the health crisis of recent years has directly and adversely affected the guidance that municipalities offer these newcomers. In a vast majority of all Dutch municipalities, there were fewer work experience places, internships and volunteer jobs available for refugees in recent years.¹⁷⁸

6.4 Policies on citizenship

The Dutch Nationality Act was amended in 2021 to provide a basis for testing against the principle of proportionality in the event of automatic loss of Dutch citizenship. This amendment came into effect on 1 April 2022. In addition, the period for automatic loss of Dutch citizenship has been extended from ten to thirteen years.¹⁷⁹

Determination of statelessness

On 31 May 2022, the Dutch House of Representatives passed a bill on the procedure to determine statelessness, followed by the adoption of the bill by the Senate on 6 June 2023. The law entered into effect on 1 October 2023.¹⁸⁰ This law allows someone who is not recognised as a national by any state and who 'thereby has an immediate interest and has his domicile or habitual residence in the Netherlands' to submit an application to the district court of the Hague for a determination of statelessness. Established statelessness gives these people who legally reside in the Netherlands more rights. For example, people who register their statelessness in the Municipal Personal Records Database (BRP) can apply for a travel document. They can also become Dutch citizens through a more flexible scheme. These immigrants can apply for Dutch nationality after three years of legal residence (and at a lower cost).¹⁸¹

In the Dutch Nationality Act a provision regarding statelessness was also included, allowing stateless children born in the (Kingdom of the) Netherlands but without lawful residence, to obtain the Dutch nationality if they fulfil certain conditions, using a specially designed procedure.¹⁸²

Announced changes to citizenship policy in the new coalition government's programme 2024¹⁸³

Cabinet Schoof I intends to make the rules for obtaining Dutch citizenship more restrictive on the following points:

- The government intends to increase the required level of Dutch to B1 for all those applying for Dutch citizenship.
- The government intends to increase the period required to live in the Netherlands before being able to apply for citizenship from five to ten years.
- The government wants to facilitate the revoking of Dutch citizenship for double citizens that have been convicted of terrorism.

¹⁷⁶ Gruijter, M. de e.a. (2021) Monitor gemeentelijk beleid arbeidstoeleiding en inburgering statushouders 2021. Utrecht, KIS/Divosa.

¹⁷⁷ Kuiper, F. (2022) Krapte op de arbeidsmarkt biedt nieuwe kansen voor gemeenten. Sociale Vraagstukken, February, 2022.

¹⁷⁸ Gruijter, M. de e.a. (2021) Monitor gemeentelijk beleid arbeidstoeleiding en inburgering statushouders 2021. Utrecht, KIS/Divosa, pag. 37-40.

¹⁷⁹ <https://www.rijksoverheid.nl/documenten/brochures/2017/01/03/nederlandse-nationaliteit-verliezen>.

¹⁸⁰ https://www.eerstekamer.nl/behandeling/20230713/publicatie_inwerkingtreding/document3/f=/vm4pd1cuy1z7.pdf.

¹⁸¹ <https://www.rijksoverheid.nl/onderwerpen/nederlandse-nationaliteit/staatloosheid>.

¹⁸² Staatsblad 2023 229.

¹⁸³ <https://www.rijksoverheid.nl/documenten/publicaties/2024/09/13/regeerprogramma-kabinet-schoof>.

6.5 Policies to combat discrimination

In 2021, a National Coordinator against Discrimination and Racism (NCDR) was appointed. The NCDR was appointed for a period of three years, with the main task of drawing up a multi-year national programme with clear targets and full attention to signals from society. The first national programme was presented in September 2022, the second national programme was presented in December 2023, and currently a third national programme with a multi-annual agenda is being drafted. Also, on 14 June 2024 the mandate of the NCDR was extended until 1 January 2026 in order to leave a decision on renewal of the period to the new cabinet, that was installed in the summer of 2024. This decision will be taken in the spring of 2025. In addition, several measures were taken in the area of anti-discrimination, as the Dutch government is committed to strengthening the awareness of effects of discrimination and discriminatory behaviour in governmental organisations. These measures include courses offered to different categories of government employees.

6.5.1 National Actions Plans to combat labour market discrimination

There are specific action plans to combat labour market discrimination (*Actieplan Arbeidsmarktdiscriminatie*, introduced in 2014 and updated and continued in 2018-2021 and in 2022-2025).¹⁸⁴ The government's approach consists of generic anti-discrimination measures aimed at all areas of discrimination, supplemented with measures in certain specific areas aimed towards a specific type of discrimination or a specific group. Each year progress reports are published outlining actions undertaken by the government.¹⁸⁵

6.5.2 Specific areas of discrimination in the labour market

In July 2022, the Action Plan Labour Market Discrimination 2022-2025 was submitted to the House of Representatives. In this plan special attention is paid to (lack of) equal pay, discrimination in the recruitment and job seeking sector and pregnancy discrimination.¹⁸⁶

Furthermore, a programme named 'Further Integration into the Labour Market' (VIA) has been developed to improve the position in the labour market of Dutch residents with a migration background. Within this programme, several pilot projects are carried out aimed at developing evidence based tools for employers which they can use to develop and implement effective diversity policies. As of July 2020, the so called 'cultural barometer' has become available, a tool which can be used by individual employers to gain insight into the composition of their labour force in terms of migrant background and compare their organisation to employers in the same sector (benchmark).

Another intended measure aimed at combatting discrimination in the labour market was the bill officially referred to as the Supervision on equal opportunities in recruitment and selection Act (*Wet toezicht gelijke kansen bij werving en selectie*). This bill was intended to facilitate equal opportunity employment by forcing employers and intermediaries (such as employment agencies) to consider unconscious bias in recruitment and selection procedures. After an amendment was made to the bill, relating to the inclusion of an obligation to report discriminatory requests by organisations to employment agencies, it was sent to the House of Representatives in December 2022. The amended proposal was passed by the House of Representatives on 14 March 2023. The proposed bill was, however, rejected by the Senate on 26 March 2024.¹⁸⁷

In addition, in 2021 a State Commission in 2021 was set up for a period of four years. The commission is tasked with providing continuous insight into discrimination in government and with coming up with

¹⁸⁴ Ministerie BZK (2018), kabinetsaanpak van discriminatie 26 April 2018, ref. 2018-00000255955.

¹⁸⁵ Information is based on: Parliamentary Papers II 2019-2020, 30 950, no. 185 Kabinetsaanpak van discriminatie, 15 juni 2020 and the Parliamentary Papers of 8 February 2019. Voortgang kabinetsaanpak van discriminatie.

¹⁸⁶ Parliamentary Papers I, 2022-2023, 29544, no. 1119. Actieplan Arbeidsmarktdiscriminatie 2022-2025.

Parliamentary Papers I, 2017-2018, 29544, no. 834. Hoofdlijnen actieplan Arbeidsmarktdiscriminatie 2018-2021.

¹⁸⁷ [Wet toezicht gelijke kansen bij werving en selectie \(35.673\) - Eerste Kamer der Staten-Generaal](#).

concrete proposals for improvement.¹⁸⁸ The commission also investigates discrimination and ethnic profiling in and by the government. The work programme of the State Commission was presented to the Minister of the Interior and Kingdom Relations on 2 February 2023.¹⁸⁹

6.5.4 Preventing discrimination within governmental organisations¹⁹⁰

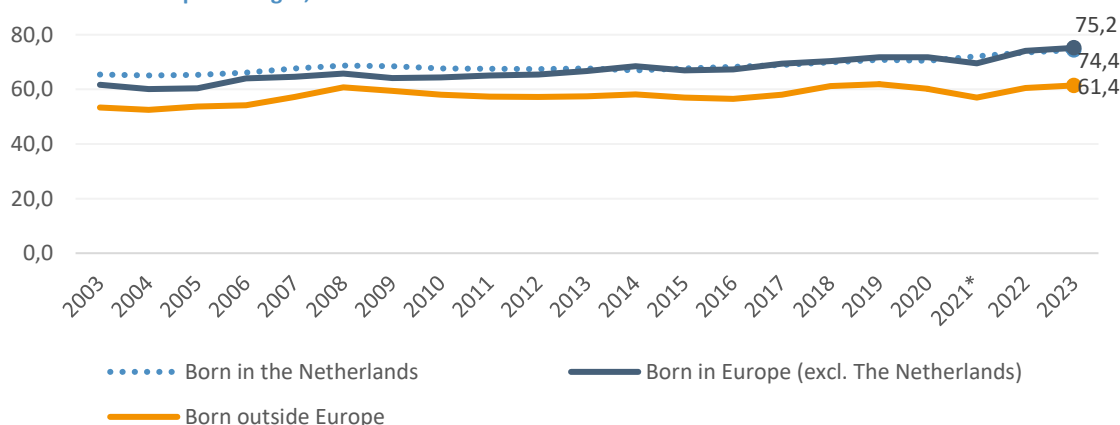
In addition, several measures took place in the area of anti-discrimination, as the Dutch government is committed to strengthening the awareness of effects of discrimination and discriminatory behaviour in governmental organisations. The driver of these developments was the Dutch childcare benefits affair (the so-called *kinderopvangtoeslagaffaire*). This affair concerned false allegations of fraud made by the Tax and Customs Administration while attempting to regulate the distribution of childcare benefits. The procedures used to select and investigate cases in which suspicions arose, led to parents without the Dutch nationality being more likely to be investigated by the Tax and Customs Administration.

On 26 October 2021, the Minister of Interior Affairs and the Minister of Finance reported on the progress made on this topic. In order to strengthen the awareness of effects of discrimination and discriminatory behaviour in governmental organisations, more trainings will be offered on this topic by the Netherlands Institute for Human Rights and the Ministry of the Interior and Kingdom Relations. Moreover, more trainings on diversity and inclusion are offered throughout Dutch governmental organisations. In addition, instruments against discriminatory practices are being developed (e.g. the Code Good Digital Public Administration).¹⁹¹

6.6 Labour market participation of persons with a migration background

The labour market participation of persons born outside Europe is lower than that of persons born in the Netherlands (figure 6.1). Differences in participation between those born in the Netherlands and the rest of Europe are relatively small. For all mentioned groups, there have been no strong fluctuations in participation in recent years.

Figure 6.1 Development in labour market participation¹ of persons born in the Netherlands or abroad in percentages, 2003-2023



¹ Percentage of net labour market participation of the population between 15-74 years of age.

* The figures from 2021 and onwards cannot simply be compared with the percentages of 2003-2020 due to changes in the research design of the EBB. For the years 2013 to 2020, a recalculation was carried out to match the results from 2021 as closely as possible. For the years 2003 to 2012, this recalculation was not carried out.

Source: Statistics Netherlands, *Kernindicatoren 2024*

¹⁸⁸ The cabinet has announced the State Committee at the request of Parliament, also in response to the report 'Unprecedented injustice' by the parliamentary questioning committee on Childcare Allowance.

¹⁸⁹ <https://www.staatscommissietegendiscriminatieenracisme.nl/actueel/nieuws/2023/02/02/publicatie-werkprogramma>.

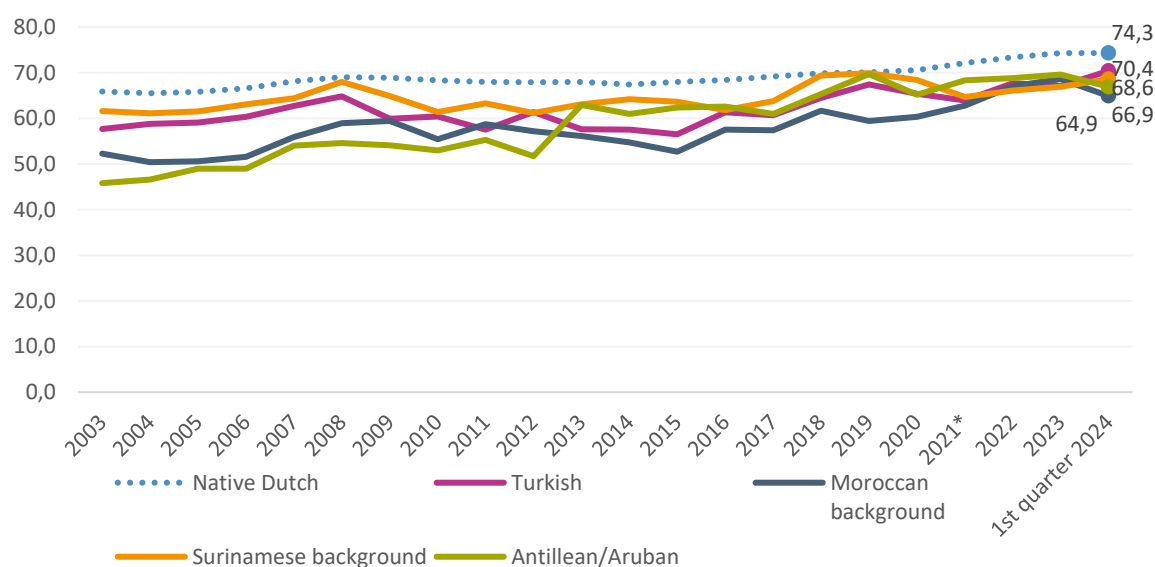
¹⁹⁰ See, in more detail, EMN Annual report 2021. Migration and Asylum in the Netherlands. The Hague, IND, October 2022, p. 40.

¹⁹¹ Parliamentary Papers II, 2021-2022, 26643, no. 765.

6.6.1 Trends in participation by country of origin

Differences in labour market participation between the largest groups with a migration background have become less pronounced over the years. Figure 6.2 shows that the labour market participation increased over the years for all groups with a migration background. The labour market participation among people with a Turkish background is slightly higher than among those with a Surinamese, Antillean/Aruban and Moroccan background.

Figure 6.2 Development of labour market participation by country of origin of the four largest migrant groups in percentages, 2003-2024 (1st quarter)



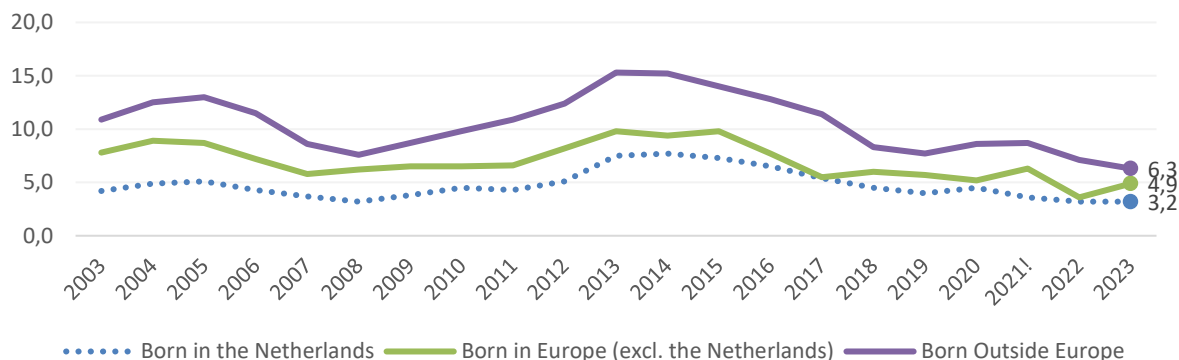
* The figures from 2021 and onwards cannot simply be compared with the percentages of 2003-2020 due to changes in the research design of the EBB. For the years 2013 to 2020, a recalculation was carried out to match the results from 2021 as closely as possible. For the years 2003 to 2012, this recalculation was not carried out.

Source: Statistics Netherlands, online statistics (2024)

6.7 Unemployment of persons with a migration background

Viewed over a longer period, it becomes clear that changes in unemployment among persons born outside Europe are strongly related to overall fluctuations in employment (figure 6.3). Both the economic crisis of 2008 and the COVID-19 pandemic of 2020 strongly affected the level of unemployment among persons born outside Europe. In 2023, persons born outside Europe were more than twice as likely to be unemployed than persons born in the Netherlands.

Figure 6.3 Developments in unemployment rates of persons born in the Netherlands or abroad in percentages, 2003-2023



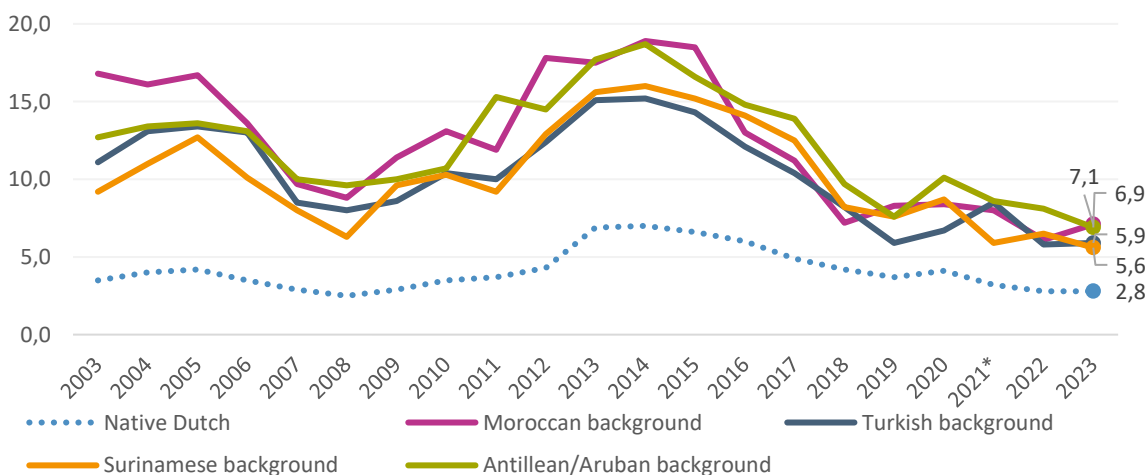
! The figures from 2021 and onwards cannot simply be compared with the percentages of 2003-2020 due to changes in the research design of the EBB. For the years 2013 to 2020, a recalculation was carried out to match the results from 2021 as closely as possible. For the years 2003 to 2012, this recalculation was not carried out.

Source: Statistics Netherlands, *Kernindicatoren 2024*

6.7.1 Trends by country of origin

All four groups with a migration background appear to be vulnerable to situations of stagnating employment growth (figure 6.4). These large fluctuations in unemployment indicate a vulnerable labour market position. In 2023, unemployment rates are lowest among people with a Turkish, Antillean/Aruban and Surinamese background and highest among those with an Moroccan background.

Figure 6.4 Absolute unemployment rates by country of origin, 2003-2023



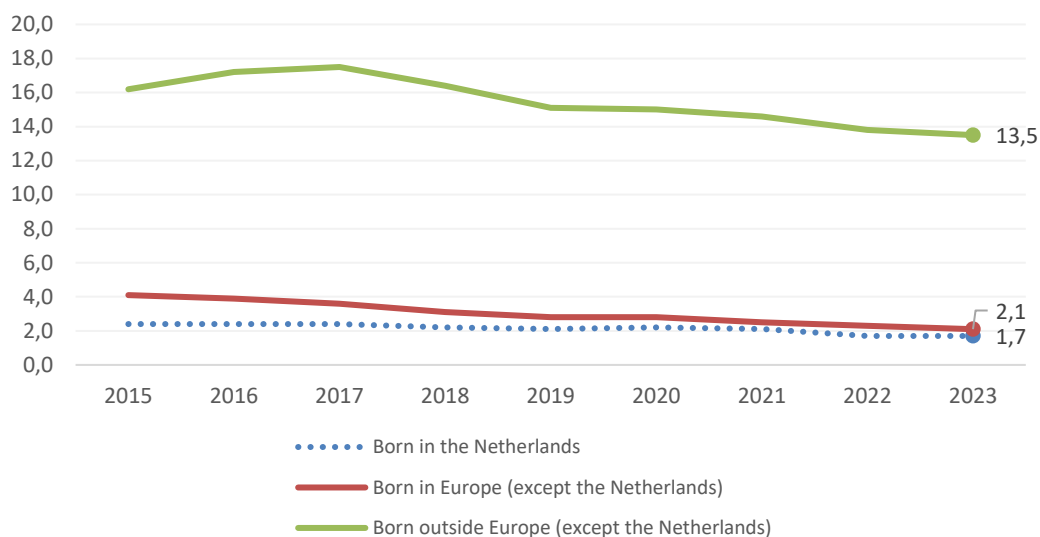
The figures from 2021 and onwards cannot simply be compared with the percentages of 2003-2020 due to changes in the research design of the EBB. For the years 2013 to 2020, a recalculation was carried out to match the results from 2021 as closely as possible. For the years 2003 to 2012, this recalculation was not carried out.

Source: Statistics Netherlands, *Kernindicatoren 2024*

6.8 Social assistance

People born outside Europe are almost eight times as likely to receive social assistance benefits than those born in the Netherlands (figure 6.5). The dependence on social assistance is at a comparably low level for those born in the Netherlands and the rest of Europe. There have been no major changes in this regard in recent years.

Figure 6.5 Social assistance of persons born in the Netherlands or abroad in percentages, 2015-2023

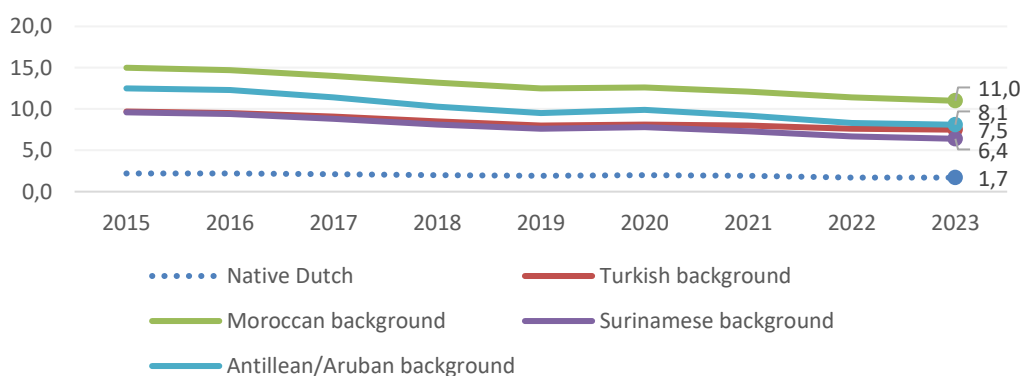


Source: Statistics Netherlands, *Kernindicatoren 2024*

6.8.1 Trends by country of origin

People with a migration background are (roughly) between four and seven times more likely to receive social assistance benefits than people with a native Dutch background (figure 6.6). However, differences in social assistance dependency have narrowed since 2015. In 2023, the use of social assistance was highest among Moroccans, with a dependency rate of around 11%.

Figure 6.6 Social assistance benefits classified by country of origin in percentages, 2015-2023

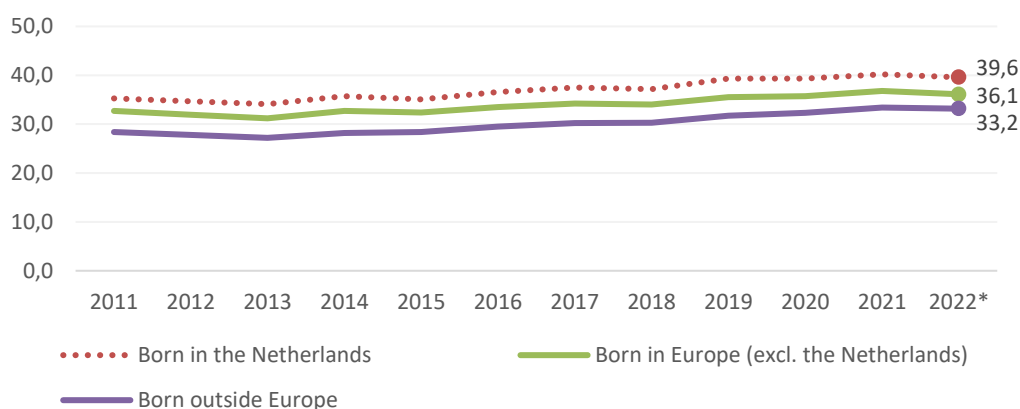


Source: Statistics Netherlands, *Kernindicatoren 2024*

6.9 Income

With respect to average annual income levels of persons of 15 years and older, the financial situation of those born outside the Netherlands is relatively unfavourable (figure 6.7). This is especially true for those born outside Europe. The difference in average annual income of those born in the Netherlands and those born outside Europe is more than € 6,000. However, there has also been a significant increase in the average hourly wage among these migrants over the past decade.¹⁹²

Figure 6.7 Average standardised income (x € 1,000) of persons of 15 years or older born in the Netherlands or abroad in percentages, 2011-2022



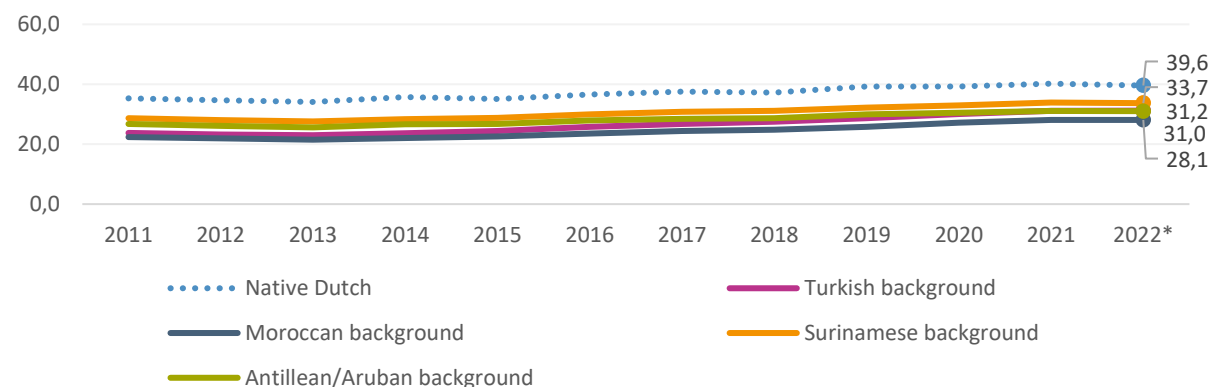
Source: Statistics Netherlands, *Kernindicatoren 2024*

*Data of 2022 are provisional.

6.9.1 Trends by country of origin

Figure 6.8 shows the income trends of persons of 15 years or older by country of origin from 2011 to 2022. Of the presented groups with a migration background, persons with a Surinamese background reveal the most favourable income situation. The income situation is particularly unfavourable for people with a Moroccan background.

Figure 6.8 Income trends of persons of 15 years or older (x € 1,000) by country of origin in percentages, 2011-2022



Source: Statistics Netherlands, *Kernindicatoren 2024*

*Data of 2022 are provisional.

¹⁹² See more in detail: Gielen, M. e.a. (2021) *Monitor gelijke kansen en evenredige posities op de arbeidsmarkt, ongeacht migratie-achtergrond (eerste editie)*. Utrecht, Significat, Figures 20 and 21.

6.10 The social position of refugees: labour market participation and social assistance

6.10.1 Labour market participation

A cohort analysis by Statistics Netherlands shows that the labour participation of refugees who were granted political asylum in the Netherlands in 2014 is steadily increasing.¹⁹³ It is shown that during the first years of residence in the Netherlands, net participation rates were very low (in 2015: a little more than 10%), while these rates have increased over the past nine years (in 2023: about 48%), although the COVID-19 crisis had a negative effect on the increase. Most refugees with employment in the Netherlands work part-time (65%) and with a temporary contract (75%).

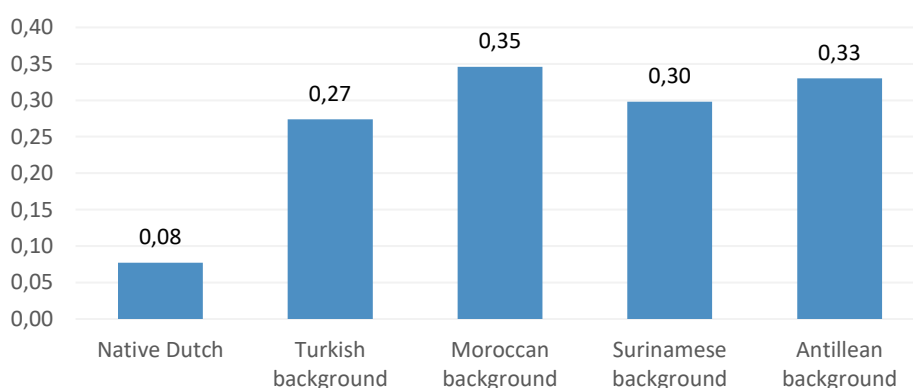
6.10.2 Social assistance

The cohort analysis by Statistics Netherlands (2024) also reveals that the dependency rates on social assistance benefits decrease with the length of stay in the Netherlands. During the first year upon arrival in the Netherlands, the dependence on social assistance was still very high (in 2015: about 90%), while in 2023 approximately 32% of these refugees were receiving social assistance as the main source of income.

6.11 Discrimination

Research indicates that in 2021 more than a tenth (11%) of all residents in the Netherlands sometimes experienced discrimination.¹⁹⁴ Discrimination on the basis of age, gender and ethnicity were most common. Figure 6.9 shows that in the Netherlands persons with a migration background experienced more than three times as much discrimination as native Dutch people.

Figure 6.9 Experienced discrimination during the past 12 months by country of origin in percentages



Source: CBS, *Gediscrimineerd gevoeld?* (2022)

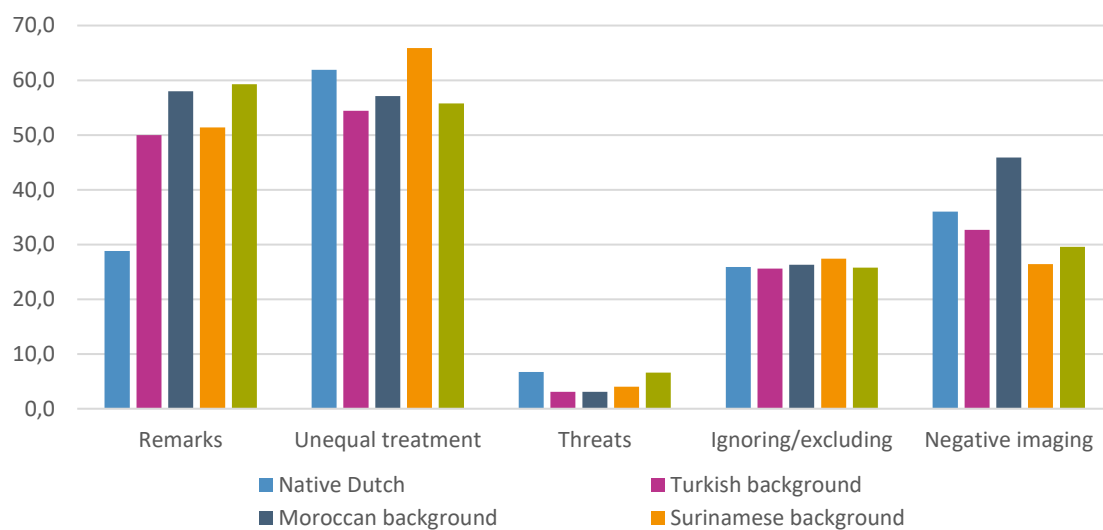
6.11.1 Discrimination per domain

As shown in figure 6.10, in all different social domains the percentage of experienced discrimination in 2022 was high among those with a migration background. Discrimination was most often experienced in the form of discriminatory remarks and unequal treatment, disadvantaging or favouring of groups. In these domains, more than half of those with a Turkish, Moroccan, Surinamese, or Antillean background sometimes experienced discrimination. Discrimination in the form of ignoring or excluding, negative imaging or stigmatisation (e.g. in the media) and especially in the form of threats were less common.

¹⁹³ Statistics Netherlands (2022) *Asiel en integratie 2022. Cohortonderzoek asielzoekers en statushouders*. The Hague, Statistics Netherlands.

¹⁹⁴ Akkermans, M & R. Kloosterman (2022) *Gediscrimineerd gevoeld?* Den Haag, Statistics Netherlands.

Figure 6.10 Experienced discrimination during the past 12 months per domain by country of origin (in %)



Source: CBS (2022), *Gediscrimineerd gevoeld?*



REGIOPLAN
BELEIDSONDERZOEK

Ukrainian refugees in the Netherlands

7

7 Ukrainian refugees in the Netherlands

In this chapter we discuss some aspects of the arrival of Ukrainian displaced persons in the Netherlands. First, the policy context is discussed. Subsequently, the position of these displaced persons on the labour market is described. Finally, we identify a number of challenges and bottlenecks, as they reach us through politics, the media and some small-scale studies.

7.1 Main findings

- Around 115,000 refugees from Ukraine had been registered in Dutch municipalities by mid 2024.
- As of mid-2024, 12,300 students of Ukrainian nationality were enrolled in primary education institutions and 8,200 Ukrainians participated in. In secondary education, 8,200 Ukrainians were enrolled.
- Of the approximately 74,000 Ukrainian refugees between the ages of 15 and 65 who were staying in the Netherlands on 1 November 2023, 55% had paid work as an employee. This amounts to more than 37,000 people.
- By the end of 2023, most working Ukrainian refugees were employed as on-call workers (26%), agency workers (39%), or had other temporary employment contracts (30%).
- At the same time, most working Ukrainian refugees were employed in the business services sector (51%), also including temporary employment agencies. In addition to business services, a large number of Ukrainian refugees also worked in the trade, transport and the hospitality sector (32%).
- Short-term problems are related to insufficient reception capacity for newly arrived Ukrainians.
- Problems that are related to a longer stay in the Netherlands concern sufficient suitable housing, the possibilities to offer education to a large number of Ukrainian young people, language problems and finding work at a higher qualification level.

7.2 Number of refugees and settlement patterns

The number of registrations of persons with Ukrainian nationality is published once a week. Accordingly, around 115,000 refugees from Ukraine had been registered in Dutch municipalities by mid-2024 (see figure 7.1).¹⁹⁵ About two thirds of these Ukrainians are women, one third are men.¹⁹⁶ Although the influx of Ukrainians is still large, the number of Ukrainians arriving in the Netherlands on a weekly basis has declined sharply when compared to the first few months. In the period between mid-March and the beginning of April 2022 the number of registered Ukrainians increased by more than 6,000 persons per week. From early July 2024 until mid-August 2024, the number of registered Ukrainians increased by about 325 on a weekly basis. In addition, Ukrainian refugees mainly seek refuge in the large cities of the Netherlands. Before the war, Amsterdam and The Hague already had large communities of Ukrainians. These are now the main hubs for these refugees to enter.

According to a study published by the Clingendael Institute (2022), Ukrainian refugees are not expected to return to their country of origin soon.¹⁹⁷ Of the 7 million Ukrainians who have fled their country so far, this institute assumes that a total of 210,000 refugees will eventually end up in the Netherlands. A more recently published report on behalf of the European Commission again expressed the expectation that it is unlikely that Ukrainians will return to their country of origin in the short term.¹⁹⁸

¹⁹⁵ <https://www.rijksoverheid.nl/onderwerpen/opvang-vluchtelingen-uit-oekraïne/cijfers-opvang-vluchtelingen-uit-oekraïne-in-nederland>.

¹⁹⁶ <https://www.rijksoverheid.nl/actueel/nieuws/2022/07/29/opvangcapaciteit-vluchtelingen-uit-oekraïne-onder-druk>

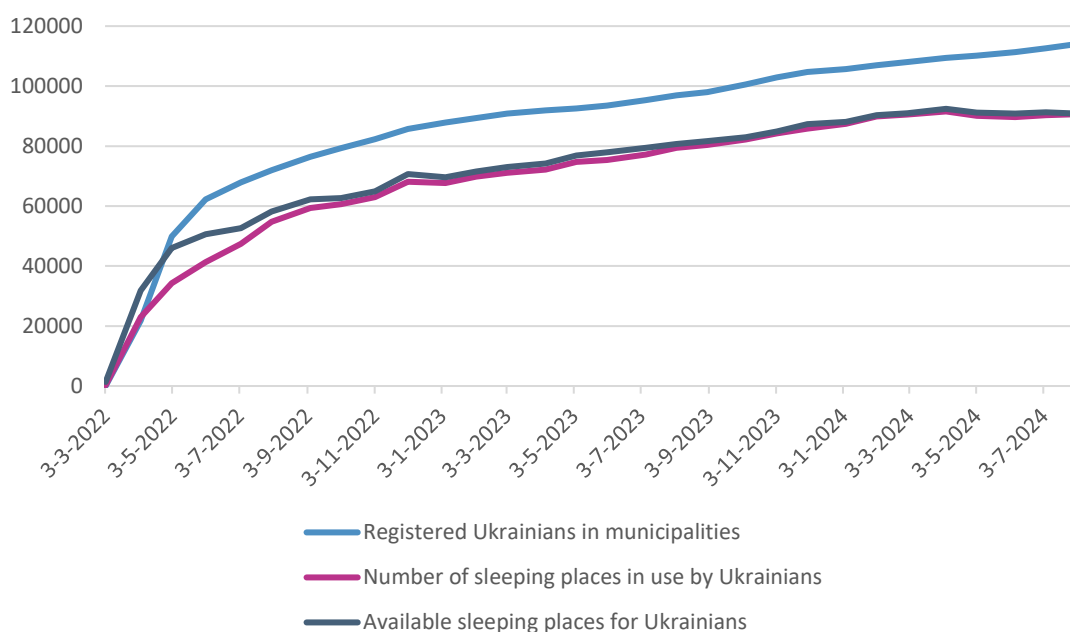
¹⁹⁷ Clingendael (2022) Opvang van Oekraïners in Nederland: een kwestie van lange adem. Clingendael Alert. The Hague, Clingendael Netherlands Institute of International Relations, October 2022.

¹⁹⁸ <https://www.rijksoverheid.nl/documenten/rapporten/2023/07/07/tk-bijlage-l-asscher-integration-of-people-fleeing-ukraine-in-the-eu-final>.

7.3 Number of Ukrainians in the Netherlands prior to the refugee crisis

On 1 January 2022, according to Statistics Netherlands, 21,000 people of Ukrainian origin were officially registered in the Netherlands.¹⁹⁹ Ukrainians were most often found in the metropolitan areas of Amsterdam, The Hague and Rotterdam. In addition, a large number of people with the Ukrainian nationality lived in student cities such as Eindhoven, Groningen, and Maastricht. On the reference date mentioned, two thirds of the Ukrainian migrants in the Netherlands were women. According to Statistics Netherlands, many of these female migrants have come to the Netherlands within the framework of family formation. Men with the Ukrainian nationality who migrated to the Netherlands mainly came to the Netherlands for work. Of the Ukrainian immigrants who came to the Netherlands in 2017, more than 70% was still residing in this country three years later.²⁰⁰

Figure 7.1 Registered Ukrainians, shelters in use and available shelters for Ukrainians (March 2022-August 2024)



Source: <https://www.rijksoverheid.nl/onderwerpen/opvang-vluchtelingen-uit-oekraïne/cijfers-opvang-vluchtelingen-uit-oekraïne-in-nederland>

7.4 The legal framework

The Temporary Protection Directive is an exceptional procedure that provides immediate and temporary protection in the event of an imminent mass influx of displaced persons, in particular where there is a risk that the existing asylum system will not be able to cope with this influx.²⁰¹ With the Implementing Decision of 4 March 2022 (EU) 2022/382, the Council of the European Union activated the Temporary Protection Directive for the first time in its existence. In the Netherlands, the Directive was transposed in 2004.²⁰² Temporary protection is granted for a period of one year, but can be prolonged to up to three years.

¹⁹⁹ CBS (17 maart 2022) 21 duizend inwoners met Oekraïense herkomst. CBS, online publication.

²⁰⁰ <https://www.rijksoverheid.nl/onderwerpen/opvang-vluchtelingen-uit-oekraïne/cijfers-opvang-vluchtelingen-uit-oekraïne-in-nederland>.

²⁰¹ Council Directive 2001/55/EC of 20 July 2001 on minimum standards for the provision of temporary protection in the event of a mass influx of displaced persons and measures to promote a balance between the efforts of Member States to receive and bear the consequences of the reception of these persons.

²⁰² Temporary protection was implemented by law in the Netherlands on 16 December 2004. It is indicated that displaced persons are entitled to all facilities and benefits in kind to which asylum seekers are entitled. Anyone with temporary protection does not have to leave the Netherlands and cannot be deported.

The following target groups fall under the Temporary Protection Directive:

- persons of Ukrainian nationality who stayed in Ukraine on 23 February 2022, or who fled Ukraine after 27 November 2021 because of increased tensions, or who were in the territory of the EU on or after 27 November 2021.
- stateless persons or third-country nationals with a nationality other than Ukrainian, who enjoyed international protection or equivalent national protection in Ukraine on 23 February 2022, or who had a (different) valid Ukrainian residence permit on 23 February 2022.
- family members of the aforementioned persons, i.e., marriage partners or unmarried partners with whom a permanent relationship is maintained, minor unmarried children and other close relatives who lived with the family and who are wholly or largely dependent.

The rights granted to displaced persons from Ukraine in the context of temporary protection correspond to those provided to asylum seekers and relate in particular to reception, living allowances²⁰³, education and medical assistance. In addition, displaced persons from Ukraine (unlike asylum seekers) are offered immediate access to the Dutch labour market. They do not need a work permit but their employer needs to register with UWV. The options and facilities in the context of participation in education and the labour market are discussed in more detail below.

Prolongation of the Temporary Protection Directive

On 14 October 2022, the European Commission announced at the Justice and Home Affairs (JHA) Council that the Temporary Protection Directive will be prolonged for one year in its unaltered form.²⁰⁴

Accordingly, the Dutch government has extended the Temporary Protection Directive for Ukrainian displaced persons until at least 4 March 2024. The reception and care for these displaced persons will therefore be ensured for another year.²⁰⁵ In autumn 2023, the EU Member States agreed to extend the Temporary Protection Directive until 4 March 2025.²⁰⁶ In June 2024, the EU Commission has decided to extend this Directive to 4 March 2026.²⁰⁷

Temporary law on the reception of displaced Ukrainians

This bill serves to replace articles 2c and 4 of the Population Relocation Act. With this proposal, municipalities will continue to be responsible for the reception of displaced persons from Ukraine. This law provides a more detailed legal basis for some aspects of the reception of Ukrainian displaced persons. This includes responsibility for medical care, for continuing the Funding Scheme for the Reception of Displaced Persons in Ukraine and for the processing of personal data. The bill does not introduce any additional or different tasks or powers compared to the current, temporary emergency legal framework. However, the responsibility for this reception task was transferred from the mayor to the mayor and city council members. The bill was adopted by the House of Representatives on 12 March 2024 and by the Senate on 18 June 2024.²⁰⁸

The procedure for registering and enrolling in a municipality

If it is not possible to arrange shelter themselves, refugees from Ukraine can report to a municipality. If a shelter is available, the municipality registers the refugee in the BRP. Then, the refugee makes an ap-

²⁰³ Refugees receive the living allowance from the municipality where they are registered. Since 1 February 2023 the amount per person depends on the size of the family. An individual adult or unaccompanied minor receives €60,71 per month for food and other personal items as well as €242,48 for food. For larger families the amounts per person are lower. Alternatively, municipalities can also provide food in kind, instead of the financial allowance for food. Refugees who live with a host family receive an extra allowance of €80,91 per month in addition to the living allowance. This living allowance scheme has been adjusted a few times, most recently on 1 October 2023 to adjust for inflation. Refugees who rent or buy their own accommodation instead of using government shelter are not eligible for the allowance. As of late 2023 the government is also exploring possibilities to establish the payment of a financial contribution for their shelter by displaced people from Ukraine, but this has not yet been implemented; see https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2023Z20490&did=2023D50199.

²⁰⁴ <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/10/14/tk-verzamelbrief-opvang-oekraine>.

²⁰⁵ Parliamentary Letter of 14 October 2022 (36 045, nr. 2994). Concerning: *Situatie in de Oekraïne*.

²⁰⁶ <https://www.rijksoverheid.nl/actueel/nieuws/2023/09/28/richtlijn-tijdelijke-bescherming-voor-vluchtelingen-uit-oekraine-verlengd-tot-4-maart-2025>.

²⁰⁷ EUR-Lex - 52024PC0253 - EN - EUR-Lex.

²⁰⁸ https://www.eerstekamer.nl/wetsvoorstel/36394_tijdelijke_wet_opvang.

pointment within four weeks at an IND location, where it is assessed whether the conditions of the Temporary Protection Directive are met. Sometimes the municipality makes the appointment together with the refugee. If there is no shelter available in the municipality, the municipality contacts the Regional Coordination Centre for Refugee Distribution (RCVS). If there are no shelters available in the region, the RCVS must submit a request via an automated application to the Coordination Information Ukraine Hub (KCIO)/National Centre for Refugee Distribution (LCVS).

The position of non-Ukrainians with a temporary residence permit in Ukraine

Initially, and in addition to Ukrainians and non-Ukrainians with a permanent residence permit in Ukraine, the Netherlands also offered protection to a third category: non-Ukrainians with a temporary residence permit in Ukraine. In February 2023, the Dutch government announced that the temporary protection for these non-Ukrainians will end in September 2023.²⁰⁹ However, this date has been postponed due to the intervention of the Council of State. The Council of State ruled on 17 January 2024 that the temporary protection of non-Ukrainians with a temporary residence permit in Ukraine ends on 4 March 2024.²¹⁰

Access to education

The Temporary Protection Directive enables refugees from Ukraine to receive education in the EU countries to which they have emigrated. This also applies to the Netherlands. All children residing in the Netherlands have the right to education, whereby schools are obliged to facilitate an appropriate offer for these newcomers. As a consequence, Ukrainians can choose from two types of educational facilities: mainstream or specialised education and reception classes. In reception classes, students are offered Dutch as a second language. The Dutch government indicates that the latter category is most suitable for most children and young people from Ukraine.²¹¹ At the end of April 2022, 7,300 Ukrainian children were enrolled in a Dutch school (65% in primary schools and 35% in secondary schools).²¹² As of mid-2024, 12,300 students of Ukrainian nationality were enrolled in primary education institutions and 8,200 Ukrainians participated in secondary education.²¹³

In addition, temporary educational facilities for children from Ukraine have been set up at various locations in the country. These facilities (TOV or temporary education provision) were introduced in 2022 shortly after the outbreak of the war in Ukraine in order to quickly arrange education for Ukrainian children who came to the Netherlands. The temporary facilities are intended for both Ukrainian primary and secondary school pupils, and are set up in regions where there is insufficient space in the existing schools. Depending on the available capacity and teachers (also teachers from Ukraine), some of the subjects could be given in Ukrainian. Where possible, teachers from Ukraine are also deployed. Some children also take online classes from their Ukrainian schools. The government supported schools and teachers to set up these temporary facilities and to progress the children as soon as possible to mainstream education. The Law whose duration was limited at the time of enactment, ended in 2024 (so-called sunset clause).

With regard to higher education, in the Netherlands there are two kinds of tuition fees:

- statutory fees: for EU/ EEA nationality (for one bachelor and one master programme), and
- institutional fee: for non-EU/ EEA students.

The institutional fee is determined by the higher education institution itself, and more specifically, the institutions are empowered to reduce the institutional tuition fee up to the amount of the statutory fees. Students from the Ukraine, including the internationally displaced people (DPIs) fall under the rules and costs that apply to students from outside the EU. In previous years, since the academic year 2022-2023, all institutions reduces the institutional fees.²¹⁴ However, more recently, the number of

²⁰⁹ <https://ind.nl/nl/nieuws/tijdelijke-bescherming-voor-derdelanders-uit-oekraïne-loopt-door-tot-4-september-2023>.

²¹⁰ https://www.tweedekamer.nl/kamerstukken/brieven_regering/detail?id=2024Z00997&did=2024D02372.

²¹¹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/03/17/tk-brief-oekraïne>.

²¹² <https://www.nu.nl/spanningen-oekraïne/6196310/zeker-7300-oekraïense-kinderen-gaan-naar-school-in-nederland.html>.

²¹³ <https://informatieproducten.duo.rijkscloud.nl/public/nieuwkomers-oekraïne/>.

²¹⁴ <https://www.uaf.nl/nieuws/universiteiten-nemen-eerste-stap-en-verlagen-collegegeld-voor-gevluchte-studenten-uit-oekraïne/>.

higher education institutions with the generic measures concerning the reduced tuition fee for the Ukrainian students is decreased.²¹⁵

The Dutch organisation for internationalisation in education (in Dutch: *Nuffic*) provides refugees, also including displaced persons from Ukraine, with an evaluation of foreign diplomas (as compared to Dutch diplomas) for free.

Access to the labour market

In order to offer displaced persons from Ukraine the opportunity to work in the Netherlands, an exemption from the work permit requirements came into effect on 1 April 2022.²¹⁶ This exemption applies to anyone who falls under the Temporary Protection Directive and wishes to accept paid employment. To be able to work, the displaced person does need a citizen service number (BSN). Employers are also obliged to notify UWV two working days in advance, if they wish to employ people within the framework of the Temporary Protection Directive. Failure to comply with this new reporting obligation is subject to a fine under the Aliens Employment Act.

The Employee Insurance Agency (UWV) publishes figures about the scope and nature of reports from employers who employ displaced persons from Ukraine (see figure 7.2). Between March 2022 and July 2024, the total number of reports from employers who offer paid employment to employees from Ukraine was more than 141,000 (of which 32,000 in 2024).²¹⁷ In July 2024, most of the reports have been made by temporary employment agencies (56%). This sector mainly offers work as production workers, cleaners and warehouse workers. Many reports were also made in the hospitality industry (9%), agriculture and horticulture (6%), cleaning (5%) and business services (5%). It is important to mention that these notifications do not relate to individual displaced people but to the reports made by employers. This means that multiple reports can correspond to the same person with multiple jobs.

Statistics Netherlands carried out a separate analysis in order to also provide information on the number of employed Ukrainians.²¹⁸ This shows that of the approximately 74,000 Ukrainian refugees between the ages of 15 and 65 who were staying in the Netherlands on 1 November 2023, 55% had paid work as an employee. This amounts to more than 37,500 people. Ukrainian refugees aged 25 to 45 were most often employed (59%), while young people (15 to 25) were least often employed (49%). Men were equally likely to work as women. Most Ukrainian refugees were employed as on-call workers (26%), employment agency workers (39%), or had other temporary employment contracts (30%). The majority of Ukrainian refugees worked in business services (51%). This sector includes employment agencies. In addition to business services, a relatively large number of Ukrainian refugees worked in the trade, transport and hospitality sector (32%).

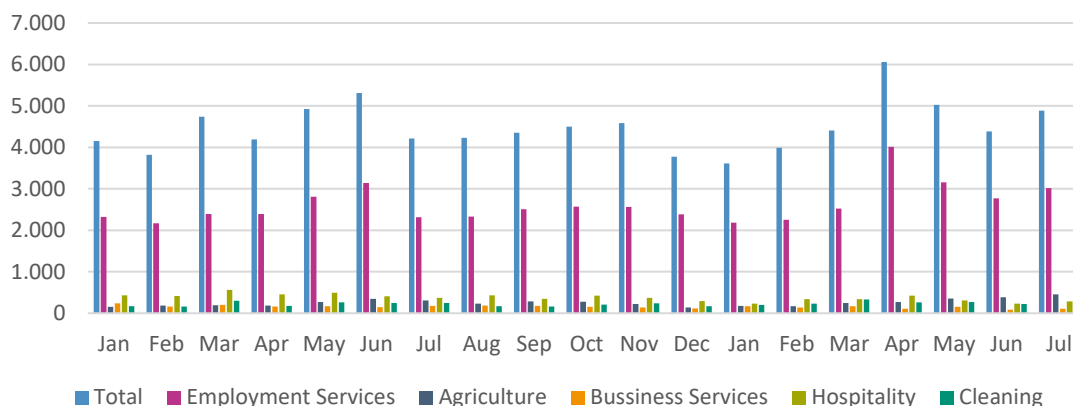
²¹⁵ <https://www.nationaleonderwijsgids.nl/universiteit/nieuws/66470-robbert-dijkgraaf-vraagt-hoger-onderwijs-om-collegegeld-oukraieners-laag-te-houden.html>.

²¹⁶ <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/03/30/tk-aanpak-opvang-ontheemden-uit-oekraïne>. The exemption applies retroactively from 4 March 2022.

²¹⁷ <https://www.werk.nl/arbeidsmarktinformatie/dashboards/vluchtelingen-oekraïne>.

²¹⁸ <https://www.cbs.nl/nl-nl/nieuws/2024/05/meer-dan-de-helft-van-oekraïense-vluchtelingen-in-loondienst>.

Figure 7.2 Registered employment of Ukrainians by employer in the Netherlands in 2023 and 2024



Source: UWV (2024) Online publications on the registration of employed Ukrainians

Public service

Dutch municipalities are responsible for offering necessary support to anyone who can work. However, as Ukrainian people are generally not registered as entitled to social assistance, municipalities are not supposed to use their instruments for this group either. With a proposed amendment to the SUWI Decree as of 1 August 2022, it is, however, possible for Ukrainian persons to have themselves registered as jobseekers.²¹⁹ As a result, municipalities can use the instruments of the Participation Act, as is also done for others who are not entitled to the social assistance schemes. Additional services can be deployed via Regional Mobility Teams (RMT). Within the RMT, the expertise and services of trade unions, employers' organisations, the Employee Insurance Agency (UWV) and municipalities can be used by the Ukrainians.

Working as a self-employed person

The exemption for applying for a work permit is initially limited to performing work as an employee. Under the Temporary Protection Directive, refugees from Ukraine are currently not allowed to work as self-employed persons (zzp'ers) or start a company in the Netherlands without a work permit.²²⁰ The government itself indicates that this restriction is expected to better protect Ukrainians against abuses such as underpayment. Moreover, supervision and enforcement with regard to self-employment is considered by the Dutch government as rather complex.²²¹ It may be decided at a later date to allow Ukrainians to work as a self-employed person if it is sufficiently certain that these employment constructions do not entail excessive risks for this group.

7.5 Entitlements to social support and health care

Under the temporary protection directive, Ukrainians are entitled to living allowances and access to health care in kind. From 1 July 2024, Ukrainian displaced persons aged 18 or older no longer receive a living allowance if they have a job or receive an income in another way, for example through unemployment benefits. The amount of income from work or benefits does not matter in this context.²²² If income is lower than the living allowance, the allowance will be partially paid out.

There is no entitlement to social assistance benefits. However, the Dutch government has decided to legislate that Ukrainian displaced persons will be entitled to childcare allowance (*kinderopvangtoeslag*)

²¹⁹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/06/10/tk-verzamelbrief-opvang-oekraine>.

²²⁰ <https://www.rijksoverheid.nl/onderwerpen/opvang-vluchtelingen-uit-oekraine/werk-en-inkomen>.

²²¹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/03/30/tk-aanpak-opvang-ontheemden-uit-oekraine>.

²²² <https://www.refugeehulp.nl/nl/ukrainian-refugee/news/100394-leefgeld-stopt-voor-vluchtelingen-uit-oekraine-met-een-baan>.

and housing allowance (*huurtoeslag*).²²³ With the option of claiming childcare allowance, it is possible for this group to combine work and care for their children.

As far as medical care is concerned, Ukrainians are currently covered by the Medical Care Scheme for Displaced Persons from Ukraine (RMO). For the longer term, preparations are being made for a possible transition to health insurance. For municipal care and support under the Youth Act, Wmo and Public Health Act (i.e. basic task package JGZ, the National Immunisation Programme and the prenatal home visit), the government has set up an additional cost scheme for displaced persons from Ukraine through the Municipal Fund.²²⁴

7.6 Introduction of a personal contribution system

Ukrainian displaced persons with an income and residence in a municipal shelter (GOO) also pay a personal contribution as of 1 July 2024.²²⁵ This contribution is paid to the municipality where the Ukrainian displaced person lives. The revenues from this personal contribution go back to the central government. For gas, water and electricity Ukrainian refugees have to pay €105 monthly per person. This applies to anyone with an income who is 18 years or older. If cooking is provided for the Ukrainian displaced person with an income, an additional amount of up to € 252.18 (per 1 January 2025) must be paid.

7.7 Points of attention and inventory of signals

A number of issues and challenges that are directly related to the residence and integration of Ukrainian refugees in the Netherlands are explained below in more detail. These issues have been raised in discussions with various organisations and experts and are (partly) also mentioned in the media and reports. There are currently no in-depth or background studies on these topics available.

Unequal treatment of different categories of asylum seekers

The Temporary Protection Directive makes it possible for Ukrainian refugees to go straight to school, to work in paid employment and to travel freely within the Netherlands. Viewed in this way, Ukrainians can make an early start with their integration into Dutch society. For asylum seekers, who do not fall under the Protection Directive, the possibilities for labour market participation in Dutch society are limited as long as they do not have a residence status yet.²²⁶ On the other hand, Ukrainians are not part of the mandatory target groups of the civic integration policy. Those Ukrainians who will eventually settle in the Netherlands may therefore encounter major language deficits at a later date. Fortunately, many municipalities currently offer (informal) language courses on a voluntary basis to this group.

Providing sufficient suitable housing

Municipalities are facing a major challenge to receive and accommodate tens of thousands of Ukrainian refugees who are now staying in the Netherlands. Eight out of ten municipalities report that the pressure on the official capacity has increased indeed.²²⁷ A National Reception Organisation has been set up to help municipalities to further increase the number of reception places if necessary.²²⁸ Municipalities also often provide temporary accommodation, partly because accommodation and the funding from the national government is linked to the duration of the temporary protection (until the 4th of March 2025).²²⁹ At the end of 2023, the government emphasised the importance of making reception facilities more sustainable where possible. With the help of various national schemes (*Regeling Huisvesting Aandachtsgroepen 2023* and *Stimuleringsregeling Flex- en Transformatiewoningen*) as well as experts,

²²³ Ministry of Finance (15 June, 2022) Aanspraak ontheemden Oekraïners op toeslagen. See: <https://open.overheid.nl/repository/ronl-de07032f578066971e1d50f14f08c33b47a74d82/1/pdf/kamerbrief-aanspraak-ontheemde-oekraïners-op-toeslagen.pdf>

²²⁴ <https://www.rijksoverheid.nl/documenten/kamerstukken/2023/07/07/tk-verzamelbrief-opvang-oekraïne>.

²²⁵ <https://www.refugeehulp.nl/nl/ukrainian-refugee/news/100394-leefgeld-stopt-voor-vluchtelingen-uit-oekraïne-met-een-baan>.

²²⁶ An asylum seeker may work in the Netherlands for 24 weeks over a period of 52 weeks. His asylum application must have been pending for at least 6 months. In addition, a work permit (TWV) is required for these asylum seekers.

²²⁷ <https://nos.nl/artikel/2430275-gemeenten-hebben-handen-vol-aan-opvang-oekraïense-vluchtelingen>

²²⁸ <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/04/26/verzamelbrief-opvang-ontheemden-uit-oekraïne>

²²⁹ Advies Migratie (2023) De prijs van tijdelijkheid. Perspectief voor Oekraïense ontheemden in Nederland. The Hague, July, 2023.

municipalities are supported by the central government in increasing the (social) housing stock more quickly. Additional accommodation is intended for both Ukrainian refugees and other house seekers in the Netherlands, including refugees with a resident status.²³⁰

Problems at school to structurally accommodate Ukrainian children

Dutch primary and secondary education institutions accommodate more than 20.000 Ukrainian children. Almost all of them receive a form of education, either in the special newcomer classes or in the temporary educational facilities. The central Dutch government recommend Ukrainian youngsters to go to special newcomer education as much as possible.²³¹ However, capacity problems at these schools sometimes make it difficult to accommodate large numbers of Ukrainians. Shortages of language teachers also can result in long waiting times to participate in language classes and civic integration courses.

Language and skills to get to work

The first signals about the educational background and available competences of Ukrainian refugees are positive. After all, a great number of these immigrants have found paid employment very quickly (see also figure 7.2). However, it appears that at least some of the Ukrainians who want to work in the Netherlands are confronted with various challenges. Language problems, logistical dilemmas and unresolved traumas, are often mentioned in this field.²³² In addition, many Ukrainians appear to work below their level of education. One of the reasons for this is that the recognition of foreign qualifications is often difficult. The regulations in this area are very strict in the Netherlands.²³³

Risks of abuse when accepting paid work

Many Ukrainians have found work to the satisfaction of both themselves and the employer. However, Ukrainians are also vulnerable, partly due to insufficient knowledge of both the Dutch language and different relevant regulations. The Ukrainians in the Netherlands Foundation reports the frequent use of zero-hours contracts and indicates that Ukrainian employees themselves often do not know what these contracts entail.²³⁴ In order to identify and reduce the risk of abuses – such as underpayment and poor working conditions – the government wants to keep track of the number of Ukrainians who find work. This is why since April 2022, employers in the Netherlands are obliged to notify hiring an Ukrainian employee. Failure to comply with this new reporting obligation is subject to a fine under the Aliens Employment Act. This duty to report does, however, not alter the fact that the government admits that practices of exploitation sometimes occur.²³⁵ In 2022, a total of 51 reports were made of Ukrainian victims of human trafficking in the Netherlands. These cases are mainly associated with exploitative practices by employment agencies.²³⁶

Employment mediation

In practice, finding work is not always easy for Ukrainians. For those looking for work, it has sometimes proven difficult to find a suitable job without useful contacts, professional networks or sufficient knowledge of the language and culture. Bringing together supply and demand, therefore, can be problematic at times. In addition, as we saw earlier, the role of local authorities is limited for this group. Until 1 July 2022, there was no legal basis for municipalities to offer job counselling to this group. Since then, Ukrainians form part of a category for which municipalities can use various labour market instruments.²³⁷

²³⁰ <https://www.rijksoverheid.nl/documenten/kamerstukken/2023/07/07/tk-verzamelbrief-opvang-oekraïne>.

²³¹ <https://www.rijksoverheid.nl/documenten/kamerstukken/2022/03/17/tk-brief-oekraïne>.

²³² Shaidrova, M., J. Bonnepart & M. Ngo (2022) *Situational Report 18 May 2022*. Study of Stichting Oekraïners in Nederland (Ukrainians in the Netherlands Foundation) commissioned by the Ministry of Justice and Security.

²³³ Advies Migratie (2023) *De prijs van tijdelijkheid. Perspectief voor Oekraïense ontheemden in Nederland*. The Hague, July, 2023.

²³⁴ Shaidrova, M., J. Bonnepart & M. Ngo (2022) *Situational Report 18 May 2022*. Study of Stichting Oekraïners in Nederland (Ukrainians in the Netherlands Foundation) commissioned by the Ministry of Justice and Security.

²³⁵ <https://debatgemist.tweedekamer.nl/node/28271>.

²³⁶ <https://www.nationaalrapporteur.nl/actueel/nieuws/2023/10/18/jaarcijfers-slachtoffers-en-potentiele-daders-van-mensen-handel-in-nederland-bekend>.

²³⁷ Staatsblad (24 June 2022, Nr. 256) *Besluit van 22 juni 2022 tot wijziging van het Besluit SUWI in verband met de tijdelijke mogelijkheid van registratie als werkloze werkzoekende, gelet op het Uitvoeringsbesluit van de Raad tot vaststelling van het bestaan van een massale toestroom van ontheemden uit Oekraïne in de zin van artikel 5 van de Richtlijn 2001/55/EG van de Raad van 20 juli 2001, en tot invoering van tijdelijke bescherming naar aanleiding daarvan*.

In practice, however, these instruments are not always used, as we know from the experiences of other similar groups.²³⁸

Integration in the long run

For a long time it was thought that the refugees from Ukraine would only stay in the Netherlands for a short time. The possibilities and provisions arising from the Temporary Protection Directive are also in line with this expectation. It is, however, becoming increasingly clear that at least some of the Ukrainians will settle in the Netherlands, especially now that the end of the war in Ukraine is not yet in sight. The question, then, is whether the rapid entry into the labour market, the absence of a mandatory integration policy for this group, and the shortage of suitable and permanent housing will eventually form major obstacles to the successful and sustainable integration and participation of these migrants in this country.

The Temporary Protection Directive is meant to provide temporary protection and the government of the Netherlands is committed to providing this protection. Whether refugees from Ukraine can remain in the Netherlands after the conflict has ended, depends on whether they are eligible for a residence permit. The government is currently looking into how to accommodate for potential requests for residence after the conflict has ended, to also prevent a possible extra workload for the immigration and naturalisation service (IND) and other involved organisations. A decision on extending the Temporary Protection Directive beyond 2025 or a residence status after the conflict has ended is an issue that needs to be looked at and decided in a European context.

²³⁸ Ukrainians are part of the group of so-called non-benefit recipients (*nuggers*). Evaluation of the Participation Act (Echtelt, P. Van et al., 2020) indicates that municipalities do not always actively offer job counselling to this group.



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