

Removal of a multiple offender and undesirable foreign national after 15 years

After a preliminary investigation conducted by the Police lasting nearly three years, and an extended period in a foreign nationals Detention Centre under the VRIS (Aliens in Criminal Law) regime, a man who was a multiple offender from the start was removed to Egypt. The man had been in the Netherlands illegally since 1995.

Charles Diamond comes to the Netherlands in 1995 and applies for asylum. His application is rejected, and he 'leaves'. In 1996, he re-applies for asylum. His application is once again rejected, and Charles 'leaves' again, as it were.

In 2002, he comes in contact with the criminal justice system. He causes a great deal of commotion and problems in the region of The Hague. For years he has been a threat to the safety of The Hague, through armed robberies, theft, drug trafficking and dealing in stolen items. It seems Charles had been living in the Netherlands illegally all these years. As he has been convicted by a District Court, Charles must first serve his prison sentence before I can make the arrangements for his removal.

I met with Charles regularly since 2005. He is in a Detention Centre for foreign nationals due to his extensive criminal record thus making him an undesirable foreign national. Each time I get one step closer and make arrangements for Charles to leave the Netherlands, he applies for a residence permit. Since Charles has the right to remain in the Netherlands while he awaits the decision with regard to his application for a residence permit, there is nothing I can do.

I do continue to speak with him. Charles Diamond tells me that he comes from Libia, so I make an appointment for Charles and report to the Libyan

embassy. The consul says that Charles is not Libyan, and so he will not issue me a replacement travel document for Charles. I must keep digging through the information that I have on Charles to figure out exactly who he is and where he really comes from. I contact Interpol to ask if they are willing to help look for Charles Diamond. Interpol is willing to do this, and starts investigations in ten European countries and four African countries. Unfortunately, after one year, the Interpol investigations fail to produce any results.

Two years later, the Police finds one of Charles' old diaries by coincidence. This diary contains a letter from 1996 that he had written to an uncle. The address on the letter is in Egypt.

Finally, a breakthrough.

I now have something tangible to narrow down my search, and contact the Dutch Embassy in Egypt and request assistance. An employee at the embassy sets out to search, taking a photo of Charles Diamond with him, and finds the uncle at the address indicated in the letter. Bingo... the uncle recognises Charles in the photo. The conversation with the uncle revealed that Charles also has a brother, who had applied for a visa a couple of years ago. Whenever an application is submitted for a visa, the applicant must also list a contact person in the Netherlands.

I can use this information to continue my search in the Netherlands.

In April of the following year, the Police interviewed a contact person in the Netherlands. The contact identified the man in the photo on the visa as Charles Diamond. For me, this is the proof I need to ask the Dutch embassy in Egypt to look for the official documents. In a later conversation, Charles denies that he has any family. He says that he cannot write either, and therefore cannot apply for a replacement travel document himself. After a thorough search, the uncle in Egypt finds Charles's birth certificate. In the meantime, the embassy official has had additional conversations with members of Charles's family. After tracking down these family members and finding the real birth certificate, I am now certain that Charles does in fact have the Egyptian nationality.

Together with a colleague from the Police, I speak with Charles. We inform Charles that his brother wants to help us with a DNA test so that we can prove that Charles and the brother are family. This does not make an impression on Charles either; he continues to insist that he comes from Libya.

With all of the evidence in hand, I go with Charles to the Egyptian consul in the Netherlands.

Getting a replacement travel document seems like a piece of cake now...

However, the consul refuses to issue a travelling certificate, since Charles swears by all that is holy that he is not from Egypt. Strange enough, my documentary evidence is not convincing. Given the fact that I am certain that Charles is from Egypt, but the embassy does not want to cooperate in issuing a replacement travel document, I contact my colleagues about a forced removal.

After all, Charles is a criminal who has caused a lot of problems. I therefore have plenty of reasons to subject Charles to a forced removal.

We decide to return Charles to Egypt without a valid travel document. In order to avoid problems with the authorities upon his arrival in Egypt and prevent them from sending him straight back to the Netherlands, I travel ahead a few days earlier. I speak with colleagues from the Egyptian immigration service and officers at the airport. In order to prove that Charles is a citizen of Egypt, I have brought the birth certificate and witness statements with me.

When Charles arrived at the airport a few days later, he swore again by all that was holy that he was from Libya. Fortunately, the immigration officer was adamant, and quickly concluded that he really was a fellow citizen.

After comprehensive, lengthy and intensive preparations and cooperation with the Police, the Royal Netherlands Military Constabulary and the DT&V, removed the man without a problem in March 2010 and he was accepted by the authorities of the country of his birth, Egypt.