

# Repatriated as yet after two years

In early 2008, a man is placed in a foreign nationals Detention Centre. He is familiar with several different aliases since he has given different names and nationalities at different occasions. The man says that his name is Ian Smith, and that he comes from India.

After several conversations with Ian Smith, I make an appointment with the embassy of Zamunda. Ian, the consul, and I have an interview in order for the consul to determine whether Ian is in fact from India. At the end of the interview, the consul says that Ian is not from India. I am not issuing a replacement travel document for Ian and therefore he is not allowed to travel.

After several discussions with Ian, I start to suspect that Ian comes from Nepal, and is probably called John Johnson. I make another appointment, this time with the Nepalese embassy.

Ian continues to maintain however that he is from India, and that his name is not John Johnson. He says this with such conviction that the Nepalese consul believes him, and does not issue him a replacement travel document.

In the meantime, a few months have passed since the first interview with John. I have arranged an interview with someone known to be a language analyst to arrange for a language analysis. John's nationality is still not clear. John refuses to participate in this interview. After some urging on my part, the interview is nonetheless planned a month later. The language analysis shows that John does in fact speak the language of the people of Nepal. I go back to the embassy to see about a replacement travel document. After the consul has once again spoken with John, and I receive a replacement travel document, I immediately book a flight for John Johnson. John however fails to fulfil his end of our agreement, saying that if I arrange to get him a replacement travel docu-

ment, he will leave. He stands there at Amsterdam Schiphol Airport ranting and raving. It would be irresponsible allowing him to board the plane in his condition.

I book another flight for early 2009.

Two days before his scheduled departure, John applies for asylum and I have to cancel the flight yet again. The reason is that John has the right to remain in the Netherlands while he awaits the decision on his application for asylum.

Two weeks later, the Immigration and Naturalisation Service (IND) decides that John will not be granted asylum, and therefore may no longer stay in the Netherlands. I contact the consul again, and ask for an extension of the replacement travel document.

Right before the scheduled departure of the third flight that had been booked, in the summer of 2009, I hear that John's lawyer has provided the embassy with medical information. For this reason, the embassy decides not to extend the replacement travel document. I must first prove that John is healthy enough to fly. I arrange for John to be examined by a doctor, naturally with his permission, and send the letter with the doctor's findings, that John is in fact healthy enough to fly, to the consul. In spite of my letter, the lawyer has apparently created sufficient doubt. The embassy refuses to extend the travel document and the third flight must now be cancelled as well.

One and a half month later, John Johnson applies for a residence permit because he believes that his health is not good enough to allow him to return to Nepal. He is consequently re-examined by a doctor. As long as a decision is still pending regarding his application, he can stay in the Netherlands. At that very moment, the embassy extends his replacement travel document, which I may therefore not use.

In the autumn of 2009, the application for the residence permit is rejected. Within one month, I have booked a flight. The replacement travel document has now expired. Before the embassy agrees to extend this document, the consul wants to know if John is healthy enough to fly. In spite of several phone calls to the embassy, they are still reluctant to issue the replacement travel document. Just like before, John's lawyer too has now been in regular contact with the embassy, once again causing the embassy to have doubts. I write another letter to the consul to notify him that John Johnson has received medical approval from a doctor. This means that there are no medical objections on medical grounds to prevent his departure from the Netherlands.

Finally, the embassy is now willing to issue a replacement travel document, but still wants to speak with John just prior to the scheduled flight. During this conversation, John repeats that he is not John Johnson. Now, he is suddenly John Smith, from India, and to prove it, he calls someone he claims to be his cousin. The embassy starts to have its doubts, and refuses to issue the replacement travel document, and I must once again cancel the flight.

Late 2009, I accompany John to the embassy of India. This embassy once again says that its not aware of any John Smith, and therefore this person cannot possess the Indian nationality.

[I am back to square one.](#)

With this information, I go back to the Nepalese consul for a meeting. After all, the Nepalese embassy has indicated on two separate occasions that John Johnson has the Nepalese nationality. After yet another medical examination, which shows that there are no objections to his departure based on medical grounds, it is now a few months later and I still do not have an extension for the replacement travel document. In order to make sure that John Johnson can fly to Nepal, my colleagues and I decide that John Johnson can travel on what is referred to as an EU document, in combination with the replacement travel documents issued by the embassy, which has expired in the meantime.

Upon arrival in Nepal however, John is not allowed entry to the country, so we must fly back to the Netherlands. There is now no other option than to tell John that he must leave the Netherlands within two days. This is rather annoying, since I am not in the position to check whether John actually left the Netherlands. A few months later, it appears that John has in fact remained in the Netherlands illegally.

In the spring of 2010, he is detained by the Police and placed in a foreign nationals Detention Centre. Ten days after his latest detention, I meet with John. He refuses to cooperate, and says that he will not leave. After a discussion between the Minister of Justice and the ambassador of Nepal, things suddenly start moving quickly, and the embassy issues a valid replacement travel document. After a procedure lasting two and a half years, and many conversations and visits later, John Johnson finally returned to Nepal in the summer of 2010.