'If you don't have documents or a legal procedure, you are out!' Making humanitarian organizations partner in migration control

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Abstract
The paradoxical merger of humanitarian care and securitization imperatives can be seen not only at external and externalized borders, but also at the internal borders in the Netherlands. Here, humanitarian organizations that sprang up to support migrants without a legal status in response to – and given their disagreement with – the state's exclusionary migration policies have become involved in migration control. During a gradual and subtle responsibilization process, the Dutch authorities have used specific measures and redirected monetary flows in order to incorporate these organizations into its broader migration control policies. This has resulted in a decrease in the number of support organizations for unauthorized migrants, a reduction in their independence and autonomy, and an increased focus on selection and return. Ethnographic fieldwork amongst unauthorized migrants illustrates the consequences of this exclusionary control. These migrants experience exclusion, selection and enforcement by humanitarian organizations and doubt the trustworthiness of these organizations. This development seems to fit in with the broader trend of European states disarming humanitarian organizations for unauthorized migrants by either responsibilizing or criminalizing them. However, these strategies are not without consequences because they run the risk that unauthorized migrants will further withdraw and turn away from this type of assistance altogether. We use both a humanitarian and a pragmatic perspective to argue that it would make sense for states either to allow organizations to continue their – uncompromised and unconditional – support for unauthorized migrants or to adapt their migration policies in such a way that humanitarian support becomes redundant.

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Introduction

The unaccompanied minor Magomed[1] arrives early 2013 in the Netherlands and claims asylum. His asylum application is rejected and he has to return to his home country, but he stays unauthorized in the Netherlands. As he is struggling with the pains of being unauthorized, he goes in and out of immigration detention and is anxious about his future. He has one safe haven, which is a non-governmental organization (NGO) that provides him with housing and legal assistance. Magomed considers one of its employees as his 'father'. Recently, though, Magomed has started relating his disappointment with this substitute father because he had warned him that he had to leave the NGO's housing within a couple of months if he did not cooperate with his 'voluntary' return. Magomed feels indignant and betrayed by his 'father', who knows that it is impossible for him to return. He does not understand the NGO's changed mood other than the fact that the NGO is dependent on governmental money linked to unauthorized migrants' return. While discussing his future situation with us, Magomed expresses strong feelings of insecurity and stress about where to go because his time in the shelter is running out.

Magomed's story is not an isolated case. Ethnographic fieldwork amongst migrants without a legal status in the Netherlands – which is presented in this article – shows that they also experience exclusion, selection and enforcement by humanitarian organizations that sprang up to support these migrants (see also Van Meeteren, 2010: 127; Staring and Aarts, 2010). These migrants' experiences seem directly related to the Dutch authorities' responsibilization strategies, meaning that they seek to act upon migration 'not in a direct fashion through state agencies (police, courts, prisons, social workers) but instead by acting indirectly, seeking to activate action on the part of non-state agencies and organizations' (Garland, 1996: 452). Garland (1996, 2001) developed this theory to explain modern crime control strategies, but this process is also observed within the migration domain as agencies, organizations and individuals outside the direct power of the state have been made responsible for controlling migration (see Lahav, 1998; Weber, 2013). This includes, amongst others, carriers (Scholten, 2014), employers (Mitsilegas, 2013), universities and hospitals (Weber, 2013), and citizens (Aliverti, 2015). In this article, we argue that humanitarian organizations too have become actors in controlling migration and show how migrants lacking a legal status experience these developments.

We draw on the concept of humanitarianism, referring to humanitarian organizations that provide relief to and lessen the suffering of migrants while they simultaneously reproduce the causes of the migrants' suffering and legitimize restrictive migration policies (Fassin, 2011; Vandevoordt and Verschraegen, 2019b). Migration scholars have illustrated this paradoxical merger of humanitarian care and securitization imperatives during Search and Rescue operations (Cuttitta, 2018; Pallister-Wilkins, 2017), at the geographical border (Walters, 2011) or upon reception (Feischmidt et al., 2019; *Social Inclusion*, 2019). However, borders are no longer solely situated at states' territorial boundaries because states also focus on internal border controls (Balibar, 2002). States have developed comprehensive policies and practices aimed at the prevention of

unauthorized residence and the deportation of migrants without a legal status (Albrecht, 2002; Kox and Staring, forthcoming). These internal controls made some migrants without a legal status (temporarily) dependent on the material and non-material support of humanitarian organizations (Staring and Kox, 2016; Van der Leun and Bouter, 2015). As we illustrate in this article, Dutch authorities have incorporated parts of these organizations into its broader system of migration control. This means that these organizations have manoeuvred themselves into the ambiguous position of simultaneously advocating the interests of migrants and serving the government by acting as a loyal player within the immigration system. This has brought an extension of what Walters (2011: 145) calls 'the humanitarian border', that is, the 'uneasy alliance [of] a politics of alienation with a politics of care, and a tactic of abjection and one of reception'.

This article continues with some reflections on humanitarianism and our methodology. Then, based on secondary sources, we distinguish different types of humanitarian organizations supporting migrants without a legal status living in the Netherlands. Next, we show how the Dutch government incorporated humanitarian organizations within their system of migration enforcement and discuss how these organizations deal with their new position. We then use the aforementioned ethnographic fieldwork to illustrate migrants' experiences with the responsibilization of these humanitarian organizations and the consequences of these processes. We conclude with a discussion on the implications of these broader developments of welfare states increasingly denying non-citizens access to their services and compelling migrants without a legal status to turn to humanitarian organizations, while, at the same time, using various strategies to disarm such organizations.

The ambiguous roles of humanitarian organizations

Humanitarianism and securitization are part of the same dynamic continuum (Župarić-Iljić and Valenta, 2019). Although humanitarian organizations concerned with migrants' flight, arrival and/or reception focus on morality, have respect for human life and alleviate suffering, they have also become involved in securitization imperatives (Fassin, 2011; Walters, 2011). Both state and non-state actors use the organizations' higher moral purposes to normalize or legitimize current border practices, even if these have inhumane effects (Fassin, 2011; Pallister-Wilkins, 2018). This mutes the counter-narratives of those who are confronted with border practices and masks the effects of migration policies (Pallister-Wilkins, 2017; Župarić-Iljić and Valenta, 2019). As such, it both contrasts with and reinforces these policies (Cuttitta, 2018; Pallister-Wilkins, 2017; Walters, 2011). Although state border officers may also be concerned with compassion (Hadjimatheou and Lynch, 2018; Khosravi, 2009), humanitarian organizations are often more supportive than state actors. However, their support may be 'compromised by the nature of their relationship with the government and the securitization strategy of diluting access to legal, economic and social protections', something that prevents these organizations from promoting their clients' best interests (Gerard and Weber, 2019: 277). Securitization and humanitarianism can therefore result in similar outcomes for people on the move (Pallister-Wilkins, 2017).

We observe comparable tensions between humanitarianism and securitization for humanitarian organizations that support unauthorized migrants, that is, migrants without a valid form of authorization, such as – amongst others – failed asylum seekers, visa-overstayers and migrants whose residence permit has been withdrawn. These organizations are not directly aimed at saving unauthorized migrants' lives, but may be characterized as humanitarian because they try to achieve humane living conditions and alleviate the migrants' suffering by providing material and/or non-material assistance in terms of shelter, living allowances, legal/medical assistance, empowerment initiatives and/or advocacy (see Vandevoordt and Verschraegen, 2019b). National immigration policies and opportunities for humanitarian organizations to support migrants may differ between countries, but in most countries there is humanitarian support available for unauthorized migrants (Garkisch et al., 2017).

However, European states are trying to co-opt, influence or take over such humanitarian organizations for unauthorized migrants (Feischmidt et al., 2019; Vandevoordt and Verschraegen, 2019a). Although these organizations do not passively fill institutional gaps and take over the state's responsibilities (Sinatti, 2019; see also Garland, 2001), these organizations – or their employees/volunteers – may face consequences if they do not meet the state's expectations or they may not be able to continue their support otherwise (Gerard and Weber, 2019; Lahav, 1998). This includes humanitarian support for unauthorized migrants. Vandevoordt and Verschraegen (2019b) point, for instance, to the exclusion of unauthorized migrants from a Belgian humanitarian organization after the state co-opted this organization. Fleischmann (2019) illustrates how German authorities are trying to (re)gain control and power over organizations that assist migrants by institutionalizing citizen commitment in its municipal policies. Cullen (2009: 102) argues that the Irish NGO sector 'is harnessed to the state through service provision and a reliance on state and foundation funding', a development that limits their impact. Similar processes can be seen in France (Nicholls, 2013), Germany (Castaneda, 2007: Ellermann, 2006) and the UK (Statham and Geddes, 2006). Finally, because of the availability of funding, humanitarian organizations have become involved in Assisted Voluntary Return programmes, something that has been defined as 'soft deportation' because these programmes function only in addition to – or as a replacement for – state deportations and the voluntariness of such returns has been questioned (Leerkes et al., 2017; Webber, 2011; see also Vandevoordt, 2017).

Because these developments have mainly been described from a theoretical perspective or from the NGOs' point of view (Feischmidt et al., 2019; *Social Inclusion*, 2019), the question arises of how these developments are experienced by unauthorized migrants who are subjected to these processes and what the consequences are for unauthorized migrants in need of humanitarian support.

Methodology

This question will be answered on the basis of a case-study in the Netherlands. We draw from the first author's PhD research on unauthorized migrants' understandings of migration control, for which she followed 45 unauthorized migrants between March 2015 and May 2018.[2] This means that she observed these migrants in their everyday lives and/or

during their interaction with regulatory institutions; interviewed and/or informally talked to them several times; and/or had frequent contact by phone and/or WhatsApp. The number of contacts with this group of migrants varied from 3 to over 20. In addition, Mieke Kox interviewed, extensively informally spoke to and/or observed another 60 unauthorized migrants who wanted to be involved in the research but on a limited basis. In all interactions during the fieldwork, unauthorized migrants could talk about their situation in the country of origin and their migration journey as well as discuss their everyday lives, their experiences with migration control and their visions of their future. All observations and informal conversations were written down in field notes and interviews were recorded and transcribed verbatim. The data were then analysed using Atlas.ti (qualitative data analysis software).

Kox aimed to create a heterogeneous group of unauthorized migrants in terms of age, gender, country of origin, length of stay in the Netherlands, motive for migration, family situation, and current situation given the previously assumed differences between these migrants (see Burgers and Engbersen, 1999). She therefore focused on unauthorized migrants at different locations and at different stages of their unauthorized residence, including unauthorized migrants living out of sight of the authorities, those who had just been arrested by the police, those living at freedom-restricted (family) locations or those staying in immigration detention centres. To prevent an overrepresentation of respondents who remain unauthorized in the Netherlands and have different thoughts on current migration controls, Kox also involved unauthorized migrants who were participating in return programmes or who had already returned or been deported to Surinam (16), Indonesia (11), Nigeria (6) and Guyana (1). She gained contact with these migrants through support organizations, immigration institutions and these migrants' social contacts. This approach – supplemented by 17 interviews by research assistants[3] –resulted in a research group of 122 unauthorized men and women who vary in age from 8 to 70.[4] They cover a variety of countries from all continents. Their length of (unauthorized) stay in the Netherlands varies from almost 1 year to 38 years. Some of them had a residence permit that had either been withdrawn or not extended; others had never applied for a legal status or had been rejected.

The analysis revealed that unauthorized migrants consider the aforementioned humanitarian organizations to be part of the Dutch migration control system, so we decided to conduct a policy analysis to understand how these organizations have become involved in selecting, excluding and enforcing unauthorized migrants. We analysed parliamentary documents because the political debate and the discussion between national and local levels were reflected in these documents. We collected documents between 2000, which was when local governments started financial support of NGOs for unauthorized migrants, up to December 2018. In addition, we studied secondary sources to gain insights into these organizations' perspective on these processes and the impact on their modus operandi.[5]

Local humanitarian organizations in the Netherlands

The Netherlands used to be internationally known for its tolerance towards migrants but it is currently better characterized by its restrictive admission policies, increased

exclusion of unauthorized migrants, and greater pressure for migration control (Engbersen et al., 2006; Van der Woude et al., 2014). Unauthorized migrants are excluded from all formal markets and welfare arrangements and are allowed only essential healthcare, legal aid and – until the age of 18 – education. Although the effects of this exclusion and control are often determined by the everyday interactions between border officers and unauthorized migrants (Van der Woude and Van der Leun, 2017), studies on unauthorized migrants in the Netherlands show that it has become increasingly difficult to survive in the Netherlands without a residence permit (Burgers and Engbersen, 1999; Engbersen et al., 2002; Kox, 2010; Staring, 2001; Staring and Aarts, 2010). Some groups of migrants are – temporarily – entitled to state shelter in freedom-restricted institutions, others are not.[6] They are faced with harsh living conditions and constantly run the risk of being stopped, detained and/or deported (Kox and Staring, forthcoming). Consequently, the support of family members, friends and/or compatriots is becoming ever more important. If unauthorized migrants do not have such an (ethnic) network to fall back on, they are dependent on local humanitarian organizations (Engbersen et al., 2002; Staring and Aarts, 2010).

The first local humanitarian organizations emerged in the late 1970s and 1980s and originated within Dutch church organizations or protest/squatter movements that were dissatisfied with asylum decisions taken by the Immigration and Naturalization Service and with unauthorized migrants sleeping rough (LOS Foundation, 2014). At that time, these local organizations consisted of a small number of volunteers who offered shelter, living allowances and other types of material and non-material support. In addition, they organized protests and demonstrations against Dutch migration policies. These early organizations operated autonomously and independently of governments and their eligibility criteria. There were around 30 such organizations in 2000 (Bouter, 2013: 15).[7]

However, these emergency structures proved to be insufficient owing to the introduction of the Linking Act (1998), the revised Aliens Act 2000 (2001) and some policy changes that excluded specific groups of asylum seekers from state shelter. Consequently, local municipalities were faced with a large number of asylum seekers ending up on the streets when there were no adequate national return policies. Many municipalities invoked their 'duty of care' as well as their responsibility for public order and safety. They decided to financially support these organizations for assisting unauthorized migrants who were expected to legalize their residence in the Netherlands or resettle in their home country and those who found themselves in extreme and pressing difficult circumstances within their municipality.[8] Whereas some of the early organizations refused support from the government as a matter of principle, others accepted financial compensation from local authorities in exchange for services aimed at the unauthorized migrants. From then on, these organizations worked hand in hand with their municipality, something that limited their capacity to resist central migration policies (Kalir and Wissink, 2016).

Municipalities not only subsidizes existing organizations for unauthorized migrants, they also subsidized new organizations offering emergency assistance to unauthorized migrants. Even though the central authorities have always been against this form of support for unauthorized migrants, local municipalities supplied funds to be spent in consultation with the municipality or as a lump sum for each supported unauthorized

migrant. These new locally institutionalized organizations often consist of one paid employee helped by volunteers. They are completely dependent financially on municipalities and can generally assist only those migrants who met pre-set eligibility criteria, that is, migrants looking either for legal residency or to return and migrants who need assistance on humanitarian grounds. These support organizations that are entirely funded by municipalities have become known as 'emergency relief' (Koppes, 2017; LOS Foundation, 2014). In contrast to the existing organizations, these emergency relief organizations are forced to exclude unauthorized migrants who do not meet these criteria from support because local municipalities do not subsidize these migrants' support and there is a lack of other funding. In 2002, there were around 170 of such local emergency relief organizations in the Netherlands that offered assistance to unauthorized migrants in exchange for financial governmental support (Parliamentary Documents 2002/2003, 19637, no. 695).

Incorporating support organizations for unauthorized migrants

The document analysis shows that the Dutch central authorities have tried to incorporate these organizations into their broader policies of migration control. They believe that providing support to unauthorized migrants undermines the central immigration policies aimed at discouraging unauthorized residence. Besides, they assume that providing shelter attracts more unauthorized migrants and hampers their departure (ACVZ, 2018: 3). Whereas local authorities and humanitarian organizations consider support for unauthorized migrants necessary to prevent inhumane situations, the state has repeatedly tried to force municipalities to end their financial contributions to these humanitarian organizations. Therefore, it also used administrative coercion and threatened to cut the municipalities' budgets (LOS Foundation, 2014; Parliamentary Documents II 2002/03 19637 no. 695, 2004/05 19637 no. 892). These threats by the state – combined with volunteers' exhaustion and a decline in unauthorized migrants owing to a regularization scheme – led to a reduction in the number of organizations from 170 in 2002 to 50 in 2013 (Koppes, 2017; LOS Foundation, 2014; Van der Welle and Odé, 2009). The central government's constant threats to end emergency assistance not only reduced the number of support organizations but also led to conditional support, given the stricter selection of unauthorized migrants by the emergency relief organizations on the one hand and the reduced number of other organizations on the other (Van der Leun and Bouter, 2015).

Moreover, the state's threats restructured the organizations. Following a complaint by the Conference of European Churches to the European Committee of Social Rights and Dutch court rulings that state that Dutch authorities are required to offer unauthorized migrants so-called 'bed, bath and bread' arrangements, the government decided to provide financial compensation to municipalities to arrange shelter for those unauthorized migrants who had been excluded from shelter and social services until there was greater clarity about the consequences of these court rulings (Parliamentary Documents II 2014/15 19637 no. 1944; see also Koppes, 2017; Pro Facto, 2018). Although this resulted in some new organizations, their support was financially compensated only if migrants registered with the state's Repatriation and Departure Service (DT&V). This meant that

the unauthorized migrants' use of support organizations would make them visible to Dutch authorities, even if they were to abandon their 'voluntary'[9] return without obtaining legal residency.[10] After several legal proceedings and negotiations between the government and local municipalities, the state's financial compensation for municipalities providing support to unauthorized migrants stopped and the new requirements persisted, with profound consequences for unauthorized migrants (Parliamentary Documents II 2016/17 19637 no. 2267). This 'inclusionary control' (Tomczak and Thompson, 2019: 9) introduced barriers for unauthorized migrants to make use of the available support.

Recently, the Dutch central government has gone one step further and started a pilot that includes local support organizations in national state shelters for unauthorized migrants (so-called 'landelijke vreemdelingenvoorzieningen' – LVV). These shelters are managed under the supervision of the DT&V in cooperation with municipalities and humanitarian organizations.[11] The latter must either encourage migrants' 'voluntary' return or find another permanent solution because they are expected to accomplish better results than the state given the migrants' trust in these organizations (Pro Facto, 2018). Unauthorized migrants may stay in these shelters for two weeks without any conditions, after which they need to cooperate in either legalization or return. If not, the migrant might be disqualified from shelter (Parliamentary Documents II 2016/17 19637 no. 2375).[12] This latest development completes the restructuring of these humanitarian organizations as they are incorporated into the state's broader system of migration control and decide – together with the state – on the migrants' selection or exclusion. Previous research shows that several Dutch organizations use comparable excluding rationales as the DT&V because of these responsibilization processes (Cleton and Chauvin, 2020; Kalir and Wissink, 2016).

In this same timeframe, humanitarian organizations have also become more involved in the 'voluntary' return of unauthorized migrants. There are several probable reasons for this. Since the 1990s, for instance, the failing repatriation policies have prompted pleas to engage support organizations to help organize the unauthorized migrants' return (Rusinovic et al., 2002: 81). In the last decade, advocacy groups that appeal for a reduction in immigration detention have argued that assistance from support agencies is less damaging and more effective than detention when it comes to return. They have therefore suggested the use of alternatives to detention and more frequent use of return projects set up by support organizations (for example, ACVZ, 2013; Amnesty International, 2011). Consequently, additional funding has been made available for – (partly) sub-contracted – organizations that promote the return of unauthorized migrants (Parliamentary Documents II 2012/13 19637 no. 1721). Further increased funding, combined with an aversion to immigration detention, has persuaded several agencies to branch out into this type of project, including those organizations that sprang up to support unauthorized migrants. These organizations require the approval of the DT&V to assist potential returnees, which also means that those migrants who ultimately do not return are registered with the Dutch authorities.

In addition, the support organizations' increased focus on return – in combination with their dependence on or wish for return subsidies – results in a more specific approach in terms of selecting migrants who are eligible for assistance (see Staring and Kox, 2020). The Dutch authorities fund return assistance for unauthorized migrants – and

sometimes only rejected asylum seekers – from designated countries. This means that migrants from non-designated countries will not receive support from an organization because their assistance would not be funded (Staring and Kox, 2020). Given the level of discretion of these support organizations, combined with the financial benefits for assisting migrants who return, organizations direct their assistance much more towards migrants from these specific countries at the expense of others, especially as organizations have pre-set targets for the number of returnees. This even results in competition amongst organizations as they all try to recruit those migrants whose return is easy to achieve (Staring and Kox, 2020). This means that the organizations' generic approach is replaced by a specific approach favouring particular countries of origin that are deemed more problematic by the Dutch authorities. This underlines the 'mixing of exclusionary and inclusionary forces' (Tomczak and Thompson, 2019: 7) because these organizations are aimed at including unauthorized migrants but now feel forced to exclude those migrants who do not meet the imposed criteria (see Van der Leun and Bouter, 2015).

The incorporation of humanitarian organizations in the state's migration control policies was the result of a gradual process characterized by both opposition from and cooperation by humanitarian organizations (see Cantat and Feischmidt, 2019). During the fieldwork we learned that some organizations refused state funding because they feared a negative impact – and limitation – on their support. Other organizations are balancing between their goal to support unauthorized migrants and their obligations towards the municipalities (see Župarić-Iljić and Valenta, 2019). They are facing different dilemmas but look for loopholes that enable them to act upon the migrants' wishes, such as postponing the migrants' registration at the DT&V or withdrawing passports that facilitate deportation (Staring and Kox, 2020). In addition, they use their position to lobby for policy changes that create a better situation for unauthorized migrants (Staring and Kox, 2020), although the question arises whether or not their changed position limits their transformative powers (see Gerard and Weber, 2019). Finally, some organizations have adapted the state's rationale, language and approach in their everyday practices (Cleton and Chauvin, 2020; Kalir and Wissink, 2016). This limits the organizations' negotiating space for alternative initiatives and has made them a part of the restrictive Dutch migration systems (Kalir and Wissink, 2016; Van der Leun and Bouter, 2015). Kalir and Wissink (2016: 35) argue therefore that the Dutch authorities and these humanitarian organizations constitute a 'continuum that is underlined by a dominant logic, common categories, shared political subjectivities and pre-agreed lines of political actions'.

Selection, exclusion, return and enforcement by humanitarian organizations

The fieldwork shows that these developments have consequences for unauthorized migrants' experiences with and perceptions of these organizations. Some of the respondents have been dependent – more or less – on humanitarian organizations. They, in general, appreciate these organizations, which provide them with material support in the form of shelter, meals and/or living allowances when they have nowhere else to go. In addition, these organizations assist them to get access to medical and legal aid, report victimization to the authorities, and help them resist abuse as a consequence of their

vulnerable position. Respondents believe that the support organizations are safe havens. They feel like human beings again in this supportive environment where they are empowered. They emphasize the need for such organizations, given the lack of other available supporting networks; otherwise they would have nowhere to go because they do not consider return a realistic option (see Staring and Kox, 2016). This, again, shows that these organizations provide inclusionary mechanisms despite being situated in an exclusionary context (see Tomczak and Thompson, 2019).

However, academics as well as research participants are also critical of the newly adopted modus operandi of these organizations (Bouter, 2013; Cleton and Chauvin, 2020; Kalir and Wissink, 2016; Koppes, 2017; Rusinovic et al., 2002; Van der Leun and Bouter, 2015). Although the organizations' selection of unauthorized migrants has been based on pre-set admission criteria since municipalities started to subsidize these organizations, these criteria were flexibly and arbitrarily imposed in practice on the basis of situation, needs, identity, attitude and reciprocity (Van der Leun and Bouter, 2015; Pro Facto, 2018). However, the migrants' opportunities in terms of legalization and especially return have become more prominent in these selection processes (see Van der Leun and Bouter, 2015). This means that those migrants whose residency cannot be legalized and who are not willing to return are more likely to be excluded from (comprehensive) support. In addition, some respondents bring to the fore that support organizations, in their view, strictly select whether unauthorized migrants are eligible for (comprehensive) assistance. This means that even migrants who fulfil the basic requirements for the organizations' support may be excluded from shelter and/or other forms of support. These different arguments come to the fore in the story of a 26-year-old East African migrant, Abdi, whose asylum application was rejected and who arrived late in the evening of the same day at an NGO in Amsterdam. He recalls the woman at the NGO stating: 'I don't have place to help you because you were rejected [as an asylum seeker]. . . . You have to find your own way'. After this 'secondary victimization experience', Abdi continues describing how he slept in a park in the centre of Amsterdam for weeks, feeling a nobody and not knowing what to do. Although he did find assistance elsewhere and received help for another asylum application, he still felt frustrated, misunderstood and hurt because of selection methods that prioritize others over him. This man, like other migrants, doubts whether those organizations are still willing to help them while, at the same time, they do not have anywhere else to go. Although there has always been a certain level of selection by these support organizations, given their limited resources (see Rusinovic et al., 2002), the organizations' exclusionary control seems to have increased as the number of organizations has decreased and the organizations' dependence on municipality funding on the basis of pre-set criteria has increased (LOS Foundation, 2014; Van der Welle and Odé, 2009).

The respondents' stories reveal that exclusion by support organizations takes place not only in the selection process when it is being decided whether or not a migrant will receive (comprehensive) assistance, but also once a migrant is already receiving comprehensive support. Several migrants highlight the fact that they were warned that their shelter would not be continued if they no longer met the eligibility criteria, meaning that respondents needed to participate in a 'voluntarily' return process if there was no prospect of legalization any more. If not, they could be put onto the streets, as is shown in the

story of Adrien, an African migrant who explained how he had not had his asylum permit renewed after it expired and his country of origin was considered to be secure again. He had been residing alternately lawfully and unlawfully in the Netherlands and wondered whether or not to return given his complicated situation in the Netherlands versus the insecure conditions in his country of origin. He continued:

> [An NGO] helped me to arrange shelter, for a room and sleeping and so on. That is why I am here. But now, the support organization says: 'If you don't have a legal procedure, we can also. . ..' [makes throwaway gesture] . . . And the support organization says. . . Because I am sleeping there, she says: 'If you don't have documents or a procedure, you are out!' (Adrien)

Ultimately, Adrien was arrested because of his unlawful residency and ended up in immigration detention. Given the instability in his country of origin, his residency was legalized again – partly owing to the advocacy efforts of this 'excluding' NGO – after which he received state shelter. This illustrates that the position of this NGO is characterized by ambiguity because they cannot support all unauthorized migrants and cannot unconditionally offer shelter given their lack of resources (see Van der Leun and Bouter, 2015). The chance to receive funding for returnees offers an incentive to these organizations to focus on those migrants who might return (Kalir and Wissink, 2016).

The tendency amongst support organizations to focus increasingly on the return of unauthorized migrants – at the expense of other kinds of support – created feelings of loneliness and uncertainty amongst some respondents. Although reviewing migrants' possibilities for return has long been part of many support organizations' approach (Staring and Kox, 2020), the current stronger emphasis on return makes some research participants point out that they no longer feel supported in their attempt to build a life in the Netherlands and that they are increasingly made to feel that they should return – or express a willingness to return – because otherwise they will be excluded from support. This is in line with Cleton and Chauvin (2020), who argue that such organizations present return as the only route to be taken. Nana, a West African unauthorized migrant who is under psychiatric treatment, partly caused by being unauthorized for over 20 years, recalls:

> I saw she dropped appointment and then I went there [NGO]. And then she raised the same topic: if I said I want to go to my country, then I can stay here. If I am not ready to go to my country, then I have to leave. (Nana)

He was actually put out onto the streets because the organization believed that he was not actively trying to achieve his return, whereas he states that he was not able to obtain the documents required for return. His lawyer has been able to find other temporary shelter at the Salvation Army. Other respondents also feel anxious about the support organization they once experienced as a safe haven and some have actually lost – or were about to lose – support if they did not explicitly express a willingness to cooperate with their 'voluntary' return. The perceived risk of being made homeless, regardless of whether that would actually happen, threatens unauthorized migrants' safe havens.

The changed character of humanitarian organizations

Whereas the majority of our respondents are in principle still positive about the support they receive from these organizations, some emphasize that a support organization convinced or forced them to do things in order to be eligible for assistance. Otherwise, the organization threatened to stop their support. This not only involves cooperation in the return process as illustrated above, but – according to the respondents' narratives –also includes demonstrating, volunteering and working in tough conditions (see Staring and Aarts, 2010). Jacob, an African respondent reveals, for example, that he and other unauthorized migrants move from squat to squat. They used to be grateful for the organization's chairperson, who is responsible for their finances and who has done a lot for their cause. However, this chairperson now requires them to do things they do not want to do while threatening that they will not receive money for their groceries otherwise. He explains:

> The chairperson says: 'No, you guys, you have to do like actions. You have to be on the streets. You have to do that, like demonstrations.' We have to go to the mayor and show them. . . tell them and speak with the mayor. We have to go to the city hall. But yeah. . .. So the chair can go and ask for money. But even the people here are fed up with all that kind of stuff, demonstrations for four years, etcetera. Because demonstrations are no solution. . . . It is what this person says. The demonstrations are only for getting donations, for getting the money, but that is not . . . It is not what people really want. People just want to be seen and just want to have their cases looked at and . . . to know if they can find some solution. (Jacob)

Despite the chairperson's good intentions and efforts to achieve a better situation for the migrants, this example illustrates the organizations' powers over unauthorized migrants and the ever-present risk of the use of these powers, which resulted in negative experiences for some respondents (cf. Staring and Aarts, 2010).

Furthermore, the research visits to the unauthorized migrants who had returned to Guyana, Indonesia, Nigeria and Surinam reveal that some migrants feel disappointed with the support organizations after their return. Despite – or perhaps because of – positive experiences in the Netherlands during preparations for their return, these migrants feel that the organizations are rather indifferent to what happens to them after their return. According to some respondents, these organizations pay little attention to what to do straight after arrival in the country of origin and how to tackle factors that might hamper a sustainable return. For instance, during our stay in Surinam, a migrant sent us a WhatsApp message asking whether we could find him a place to live as he had no idea where to go after his arrival in Surinam the next day. Although he had told the organization who offered him Assisted Voluntary Return that everything would be settled, nothing was settled after his arrival in Surinam, meaning that he – like other returning respondents – was mainly concerned with basic provisions before actually being capable of considering or achieving their business plans. As a consequence, these migrants have often spent part of the money that was meant for a business on food, housing and relatives, and in doing so diminish the chances of a sustainable return (see Staring et al., 2012; Staring and Kox, 2020). Other academics raise questions about the sustainability

of the return of those who made use of Assisted Voluntary Return programmes (Lietaert et al., 2013; Van Houte et al., 2014).

The unauthorized migrants' narratives provide insight into the support organizations' changed character (see Staring and Kox, 2016). Given their increased focus on selection, return and enforcement, combined with a lack of commitment, these support organizations reflect the state's approach and rationale. Although not all humanitarian organizations are involved in such processes and organizations do question whether this is the right approach or how to legitimize their work (see Cleton and Chauvin, 2020), in practice it makes respondents question the intentions of these organizations. They doubt whether these humanitarian organizations are concerned with their well-being and whether or not to make use of their support. These organizations' changed approach has created a new group of marginalized unauthorized migrants that have nowhere else to go. On the one hand, there are the non-deportable migrants who cannot return for reasons outside of their sphere of influence and have nowhere to go, such as the accompanied minor reported at the beginning of this article. On the other hand, there are the migrants who are not willing (yet) to return to their home country. However, the current exclusionary and deterrent approach is a modest incentive to return (Leerkes and Kox, 2017) and, meanwhile, it does contribute to 'the pains of being unauthorized' (Kox et al., 2020).

To conclude

This article illustrates the expansion of 'the humanitarian border' (Walters, 2011: 145). The paradoxical merger of humanitarian care and securitization imperatives can be seen not only at external and externalized borders but also at internal borders. The Dutch authorities have used a responsibilization strategy to make humanitarian organizations part of – and sometimes partially responsible for – migration management (see Fassin, 2011; Gerard and Weber, 2019). Although, given their disagreement with the state's exclusionary migration policies (LOS Foundation, 2014), these organizations originally developed to support unauthorized migrants, the Dutch authorities have incorporated these organizations into their broader migration control policies by using specific measures and by redirecting monetary flows. During this gradual process, the number of support organizations for unauthorized migrants has decreased (Koppes, 2017; Van der Welle and Odé, 2009). Moreover, many humanitarian organizations have lost full autonomy by accepting funding from local authorities, meaning that they are bound by pre-set criteria and have less flexibility in deciding who to support (see Van der Leun and Bouter, 2015). This dependence on municipality funding has resulted in exclusionary support. Furthermore, organizations have become more concerned with unauthorized migrants' return and have been obliged to register their clients with state institutions in order to receive funding. Consequently, these organizations bring these migrants to the attention of the authorities and may pressure them – (un)consciously – to return. Finally, some organizations are currently being completely incorporated into state institutions and as such enhance the state's migration control practices.

Whereas some organizations refuse state funding for principled reasons or struggle with this new role and the associated dilemmas (Staring and Kox, 2020), others have adopted the changed role in their everyday practices (Cleton and Chauvin, 2020; Kalir and

Wissink, 2016). They have manoeuvred themselves into an ambiguous position where they serve the government by acting as a loyal participant within the immigration system while simultaneously supporting the interests of the unauthorized migrants. These organizations' Janus face is not without consequences because it compromises their support (see Gerard and Weber, 2019). In particular, the most vulnerable and marginalized unauthorized migrants who depend most on humanitarian support are experiencing further exclusion, selection and enforcement by both the state and humanitarian organizations. They question whether the organizations they used to trust are still capable of and willing to promote their best interests and whether they will not be urged to return against their will. Given their previous experiences of rejection and exclusion at the state level, they experience the rejection and exclusion at the level of humanitarian organizations as particularly painful. This results in feelings of uncertainty, frustration and misunderstanding amongst migrants, especially if decisions are not adequately explained by these humanitarian organizations (see Staring and Kox, 2016). It makes them question whether or not to make use of such organizations. Not only does this threatens these unauthorized migrants' safe havens, it may also result in further withdrawal and increased vulnerability of these migrants.

Humanitarian borders are context specific (Walters, 2011: 146). As will be illustrated below, research shows that such developments are not limited to the Netherlands. Other European states also try to 'disarm' humanitarian organizations for unauthorized migrants by using two – sometimes combined – strategies. On the one hand, states make use of responsibilization strategies – like the Netherlands – by incorporating humanitarian organizations into their broader systems of migration control. This enables the state to police unauthorized migrants from a distance and limits the organizations' negotiating space for alternative initiatives. As such, it makes these organizations a part of current restrictive migration systems (Ambrosini and Van der Leun, 2015; Castaneda, 2007; Kalir and Wissink, 2016; Van der Leun and Bouter, 2015; Vandevoordt, 2017). These processes can be seen in Belgium (Vandevoordt, 2017), France (Nicholls, 2013), Germany (Castaneda, 2007; Ellermann, 2006; Fleischmann, 2019), Ireland (Cullen, 2009) and the UK (Statham and Geddes, 2006). On the other hand, some states criminalize humanitarian organizations that support unauthorized migrants. Carrera et al. (2016) show that these humanitarian organizations experience harassment and intimidation in their work and fear administrative sanctions, even though humanitarian assistance may not be formally criminalized. We do not observe this trend in the Netherlands,[13] but others report the criminalization of humanitarian organizations in Spain (López-Sala and Barbero, 2019), in Belgium, France and the UK (Fekete, 2009), and in Italy and Greece (Carrera et al., 2018). This criminalizing approach affects all kinds of support, including shelter, medical aid and advocacy/protests. This sometimes deters volunteers, activists and humanitarian organizations from getting involved in providing humanitarian assistance (Sigona, 2018) and may result in civil actors being forced to limit or end their humanitarian assistance (see Carrera et al., 2016; López-Sala and Barbero, 2019). Making support organizations a full partner in migration control and/or criminalizing such organizations threatens the unauthorized migrants' safe havens in an increasing hostile environment (see Sigona, 2018).

Humanitarian organizations for unauthorized migrants can – despite being compromised by these developments – function in the current exclusionary migration domain (see Tomczak and Thompson, 2019). However, the humanitarian approach has a downside – like support in other contexts. For instance, it masks the effects of current controlling policies in terms of homelessness, marginalization and vulnerability. In addition, it facilitates governments' neglect of their clear responsibilities towards unauthorized migrants in terms of offering 'bed, bath and bread' arrangements, something the authorities are obliged to do according to a court ruling (see Vandevoordt and Verschraegen, 2019a). Furthermore, it normalizes and legitimizes the state's exclusionary migration control policies aimed at the migrants' departure, something these humanitarian organizations currently contribute to (Kalir and Wissink, 2016; Leerkes et al., 2017). Nevertheless, we do support offering humanitarian organizations the opportunity to provide – uncompromised – support to unauthorized migrants. Such support reduces the pains of being unauthorized and the negative – inhumane – effects of current migration policies (Engbersen et al., 2006; Kox et al., 2020). Incorporating humanitarian organizations runs the risk that unauthorized migrants will withdraw from this type of assistance altogether when there are no alternatives available as long as they consider return not to be a realistic option. This may increase the risks of further marginalization, health concerns and vulnerability in terms of victimization, exploitation and betrayal. Although the merger of control and care by such humanitarian organizations may be opportune from the state's perspective (Hadjimatheou and Lynch, 2018), it would make sense from a humanitarian perspective to break the current security–humanitarianism continuum and allow humanitarian organizations to continue unconditional and uncompromised support of unauthorized migrants. Such an approach seems more appropriate from a pragmatic perspective too, because the causal relationship between exclusion and return is still unclear (Leerkes and Kox, 2017). Moreover, migration systems based on legitimacy and/or diplomacy seem to be more effective (Kox, forthcoming; Leerkes and Kox, 2017; Van Houte and Leerkes, 2019). Another – in our view more humane – option would be to adapt current migration policies in such a way that they no longer cause inhumane and painful effects for both unauthorized migrants and society and therefore make humanitarian assistance to unauthorized migrants redundant.

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Notes

1. Pseudonyms are used throughout the article.
2. The Methodology section is based on a previous paper on this PhD study (Kox et al., 2020).
3. The research assistants Lotte Servaas and Marko de Haan conducted fieldwork in Indonesia and Surinam as part of their master's theses and a study of an Assisted Voluntary Return project of an NGO in which both Kox and Staring are involved (Staring and Kox, 2020). The two countries were chosen because relatively many participants of the NGO concerned returned to these countries (and Guyana was easy to visit on a daytrip from Surinam) and there were only a few language barriers.
4. Minors were spoken to only informally in the presence of or with permission of their parents.
5. These studies provide important qualitative insights into the perspective of the humanitarian organizations but offer little quantitative data on these organizations.
6. This concerns migrants who have minor children, are vulnerable/ill or willing to return to their home country. Besides, migrants receive twelve weeks of shelter in a freedom-restricted center after their legalization claim has been rejected. In recent years, Bed, Bath and Bread arrangements have been established as will be discussed in this article.
7. In 1979, several organizations merged into VluchtelingenWerk Nederland. URL (accessed 29 May 2020): https://www.vluchtelingenwerk.nl/over-ons/onze-geschiedenis.
8. These criteria differ per organization; see LOS Foundation, URL (accessed 29 May 2020): http://www.stichtinglos.nl/noodopvang.
9. We use quotation marks as the voluntariness of such a return is questioned (Leerkes et al., 2017; Webber, 2011).
10. See the Association of Netherlands Municipalities' 'Factsheet Bed-bad-broodregeling'. URL (accessed 29 May 2020): https://vng.nl/onderwerpenindex/asiel/asielbeleid-en-integratie/publicaties/factsheet-bed-bad-broodregeling.
11. See Government of the Netherlands, *Regeerakkoord 2017: 'Vertrouwen in de toekomst'*. URL (accessed 29 May 2020): https://www.rijksoverheid.nl/documenten/publicaties/2017/10/10/regeerakkoord-2017-vertrouwen-in-de-toekomst, accessed 10/17/2018.
12. See also Association of Netherlands Municipalities. URL (accessed 29 May 2020): https://vng.nl/files/vng/brieven/2018/attachments/20181130_getekende-samenwerkingsafspraak-lvv.pdf and https://www.rijksoverheid.nl/binaries/rijksoverheid/documenten/kamerstukken/2018/11/29/tk-stand-van-zaken-locaties-vreemdelingen-voorzieningen-lvv/tk-stand-van-zaken-locaties-vreemdelingen-voorzieningen-lvv.pdf.
13. A draft bill – later withdrawn –proposed criminalizing unauthorized residency but excluded humanitarian assistance from this criminalization (Parliamentary Documents II 2014/14 33512 no. 3, 13).

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