

# ASSESSING THE INTANGIBLE

CONVERTS AND APOSTATES SEEKING  
ASYLUM IN THE NETHERLANDS



A.A.E. SCHOUWSTRA

UNIVERSITY OF GRONINGEN  
FACULTY OF THEOLOGY & RELIGIOUS STUDIES

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Converts and apostates seeking asylum in the Netherlands

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A.A.E. (Hannelore) Schouwstra | S4477898

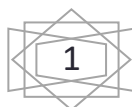
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Supervisor: Manoela Carpenedo Rodrigues

Second supervisor: Elena Mucciarelli

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# Thesis abstract

This thesis is aimed at a specific part of the asylum policy of the Dutch *Immigration and Naturalization Service*: the integral credibility assessment for convert and apostate asylum seekers. The research question is: *what is the space for bias in the Dutch credibility assessment of converts and apostates?* This question is answered through a policy document analysis, interviews and a media content analysis in the context of *grounded theory*. It turns out that there is a vast space for subjectivity in this assessment and there is a Western Protestant bias laced through the central concepts as well as the assessment itself. It is unclear how the IND aims to avoid bias and the external pressure the IND deals with seems to increase that risk even more. To change the credibility assessment, there is publicly advocated for these asylum seekers by NGOs and political parties. Most of the attention for this topic comes from Christian organizations and politicians and is also mostly aimed on Christian converts. The way there is dealt with the credibility assessment in policy as well as how there is dealt with these third parties by the Dutch state points to a risk of Christian privilege and a secular Christian hegemony. There is awareness and more expertise needed on policy bias as well as conversion and apostasy to be able to assess asylum seekers equally and correctly. The freedom of thought, conscience and religion need to be guaranteed for citizens and non-citizens alike.

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# 1. Introduction

'You cannot look into someone's soul.' This says a spokesperson of the Dutch Council for Refugees, a non-governmental organization in the Netherlands. This comment was a response to the assessment of converted asylum seekers in the asylum procedure (Van Mulligen, 2023). Converted and apostate asylum seekers are part of the rising numbers of asylum seekers applying in the European Union and the Netherlands right now. The Dutch Immigration and Naturalization Service (IND) is struggling to deal with the pressure and the complex rules and legislation, especially in cases where the credibility of personal unbelief or a change in beliefs has to be assessed. News articles with headlines such as 'Asylum seeker converted? The IND does not believe it' and 'Apostate asylum seekers have to prove themselves' address the insecurity of the asylum seekers that apply for asylum to be able to live the freedom of thought, conscience, and religion in the Netherlands. To receive this protection, asylum seekers often have to deal with long processes and meet a 'culture of unbelief' regarding their cases. How to convince the IND that their convictions are genuine and not a strategy to receive asylum? A complex case for the asylum seekers as well as the IND. How to determine the authenticity of an asylum seeker conviction? When is an asylum seeker given the benefit of the doubt?

This is where the credibility assessment comes in. The credibility assessment should aid the IND in determining the credibility of the conversion or apostasy of the asylum seeker. In such a case where evidence is often not possible, one is dependent on the oral testimony of the asylum seekers and the judgment of the assessor. Not only the story of the asylum seeker is central here, but the story of the deciding IND official as well. When does the IND official find something 'credible'? What knowledge is needed to make this decision? What personal convictions, subjective ideas, and frameworks of thinking play a role in the decision? In a case when there cannot be relied on factual evidence, a risk of bias is lurking. Therefore, the main question of this thesis is: *what is the space for bias in the Dutch credibility assessment of converts and apostates?*

This investigation is done in the context of grounded theory and divided into two parts. Firstly, there is the analysis of the central document of this thesis: the Work Instruction (WI) 2022/3 for converts and apostates. Secondly, there is the analysis of the context of the credibility assessment. As Foucault (1972) argued as well: one can only study how power is exercised when it is studied in its context. This context can consist of discourses, regulations, and positions from various organizations, institutions, and scholars. In this instance, there is power exercised over personal belief in a supposedly secularized where 'the state' is meant to be separate from 'the church'. This makes for an interesting case. It sheds light on the influential Christian (Protestant) heritage of the Netherlands and the different approaches to the cases of converted and apostate asylum seekers in the WI as well as in the public sphere. Lastly, this thesis uncovers the need for expertise on religion as well as non-religion in the field of policy and migration.

## 2. Literature review

This literature review focuses on the topic of the thesis and its context. The review is divided into a chapter on migration, a chapter on religion and a chapter regarding the focus area (the Netherlands) in the context of religion, migration and the credibility assessment. Existing literature on these topics and links between central concepts are examined.

### 2.1 Migration

#### A migrant, a refugee and an asylum seeker

Migration is a 'persistent phenomenon of human societies' and a risk as well as an opportunity for the migrant and the host (Fossum & Olsen, 2021). Walters (2020) calls migration 'a pathway to citizenship, acquired by naturalization'. Even though there is often differentiated between 'citizen' (all rights and duties) and 'non-citizen' (fewer rights and duties), there is also 'semi-citizenship', a label more suitable for a refugee. A state has physical and non-physical borders that provide access based on citizenship and legal status. This is called the 'outer sphere'. Migration policy can work as a non-physical boundary of a state that potentially provides access through the outer sphere into the inner sphere. The inner sphere is related to a process of inclusion or exclusion after a form of access is granted by a state (Fossum & Olsen, 2021). In the case of asylum seekers, one claims the status of refugee to gain temporary or permanent access and protection. To receive this status one has to comply with the 1951 Refugee Convention and its 1967 Protocol: '(...) a person who is outside his or her country of nationality or habitual residence; has a well-founded fear of being persecuted because of his or her race, religion, nationality, membership of a particular social group or political opinion; and is unable or unwilling to avail him— or herself of the protection of that country, or to return there, for fear of persecution.' Tied to this definition is the principle of *non-refoulement*: someone cannot be sent back when there is a well-founded risk of persecution and the asylum seekers themselves are not a danger to society and security in the host country. Protecting refugees is a task of the states who adhere to this Convention, which the Netherlands officially does (UNHCR, n.d.).

#### Labels and categories

As it becomes clear, being eligible for the status of refugee depends a lot on one's origin. Does the asylum seeker come from a 'country of persecution'? This, states Rodríguez (2018) in *Migration*, often depends on the interests and international relations of the state the asylum seeker applies for asylum and, argue Meeus, Van Heur, and Arnaut (2019), on the experiences of the asylum seekers. Their experiences are vastly varied and full of subjectivities, as opposed to the narrow categories in migration policy. These categories are currently often lacking space for nuance and transformation. While there is often relied on these categories in migration policy, Meeus, Van Heur, and Arnaut (2019) call the use of these categories in the study of migration a potential 'weakness'. It is important to not take these categories for granted and explore their subjectivities. Firstly, apart from the most basic categories 'asylum seeker' and 'refugee', there is also often distinguished between a 'forced migrant' and an 'economic migrant'. The latter is a migrant whose migration is 'voluntary', as opposed to the forced migrant who has 'no choice' but to migrate. Rodríguez (2018) argues how these labels can be simultaneously applicable as well. Political or religious persecution, for instance, might also interact with economic deprivation. Kmak (2015) argues how the management of migrants in the European Union relies on subjective labelings such as a migrant being a refugee or a 'bogus asylum seeker'. The latter label has been around for a long time, together with the thought that those asylum seekers make up the majority of applications (Kmak, 2015). Consequently, all these labels have the potential to serve current attitudes toward migration. The instrumentalization of labels within migration is already happening in the securitization of the borders of the EU and its member states

(Friese, 2018). Research also shows that negatively labeling minorities links to the restriction of immigration (Baranauskas & Stowell, 2022). Anti-immigration sentiments can undermine the humanitarian principles and aspects of migration policy, argue both Friese (2018) and Sajjad (2018). Furthermore, Hynes (2021) says that the term ‘asylum seeker’ is connected to various negative adjectives, creating labels such as the ‘illegal asylum seeker’ and the ‘undeserving asylum seeker’. Moreover, labels such as ‘immigrant’, ‘refugee’ and ‘Muslim’, and ‘terrorist’ are more and more used interchangeably. Sajjad (2018) pleads in her article for a constant questioning of the formation, consequences, and context of labels within migration policy. Not doing so risks villainizing vulnerable people and undermining existing systems, concludes Sajjad (2018). An approach that is too focused on categories denies complex realities and simplifies a migrant’s journey and identity. It can border an essentialist approach, where a supposed ‘essence’ determines a label, category, or concept and the characteristics that are attributed to the labeled individual as well. This relates to stereotyping (and bias) and can be the case with religious labels as well. Creating limited but solid labels denies the nature of change and all other facets of the case of the individual. This is a feature of cognitive error bias (Martin, 2017).

## 2.2 Religion

### Religious persecution as a push-factor for seeking asylum

Migrant flows are connected to the mobility between religion and non-religion (Mantsinen et al., 2019). In this thesis, the central *push factor* for seeking asylum is the lack of freedom to live and practice one’s beliefs in their country of origin. Zanfrini (2020b) calls this push factor ‘one of the many extensions to the meaning of forced migration’. She expresses how the current asylum systems are developed in a geo-political context that does not represent the reality of religious-based persecutions that are going on in the world. Asylum seekers flee from states as well as from more local persecution. The reasons to flee are multifaceted and intertwined with each other. Zanfrini (2020a) presents religion as being part of many push factors and being interconnected with ethnicity and socio-economic variables.

Religious persecution can happen everywhere, state Grim and Finke (2012) in their book on religious persecution in the 21st century. Still, there are differences. Countries that have a Christian majority and a variation of internal denominations often have low numbers of religious persecution. Many Muslim-majority countries have higher numbers of persecution as well as countries where the majority religion is not Islam or Christianity. An example of a country where religious persecution is prevalent is Iran. In Iran, one religion has a ‘political and social monopoly’. The adherence to Shia Islam and Sunni Islam is divided along ethnic lines, but there are minority religions present as well: Baha’i, Jewish, Christian, Sabeian Mandeian, or Zoroastrian. The largest religious minority is the Baha’i, a minority seen as apostates by the Iranians and associated with the West and Israel. They are fleeing Iran, together with other minorities. Grim and Finke (2012) show that if the public attitude toward religious conversion becomes negative, persecutions quickly rise. Often, social and cultural restrictions on belief coincide with restrictions coming from the government. There is a strong correlation between religious freedom, political freedom, and press freedom. Where religious freedom is higher, there are also fewer armed conflicts, better health, higher incomes, and a better democracy and gender equality (Grim & Finke, 2012).

### Changing beliefs along the way

Persecution because of (un)belief does not have to be a big part of the initial motivation to seek asylum. Beliefs can change due to the journey and experiences of the asylum seeker, being a ‘later addition’ to the initial push factor (Zanfrini, 2020a). A prevalent case that comes up when searching for studies regarding the apostasy or conversion of asylum seekers is the case of migrants converting



to Christianity while seeking asylum in the European Union. Sleiman, Kéri (2017), and Stene (2020) point out how the numbers of Muslim asylum seekers and refugees converting to Christianity on a journey to seek asylum in the European Union are growing. Central scholarly research, in this case, is the work of Akcapar (2006), who looked into the case of asylum seekers converting to Christianity in transit countries as being part of a 'strategy'. His fieldwork showed that these conversions were expected to aid the migrants the asylum application, due to the *non-refoulement principle*. If they would be persecuted in their country of origin due to their conversion, they would not have to return. Other scholars often refer to Akcapar when talking about similar topics. Fine (2014) writes about conversion to Christianity as an 'opportunistic strategy' as well, mentioning that the difficult situation of asylum seekers in transit countries leaves space for support by various NGOs and Christian associations, aiding such a conversion. Stene (2020) also addresses the possibility by considering how asylum seekers are vulnerable to conversion in their tense situation. Kéri and Sleiman (2017) studied the matter from a more psychological perspective, examining the motivations to convert. They argue that the idea of a 'strategic conversion' is not supported by their data. They also addressed that there are many negative implications of conversion, such as heavy discrimination, a statement that Zanfrini (2020a) makes as well.

### Conversion

Mantsinen, Larsson, and Enstedt (2019) observe that conversion, as a general concept, is relatively well-researched. Still, there is not always agreed on 'how much change is necessary to identify a religious shift as a conversion' (Galonnier, 2022). According to Galonnier, there are *subtypes* of conversion as well, such as radicalization. Furthermore, she stressed the importance of acknowledging a passive as well as an active, deliberate conversion. Conversion is not a single event that makes for the religious change, a conversion is rather a 'multiplicity of events stretched over time'. Earlier works on conversion see a 'before' and 'after' the conversion, a perspective inspired by conversion stories in the Bible. She concluded that in talking about conversion (and radicalization) it is important to focus on the *how* (instead of *why*) and the *routes* (instead of *roots*). There should be moved away from the analysis of causes and motives, rather analyzing the dynamic process and trajectories. Lastly, it might be more appropriate to talk about 'converting persons', rather than 'converts' (Galonnier, 2022).

Similar to Galonnier, Van Saane (2016) talks about an active versus a passive conversion in her article on testing the reliability of conversions of asylum seekers. Van Saane points out that passive conversion is more likely among refugees, especially when there is little religious freedom and choices to do active research, which can be done more easily in a more individualist Western society. Van Saane worked on an assessment model for assessing the credibility of conversion, divided into an assessment of the 'internal consistency' and 'external consistency' of a conversion, where the active or passive conversion is the first step. These steps are followed by 'deconversion'. This 'withdrawing from the religious community' can lead to secularization and conversion, argues Van Saane. This can be a 'lifelong quest that never really ends'. Van Saane refers in her article to a model of Lofland and Skonovd (1981) on conversion (Figure 1). Conversion takes place at three levels of human functioning in religious psychology: the affective dimension, the cognitive dimension, and the behavioral dimension. A credible conversion is a religious transformation that manifests itself within the whole self (Van Saane, 2016). Mantsinen, Larsson, and Enstedt (2019) describe conversion as 'occurring in all directions' and 'never a neutral act'. It establishes new boundaries and is a decision of experience followed by that religious transformation. More areas play a role in this: political, psychological, social, and cultural together with ethnicity and nationalism. Also important is the authority and power someone has over religious interpretations, argue both Mantsinen, Larsson, and Enstedt (2019) and Rambo and Farhadian (2014). In addition to the descriptions of conversion, Rambo and Farhadian (2014) state studies of religious conversion should be religiously diverse and geographically inclusive.

Speelman (2006) comments on continuity and discontinuity within a conversion, identifying phases, where the 'first stage' of a conversion mostly focuses on the 'discontinuity' of the old way they experienced, lived, and practiced their faith. At the same time, their life as 'believers' is continuing and some aspects may not change. The 'new self' is, after all, built from the 'old self' even though a conversion may feel like a new identity (Speelman, 2006). This suggests on the one hand a linear ('first stage') perspective of conversion, however Speelman acknowledges as well that some 'old' aspects are continued and incorporated in the conversion as well. Premawardhana (2020), on the other hand, specifically argues how conversion is 'nonlinear' and fluid. This contradicts the ideas of Horton (1971) who has talked about conversion as a more linear process, moving one religion to another religion. Bruner and Hurlbut (2020) observe that Horton's perception of 'conversion' is functional, rational, and explanatory and lacks any differentiating between a conversion to Islam and a conversion to Christianity (Horton 1975a, 1975b). This functional way of seeing conversion fits in with, for instance, the arguments of Akcapar (2006) on conversion as an asylum strategy. Premawardhana (2020) further counters the idea of linear conversion by mentioning the concept of 'reconversion', where there is 'returned to that where is firstly moved away from'.

CHART 1 CONVERSION MOTIFS							
		Conversion Motifs					
		1. Intellectual	2. Mystical	3. Experimental	4. Affectional	5. Revivalist	6. Coercive
Major Variations	1. Degree of Social Pressure	low or none	none or little	low	medium	high	high
	2. Temporal Duration	medium	short	long	long	short	long
	3. Level of Affective Arousal	medium	high	low	medium	high	high
	4. Affective Content	illumination	awe, love, fear	curiosity	affection	love (& fear)	fear (& love)
	5. Belief-Participation Sequence	belief-participation	belief-participation	participation-belief	participation-belief	participation-belief	participation-belief

FIGURE 1 CONVERSION MODEL OF SKONOVD & LOFLAND

### Non-religion and leaving religion

The study of secularity and non-religion includes many concepts to be described as well. Lee (2015) distinguishes between religion- and theism-related terms. With 'religious related terms', she talks about the 'anti-religion', 'a-religion', 'irreligion', and 'indifference'. Lee identifies indifference as being somewhere between 'without religion' and 'rejecting religion'. For many of these terms, their meaning depends on the context. Lee views that it is most useful to see non-religion as 'an aspect of a phenomenon'. An example of this is blasphemy, that can be interpreted as non-religious as well as religious. Something can be defined as non-religious just as things can be defined as religious. Just as with non-religion, atheism also has many aspects to it: there is 'negative' and 'positive' atheism and also 'non-theism'. Lee suggests that there may be a case of Western- and Protestant-centrism with the general use of atheism as a simple synonym for non-religion. It is also often a term related to religion. The term is often commonly used in the Western world, but it is just one term in a much bigger picture (Lee, 2015).

## 2.3 The Netherlands

### Asylum statistics

According to the *Central Bureau of Statistics* (CBS) in the Netherlands, in the first month of 2023, the most common nationalities of asylum seekers (and post-arrivals) were Syrian, Turkish, Somali, Yemeni, Algerian, or Iranian. Syrian asylum seekers were the most prevalent at that time (CBS, 2023). CBS researched the asylum and integration trends of 2022, in comparison to the years before, as well. Most asylum seekers have come from Syria and Eritrea. There is also an increase visible in asylum seekers from Yemen and Turkey (CBS, 2022). There are no statistics or oversights to be found on specific motivations of asylum seekers, only general descriptions of the ‘countries of persecution’. Most countries from which asylum seekers apply in the Netherlands are Muslim-majority countries where the freedom of belief is restricted. Apart from the lack of general statistics on the topic of this thesis, there are statistics to be found on the religious persecution of Christians through Christian organizations such as Open Doors. The countries in the ‘top ten’ of countries where Christians are persecuted are North Korea, Somalia, Yemen, Eritrea, Libya, Nigeria, Pakistan, Iran, Afghanistan, and Sudan (Open Doors, n.d.). Rose and Given-Wilson (2021) call conversions to Christianity ‘frequent motives’ in European asylum claims.

### The Netherlands: secularity and pluralism

The growing religious diversity, enhanced by globalization and migration, poses a challenge for the public sphere, argue Van der Meulen, Wilson, Zijdemans (2020) and Dinham, Baker, and Crisp (2018). Despite expectations, religion is gaining more importance in the public sphere of modern societies and academic research (Van Der Meulen et al., 2020). The ‘societal condition’ of religion has changed: the ‘secular age’ has moved to the ‘age of pluralism’ (Körs et al., 2020 & Van Der Meulen et al., 2020). The Netherlands is often imagined as one of the most secular countries in Western Europe (Klomp, 2020). In 2021, statistics showed that more than half of Dutch people (15 years and older) identify as ‘non-religious’. Around 20% identify as Roman Catholic, around 14% as Protestant, around 5% as Islamic, and around 5% identify as something else. These numbers do not necessarily mean that the people who identify with a label related to religion actually believe in a god or practice their faith (CBS, 2021).

### Religion and the Dutch public sphere

Even though the number of people who identify as non-religious is growing does not mean that religion has disappeared from the Dutch public sphere (Klomp, 2020). Christianity is publicly used in nationalist argumentation, often in opposition to Islam, aiding the rise of religious polarization and Islamophobia (Van Der Meulen et al., 2020). The distinction between the ‘natives’ and the ‘immigrants’ is much more prevalent, with a focus on cultural differences: language, race, religion (and so on). Especially ethnicity and religious differences are potentially perceived as threats to the identity of the natives (whether it be realistic or more symbolic), causing anxiety and encouraging the formation of negative stereotypes (Choi et al., 2022). Capucão (2010) names religion as a major factor in the ethnocentric attitudes of members of the Dutch native ‘in-group’, advising to study the role of religion in attitudes towards minorities. An article by IPSOS (2021) talks about how more than half of the Dutch people perceive immigration, ethnicity, and religion as sources of societal tension. Thus, even though religious tolerance has long been considered a Dutch virtue, it seems to slowly disappear. All religions seem to need to be kept ‘under control’ in the public sphere, observe Borgman and Harskamp (2008). While at the same time, there is more publicly talked about religion and what it means (Borgman & Van Harskamp, 2008). Van der Burg and De Been (2020) identify trends of secular homogenization of society, insensitivity, and a lack of knowledge and understanding about religion. There are enough beliefs and worldviews present that do not necessarily fit the principle of neutrality towards belief which is the basis of the separation between religion (church) and state in the

Netherlands and the historically dominant Protestant conception of religion. In general, identities are more and more fragmented in the globalized world and networks of religious communities emerge. (Van Der Burg & De Been, 2020). Religion (and especially Christianity in Western Europe) is not nearly as separate from politics and identity in Europe as is often thought (Van Der Meulen et al., 2020). In the Netherlands, this relationship did become more diffuse and indirect (Kennedy, 2008). This asks for understanding the perspectives about the place of religion and belief in society and the different influences at work. Underlying assumptions or presuppositions related to the problems and developments in the representation of religion and belief need to be examined (Rasor, 2019).

### **Examining religion and policy**

To examine religion and belief in policy structures, Rasor (2020) refers to the work of Bacchi (2009). Bacchi brings several questions forward to understand policy issues. How is the issue understood? Who understands it in this way? Who benefits from this understanding? Who is blamed? What could be a different understanding? Analyzing policy in this way can uncover direct and indirect (and unintended) prejudices and discrimination (Bacchi, 2009). Ritchie (2021) argues how policymakers move within a particular reality where some things are seen and others are neglected. In his analysis, he cites Foucault's *The Archeology of Knowledge* (1972) and specifically his work on the concept of *dispositif*. This concept demands a policy perspective that interrogates perspectives and how things are constructed, taking many elements into account in the network of the *dispositif* that is functional and located in a power relation. In this case, that is the credibility assessment. In Appendix 8.4 the elements of the *dispositif* are presented as shown in the chapter of Ritchie (2021). Many of these elements are involved in this thesis as well. Ritchie (2021) demands that actors within policymaking must keep asking questions about policy problems and people and step away from the assumption that policies might be free from values, evidence-based, and fully rational. Furthermore, Capucio (2010) argues for the need to put effort into examining the prejudices of the in-group members towards minorities and 'outsiders', even though democratic- and human rights are institutionalized by the Dutch state. Prejudices can be very complex, as 'democratic principles' (such as the separation between church and state) can be used as an 'excuse' for ethnocentrism, for instance. These prejudices can also be wrapped in religious discourses. Eghdamian (2019) argues for a meaningful understanding of the religious dimensions of immigration and asylum. Scholars and policymakers (and practitioners) alike should reflect on and clarify their definitions related to religion and 'religious persons', to prevent misunderstandings. Addressing underlying risks of bias related to religion, belief and non-belief in existing policy could contribute to the relevance of religious studies in the 21st century (Eghdamian, 2019).

### **Religion and bias in the credibility assessment**

An important case for studying bias and religion is the Dutch credibility assessment. When an asylum seeker applies for asylum in the Netherlands, the Immigration and Naturalization Service (IND) assesses the application. The asylum procedure in the Netherlands is built on the *Vreemdelingenwet 2000*, the Dutch Immigration Act. The credibility assessment takes place when an asylum seeker is not entirely able to support their statements with documental proof. In that case, statements need to be considered credible, hence, a credibility assessment takes place. A few conditions are mentioned that need to be met to receive the 'benefit of the doubt' in the credibility assessment. To successfully pass this assessment, there is 'serious effort' needed on the part of the asylum seekers and sufficient, coherent, and plausible statements and explanations from the asylum seeker (Rijksoverheid, 2022). The first two interviews (or 'hearings') of the asylum procedure are intended to establish the identity, nationality, and travel route of the asylum seeker. Concrete evidence is difficult in such cases, as it is supposed to be an inner process. One has to make it plausible that one is going to express a conversion or apostasy and will get into trouble in the country of origin

because of it (Ministerie van Justitie en Veiligheid, 2017). Ambiguous information and uncertain and multi-interpretational statements can point to non-credibility. Still, personal difficulties (cultural difference, trauma, anxiety, stress) and the information the assessor possesses on the country of origin should be considered as well (Liodden, 2019). In her chapter on *Being heard in asylum cases*, Doornbos (2005) argues for the importance of paying attention to the vulnerable situation of the applicant and their harmful experiences. Vastly different frames of reference can play a big role and perceived differences can result in prejudices. A perspective of 'otherness' towards the applicant can take up more space than the actual difference within intercultural communication (Doornbos, 2005). This is argued as well in the article of Blumgrund (2023) in her theological analysis of the credibility assessment of religious conversion. She states how deciding on the authenticity of the conversion (to Christianity) stems from assumptions of the officials on the Christian religion and their background, religious socialization, and a lack of knowledge of religion, for instance (Blumgrund, 2023). More scholars have studied the credibility assessment in an international context, such as Rose and Wilson (2021) in the context of Christian converts in Germany and Selim (2022) in the context of psycho-legal issues, and Rieder (2022). Most articles that are found focus on a conversion assessed through the credibility assessment and not on apostasy. Craig & Zwaan (2019) conclude that the credibility assessment often does not work for the benefit of the asylum seeker, who is likely to meet a 'culture of disbelief'. Deciding on asylum is complex and pressure from within the office, pressure from third parties, and the political pressure through the state's interests related to migration all play a role in this (Craig & Zwaan, 2019).

### 3. Conceptualization

'Conceptualization' is described as the process of formulating a topic and a research problem (Aurini et al., 2016). After the research problem is established and the goals and questions that proceed from it, the most important concepts in the research are described to create clarity on what and who is analyzed in this thesis.

#### Research Problem

Asylum seekers in the European Union and the Netherlands always are an urgent and current issue. Expectations are that increasing numbers of asylum seekers will arrive in the Netherlands in the coming years which are numbers comparable to the large influx of asylum seekers in 2015 (during the 'refugee crisis'). This poses challenges to the already strained asylum system in the Netherlands (NOS, 2022). Still, no matter the system and the numbers, human beings have the right to apply for asylum when human rights are at stake. One important human right is central in this research: the freedom of thought, conscience, and religion, captured in the 1951 Refugee Convention (OHCHR & UNHCR n.d.). The Dutch government explicitly adds that the freedom to *not* believe is a human right as well (Ministerie van Buitenlandse Zaken, 2018). When someone applies for asylum in the Netherlands and invokes this right, the narrative needs to be assessed by the *Immigration and Naturalization Service* (IND) and deemed credible. This is a complex assessment where there is space for subjectivities and misunderstandings, as someone's convictions are not something easy to prove. Hence, this can be analyzed. This is done in this thesis by focusing on the space for bias in the Dutch credibility assessment, specifically regarding the case of asylum seekers whose motivation for their asylum application concerns conversion or apostasy. In these cases, there is an added complex element of having to prove a *change* in faith, to be assessed as 'credible' by the Dutch government. By adding the element of apostasy as well, this research is not limited to religious conversion but also includes trajectories of leaving religion, consistent with the need to give this issue more intention, as Mantsinen, Larsson, and Enstedt (2019) and Streib (2014) argue for as well. The apostate asylum seeker is generally much less represented in literature in opposition to the converted asylum seeker, with various literature on asylum seekers converting to Christianity (Akcapar, 2006 & Stene, 2020 & Kéri & Sleiman, 2017). Therefore, this thesis aims to include both perspectives within the credibility assessment in the context of a country that has a dominant secular majority but still tends to see religion through the dominant Protestant lens (Van Der Burg & De Been, 2020). Moreover, religion and belief in general have often played an 'overlooked role' in studying issues related to refugees (and asylum seekers) argues Meyer (2021). Looking at the role of religion through a triangulated methodology where the policies as well as perspectives of committed actors are studied, could uncover the state's approach to the regulation of religion (Meyer, 2021). Furthermore, understanding the dimension of religion and belief in asylum policy could contribute to the awareness of scholars as well as policymakers and aid the contemporary relevance of religious studies (Eghdamian, 2019).

#### Research goals

According to Smith (2018), it is important to look at legal and policy documents in their religious, social, and political context. This is the aim of this thesis as well. One could argue that this research is part of the 'human rights research' field, because of the focus on the principle the freedom of thought, conscience, and religion. In line with this argument, the greater aim of this thesis is to contribute to the reality of this freedom, studying the policies that should ensure this freedom for the ones that are fleeing from persecution. By studying the credibility assessment and its possible weaknesses, the goal is to draw attention to the intangibility of personal convictions and the established definitions and categories that relate to this, how one's (in this case, literal) assessment of others can be shaped by

subjective perceptions and the importance of critical reflection on these matters. These goals are further specified by a focus on the credibility assessment of convert and apostate asylum seekers in the Netherlands. Concretely, the goals of this thesis are:

- Analyzing the space for policy bias in the credibility assessment of converts and apostates
- Analyzing if this bias affects converts and apostates differently
- Analyzing public perspectives on the credibility assessment of converts and apostates
- Analyzing how public perspectives might contribute to and/or identify risks of bias in the credibility assessment of converts and apostates

### Research questions

Central to the research is the space for bias in the assessment of asylum seekers that use apostasy or conversion as a motive for applying for asylum in the Netherlands. Therefore, the main research question of this thesis is:

- What is the space for bias in the Dutch credibility assessment of converts and apostates?

The analysis of the research material is done through the following two sub questions:

- What is the space for bias in the Work Instruction for the credibility assessment of converts and apostate asylum seekers?
- What are public perspectives on the assessment of converts and apostates and what are current issues in the Netherlands that influence the space for bias in the assessment?

In answering both research questions, the possible different approach to converts and apostates have been kept in mind. The analytical chapter responds to the goals of this research and answers the main question.

### Central concepts

When religion-related concepts are included in a study it is common to specify what is meant by religion, unless it concerns emic understandings of religion. In that case, it is more important what research informants, such as the IND, *mean* when talking about religion and religion-related concepts. Using those perspectives as a starting point, there is engaged with what religion, conversion, and apostasy mean (Lee, 2015). Apart from the emic perspectives on religion, there are also looked at opinions in the public sphere on the research problem. Therefore, it is important to define what is meant by 'public opinions' and, naturally, the central concept of this thesis: *bias*.

Firstly, Anderson and Turgeon (2022) differentiate in their definition between 'public' and 'opinion'. The public is not defined by a collective thought or opinion, but rather by opposition and an organized response to an issue. Anderson and Turgeon refer to Blumer (1946), who defines public as 'a group of people who are confronted by an issue, who are divided in the ideas as to how to meet the issue and who engage in discussion over the issue'. There is also distinguished between types of public, of which the 'attentive public' (interested and knowledgeable about the policy issue), the 'active public' (part of the attentive public, engaged with public affairs), and the 'issue public' (concerned with a specific issue in discussion and debate) are most prevalent in this thesis. The definition of 'opinions' starts with an attitude developed in response to an 'entity', such as a person, object, or issue that can be positive or negative. The opinions in this thesis are observable in the media, responding to the central issue, conscious and deliberate, or an expression of an attitude.

This thesis is about the space for bias in the assessment of apostate or converted asylum seekers by the IND. Being biased is directed towards something (or, a person), a statement that is not neutral. It does not have to be negative but can have very negative implications (Kelly, 2022). In the case of policy

bias, Cairney (2021) argues to look more and the psychology of the policymaker and the context and complexities of the policy. What informs the policymaker and, eventually, the one who executes the policies? What is the context of the policy? What are the difficulties? Cairney states that to address these things, there should be paid attention to various types of cognitive bias and the implications of these biases in the analysis of policy. Martin (2017) names some characteristics of bias as well, especially related to stereotyping. The types and characteristics of bias by Martin (2017) and Cairney (2021) are summarized in Figure 2 on the risk of policy bias.



**FIGURE 2 THE RISKS OF POLICY BIAS**



## 4. Methodology

The methodology of the research is formed in the context of grounded theory of Glaser and Strauss (1968), which offers a structured way of doing this qualitative analysis. The qualitative methods in this thesis are media content analysis, policy analysis, and interviews. This chapter focuses on grounded theory and elaborates on the three specific research methods.

### 4.1 Qualitative research and grounded theory

In this thesis, theories are built on qualitative research. The goal of qualitative research data is to explain certain behavior and social phenomena from the perspective of certain actors. Findings are subjective to the perspective of the actor and reflect their views, but can be validly used to identify trends and general understandings and tendencies (Smith, 2018). In this thesis, there is looked at subjectivities in the assessment of deconversion. Qualitative research and grounded theory relate to each other, as the research strategy of grounded theory provides instruments for doing qualitative analysis (Flick, 2018). In grounded theory, research data is slowly building conclusions and are meant to enable the researcher to develop an understanding of a situation as the research develops. It is inductive research and at the same time a systematic approach to the research process, where the practices of data collection and analysis associate with each other as a structured and recognized non-linear system of qualitative research (Smith & Smith, 2018). The book of Flick (2018) about using grounded theory describes some characteristics of the strategy. Firstly, the data collection, coding, analysis, writing (and so on) is a constant cycle. Secondly, there is constant comparative analysis throughout the research cycle between the already gathered data and the new research data. The resulting report is an analytical product (Flick, 2018). Research methods used within grounded theory should enable the possibility for the constant process of data collection (Lapan et al., 2011). The methods that were used to form this analytical product are a media content analysis, a policy document analysis, and interviews. These are three relatively different methods that were applied, hence the term 'method triangulation' is applicable. Flick (2019) describes triangulation as researchers valuing and taking different perspectives on the issue that is researched, for instance by using various research methods. This promotes the quality of the research (Flick, 2019). With the collection of the data through the research methods, coding starts immediately. There is coded per the subject of the data, constantly grouping the data until a theory develops. Initially, there is started with initial/open coding, where the coding is still flexible. In Figure 3 are helpful questions visible that aid thinking about the research process of collecting and analyzing the research data (Lapan et al., 2011).

Analyzing the data and codes further leads eventually to theoretical sampling, defined by Glaser and Strauss (1968) as *'the process of data collection for generating theory whereby the analyst jointly collects, codes, and analyzes his data and decides what data to collect next and where to find them'*. In this research, all methods were almost simultaneously applied as well. At a certain point in grounded theory, there is decided on the 'theoretical saturation': the data found did no longer contribute to the categories or lead to new theoretical insights, and there is a 'conceptual density' and 'theoretical completeness'. To know if this is the case, one needs to think about possible gaps in the categories, the possibility that there are still vague and underdeveloped definitions, and consider if there is still data needed to understand and conceptualize categories, the relationships between them, and the ultimate theory (Lapan et al., 2011).



FIGURE 3 THE PROCESS OF COLLECTING AND ANALYZING DATA ACCORDING TO LAPAN ET AL. (2011)

By constant data collection until theoretical saturation, insights, concepts, and theories emerge directly from data (Leavy, 2022). This cycle of constant data collection needs a clear starting point. The starting point of the analysis is the analysis of the credibility assessment, the main subject of this thesis (Figure 4). This starting point inspired the interviews and the media content analysis.

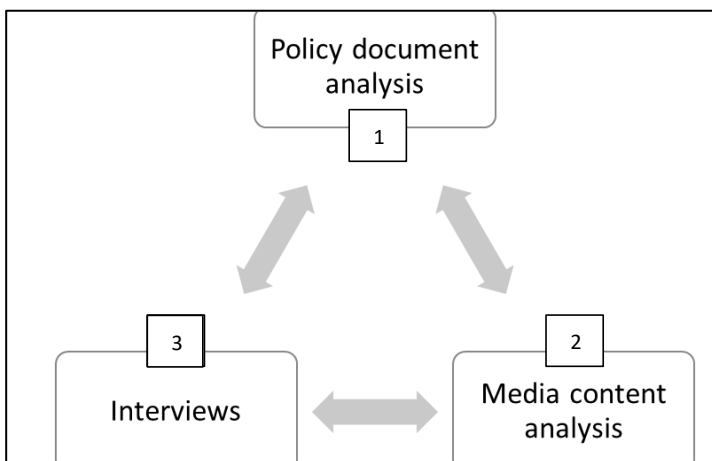


FIGURE 4 RESEARCH PROCESS

## 4.2 Research methods

### Policy document analysis

Before elaborating on the method, the subject of analysis should be introduced. This is the Work Instruction 2022/3 for converts and apostates of the IND. It is a public document, meant to aid IND officials in their decision on asylum applications. The WI is published in February 2022, slightly changed on 22-11-2022 and, right now, is valid until 22-11-2023. This WI replaces the previous Work Instruction 2019/18 on converts, which is no longer publicly available. Some differences are known, however, as in the current WI there is given more attention to apostasy, atheism, and agnosticism than before (Stichting Gave, 2022). The WI is intended for IND officials that interview applicants where conversion and apostasy are motives for asylum. The IND calls these decisions 'individual considerations' that are part of the 'integral credibility assessment'. With this is meant an all-encompassing approach, found in the work instruction on the content assessment (WI 2014/10). The goal of the integral credibility assessment is to consider all relevant circumstances and their interrelationship to get a complete picture and draw a conclusion about the credibility of an asylum seeker's narrative. In all work instructions, the IND adds a 'disclaimer'. The WIs are mostly meant to clarify a broader subject for the IND staff to support their work and make sure the policies are correctly implemented. Hence, the work instructions are not the same as the policies or any replacement of existing legislation and policy, but rather a way of 'customizing' policies for individual cases where one is allowed to deviate from when necessary.

An article of Cardno (2018) provides tools for the policy document analysis, by bringing a number of questions forward that are used in the analysis of the policy document (Figure 5).

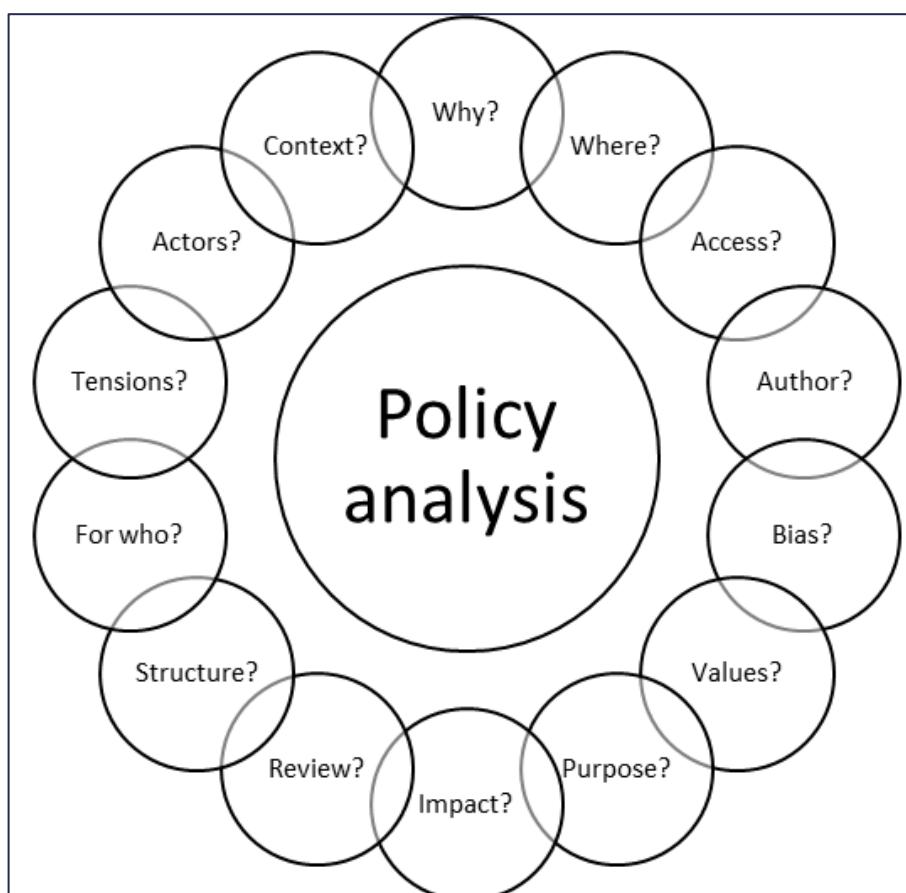


FIGURE 5 QUESTIONS FOR POLICY ANALYSIS

Cardno (2018) also identified questions regarding the content of the document:

1. *What aspects (that you are looking for) are evident in the language of the policy?*
2. *Does the policy language refer to these aspects directly or indirectly?*
3. *What is specifically stated in the policy?*
4. *What is not stated in the policy?*
5. *How does this align with legal or regulatory requirements?*
6. *How well does your local policy reflect national or international policy trends and purposes?*

### **Media content analysis**

In *The Palgrave Handbook of Methods for Media Policy Research*, Schweizer (2019) talks about how in the study of media and communication (policy), scholars often use methods such as analyzing policy documents and doing interviews with political actors but are often ignoring the value of media content analysis. This thesis values the media content analysis as well as policy documents and interviews, to formulate a theory that incorporates a plurality of perspectives. Media content analysis offers insight into the public discourse and helps to examine mass communication and how documents in the media construct reality. Findings have been selected based on their validity: trustworthy sources, fitting the premise of the research, and contributing to the public discussion. There should always be kept an eye on the possible lack of validity (Schweizer, 2019). This method has been the central method in researching public sources for informed opinions on convert and apostate asylum seekers and the credibility assessment. In this, the context of these opinions is important as well. This is especially the case in qualitative research, to identify themes and meanings in the data and get a sense of the 'bigger picture'. Content analysis is concerned with 'nonliving' data, noninteractive and existing independent of the research. The method fits in with grounded theory, it is often an essential method (Leavy, 2022). Furthermore, media content analysis is mostly an unobtrusive method, as the analysis of the data does not influence the text itself or its producer. It is also available and easy to compare (Schweizer, 2019). Bengtsson (2016) wrote an article on planning and performing content analysis in a qualitative study. Bengtsson made an overview in which the steps of the content analysis are shown (Appendix 8.1), which have been leading in the analysis. Even though the figure is not shown as a cycle, it is approached as such, to fit in with the grounded theory. Qualitative content analysis is inductive, meaning that the codes and themes come from an iterative process of data collection and analysis, again fitting in with the overarching inductive approach that is grounded theory (Leavy, 2022). Thus, in this media content analysis, there has been especially focused on researching public sources for informed opinions on convert and apostate asylum seekers and the credibility assessment and current issues that relate to the space or bias in the credibility assessment. These opinions and information have been obtained through official Dutch news articles, opinion articles, evaluation reports by committed organizations and the government, and other media sources such as a documentary. Here is also especially paid attention to the legal and political dimension of the issue, in line with Foucault's *dispositif*, for instance. The used sources in the media content analysis are elaborated on in Appendix 8.7.

### **Interviews**

Interviews can be oral or written, structured or semi-structured, or in-depth. In the thesis, the focus was on semi-structured interviews. This is because semi-structured interviews offer more flexibility. There is a plan prepared in advance, with questions prepared beforehand, but there is a freedom to further explore related topics and go deeper into certain issues (Smith & Smith, 2018). The interviews in this thesis are done with two committed actors, one with a representative of the Dutch Council of Refugees (Appendix 8.5), a generally vast and acknowledged organization that supports asylum

seekers and refugees and is involved in the asylum procedure, and the other interview with INLIA Foundation (Appendix 8.6), an organization from the north of the Netherlands that supports asylum seekers and has a center of expertise on converted asylum seekers. When possible, there is gone for an oral interview (such as with INLIA) which was fully recorded and transcribed. There is also an interview done on paper, followed by email contact. The interviews are used to add the perspectives of actors that are involved in the matter and to complement the already gathered information. The analysis of the interviews is done as described in the paragraph on data analysis in grounded theory and Appendix 8.1. The organizations that the interviewed actors are part of were used as a source in the media content analysis as well and are described in Appendix 8.7.

### 4.3 Research ethics

Carpenter (2019) talks in the *SAGE Handbook of Qualitative Research Ethics* about the ethical issues in qualitative research. He refers to six principles of UK Economic and Social Research Council (ESRC) on ethical research:

1. *Research should aim to maximize benefit for individuals and society and minimize risk and harm.*
2. *The rights and dignity of individuals and groups should be respected.*
3. *Wherever possible, participation should be voluntary and appropriately informed.*
4. *Research should be conducted with integrity and transparency.*
5. *Lines of responsibility and accountability should be clearly defined.*
6. *Independence of research should be maintained and where conflicts of interest cannot be avoided they should be made explicit.*

In the book *Qualitative Research: An Introduction to Methods and Designs* there is talked about peer-debriefing as an important method for contributing to the validity and research ethics (Lapan et al., 2011). With peer debriefing, one meets with individuals to reflect on the research that is done. This applies to this thesis, as there is met periodically with a supervisor, and a classmate as well, to discuss the thesis. Furthermore, it is important to acknowledge the sensitive topics that are addressed in this thesis: asylum seekers are a vulnerable group and their beliefs are personal and should be respected. Hence, the asylum seekers themselves are not directly interviewed, but rather their 'representatives', through two NGOs that advocate for their rights. Therefore, it is important to know what actor is talked to, and what that actor represents, hence, anonymity might be possible but naming the organization and/or institution the actor represents is essential. Naturally, this was discussed before the interviews itself, where there was consent given to record and use the interview. For the method of grounded theory, Olson (2019) names an ethical issue. With grounded theory, it is often unclear which exact direction the research will take. This affects potential participants in the research, that need to be fully informed about this when first signing consent. In this thesis, this is a lesser risk, as participants will be used to *add* to the information already gathered, when needed, rather than being central in developing the direction of the research. Nevertheless, there is the possibility that the interviews lead to an adjustment to the direction. In general, the research data in this thesis is mostly unobtrusive, because of the documentary analysis, except for the interviews although these interviews are not done with the vulnerable subjects of the thesis. During the research, the impact of it is kept in mind as well. The credibility assessment can be a very important factor in the asylum procedure and therefore can have an enormous impact on the life and prospects of an asylum seeker. This gives the thesis a societal relevance, as there looked at the context and difficulties in policies and public opinion, but also gives the researcher the responsibility to approach the topic in a considerate and sensitive way.

## 5. Research results

The analytical part of the thesis is divided into three parts. The analysis starts with the analysis of the credibility assessment of converts and apostates, through the committed Work Instruction for the assessors of the Dutch *Immigration and Naturalization Service* (IND). The second part concerns media sources that identify current issues, evaluate the assessment and the IND and present specific opinions and views on the topic. The last part concerns a further dive into the experiences of two committed third parties regarding the credibility assessment of converts and apostates. Even though there is started with the analysis of the credibility assessment, all parts of this analysis are developed simultaneously, adding to each other and drawing attention to new issues for further analysis. In the end, the main question is answered: *what is the space for bias in the credibility assessment of converts and apostates?*

### 5.1 The credibility assessment of converts and apostates

#### 5.1.1 Introducing the Work Instruction (2022/3)

The central document in this research is the Work Instruction (WI) 2022/3 for converts and apostates from the IND, as introduced in the methodology. It is the starting point of the analysis and therefore the first chapter of the research results and a dive into the central concepts and the space for bias in the credibility assessment. The document is analyzed in the context of the literature review and the questions of Cardno (2018) as brought up in the methodology.

#### 5.1.2 Central concepts, labels and trajectories

##### Central concepts

The Work Instruction (WI) starts with an explanation of the central concepts that are used in (and to determine) the credibility assessment. Firstly, the general terms that are used are 'religion', 'faith', and 'belief' (translated from Dutch). The last term is the most general term, including 'non-religious beliefs' as well. The term 'religion' is divided into 'non-theistic' and 'theistic' beliefs. The most important division between concepts is the division between conversion and apostasy. A conversion, states the IND, takes place when one changes their faith. The exceptions to the category of conversion are explained in the following sentence (pg.2 of the WI): *'For agnostics and [asylum seekers] who do not fall within the definition of atheism, but who do not believe in a god, but do not fall within the definition of atheism used by the department, the assessment framework for apostates applies.'* Apostasy takes place when there is *'turned away from the faith with which one grew up, previously adhered to and to which one should be adhering in the eyes of the social circle or the government'*. Hence, according to the IND, apostasy is the case when there is *only* turned away from the previous faith or when an asylum seeker does not fit into the definition of atheism (but also does not believe in a god). Thus, there must be clarified by the asylum seeker *which* god or gods there is not believed in: if this only concerns the earlier faith, apostasy is the case. In the case of agnostics, their exact categorization under 'conversion' or 'apostasy' is not entirely clear. From the earlier quoted statement on what falls under apostasy, one could assume that the 'non-theistic agnostic' is an apostate (as a non-theistic agnostic does not believe in a god but is also not an atheist). Table 1 is meant to create an oversight in the central concepts of the WI and what they entail, according to the IND.

##### Trajectories in the assessment

The categories that are shown in Table 1 are important in deciding on the assessment. The assessment of 'conversion' or 'apostasy' differs in terms of considerations and the content of the elements of assessment. At the same time it can also be the case that both assessment are applicable in the same

case. The IND argues that a conversion can be a two-part journey of apostasy and conversion, where the turning away from the ‘old faith’ and the turning towards ‘another faith’ are somewhat separated. Then, the apostasy as well as the conversion are analyzed in the integral credibility assessment. If the apostasy is essentially part of the conversion, argues the IND, then it is looked at *only* as a conversion, and not as apostasy. According to the WI, the process and eventual assessment framework are applied in line with the three trajectories as seen in Figure 6.

	Faith / belief		
Conversion	Religious beliefs	Theistic	<i>Religions that assume the existence of a god or gods or particularly recognize one personal deity or god.</i> Named examples: Christianity, Judaism, Islam.
		Non-Theistic	<i>Religions that do not make the existence of a god or gods central to religious experience.</i> Named example: Buddhism.
	Non-religious beliefs	Atheism	<i>The denial of the existence of all gods or supreme beings.</i>
	Agnosticism	Theistic	<i>Someone who feels that he does not have sufficient knowledge about the existence or non-existence of a god, but still believes in the existence of a god.</i>
Non-Theistic		<i>Someone who feels he does not have sufficient knowledge about the existence or non-existence of a god and has no belief in a god.</i>	
Apostasy			<i>The denial of a specific god/ deity / supreme being.</i>

TABLE 1 BELIEF CATEGORIES ACCORDING TO THE DUTCH GOVERNMENT (IND)

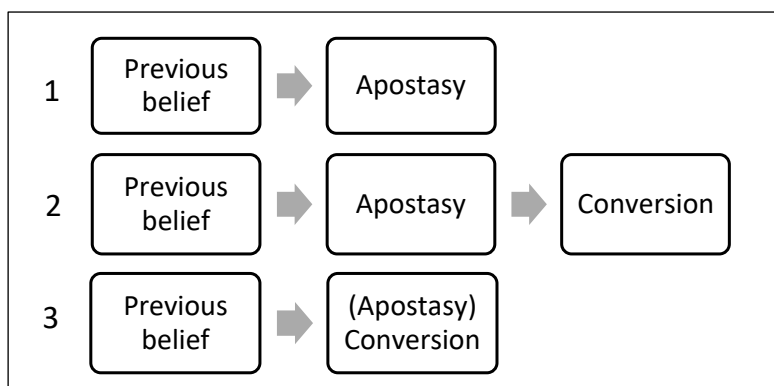


FIGURE 6 THREE POSSIBLE ASSESSMENT TRAJECTORIES IN THE WI

### 5.1.3 Avoiding bias in the credibility assessment

After the elaboration on the central concepts in the WI, the description of the credibility assessment itself follows. It immediately stands out that there are much more pages devoted to the assessment of conversion than to the assessment of apostasy. This paints a picture that conversion is a higher priority since it also seemed to be presented as the premise of the central concepts. It could be that the IND is still developing a way to approach it, seeing that it is the first time that apostasy has a separate section. In any case: the general credibility assessment itself is done in accordance with three central elements. These are the motives for the process of conversion, the knowledge of the 'new faith' and activities within the 'new faith', or the effects of changing beliefs on one's life. To comply with the integral credibility assessment, the statements of the applicant on the three elements need to be seen in their interrelationship with each other and in the context of other circumstances. All information needs to be taken into account: personal circumstances, background, and age.

#### Mentions of bias

At some point in the WI, there is paid attention to the risk of bias through the assessor of the asylum application. There is a short statement from the perspective of the assessor: *'It is important to look at the case with an open mind and avoid reasoning (unconsciously) from one's own context'* (pg. 4 of the WI). This is not elaborated on further, except with the comment that the explanation of the three elements 'contributes to this'. How this might contribute is also not explained. In part 6 of the WI, there is a chapter on interviewing the applicants. It is mentioned here that no standard questionnaire is used to enable an individual assessment. Open questions should be asked and one should *'try to engage in the real conversation'*. An assessor is expected to *'take an open-minded attitude during the conversation'* and *'prevent as much as possible (unconscious) reasoning from a personal, often Western, frame of reference'*. This is then further elaborated by saying that further questions should be asked about the personal experiences and personal significance of the applicant to avoid 'standard answers'. One must align with the frame of reference of the applicant, in the hearing of both the convert and the apostate. Again it is unclear *how* this should be done.

#### Elements of assessment

There is one general mention of how bias would be removed: through the description of the elements of assessment. Thus, the IND wants to avoid bias by thoroughly explaining the assessment. All three elements of assessment play a role in the assessment of conversion, conversion to atheism, and apostasy, of which the first element is *motives*. The IND acknowledges that, in the case of a conversion, there does need to be a clear 'start and end point' as there can be growth in faith. An immediate 'deep-seated inner conviction', as the IND names it, is not needed. Regardless of this, it must become clear what the applicant's life looked like 'before conversion'. This concerns the family, the role of religion in the family, the social environment, and daily life, addressed through the example of an 'Islamic society' in the WI.

The WI offers general descriptions of situations that may apply and what the applicant should be able to elaborate on. This can, for instance, be why the *'old religion is no longer satisfactory'* (the words 'religion' and 'belief' are used interchangeably in the WI). Furthermore, the applicant must be able to state what the change has brought him or her, what specifically has changed in daily life, the negative consequences, and what the person misses about the 'old religion'. All these parts of the 'motives' element are first mentioned in the context of a (general) conversion. In the case of apostasy, the focus is mainly on the explanation for leaving the previous faith and the negative aspects and criticism of the previous faith.



The second element of assessment relates to *knowledge*. With the knowledge element, there is expected of the applicant to have some knowledge of the 'new religion' and the 'church' that is chosen. Although it is recognized that not everyone will have equal knowledge, knowledge of the 'outlines' of faith is expected. For atheism, the knowledge element is more or less the same. The applicant needs to explain whether and how atheism is propagated and whether there is a deepening of certain knowledge about atheism or knowledge that has led to embracing atheism. Conforming is also discussed here in particular: has there been conformity to the norms and requirements of society in the past, despite the disbelief? Is this changed, and why? For apostasy, the knowledge element can play also a role in the form of the value attached to knowledge of the 'old faith'.

The third element of assessment is the 'activities'. With this, the effect of conversion on daily life and behaviour needs to be explained. '*Someone does not necessarily have to be affiliated with a '(church) society,'*' says the IND. But then again, there must be properly explained why not and always what activities are going to be practiced in the future.

### **Third parties**

In the eventual integral assessment, the IND tests whether it is plausible that the sincere conversion stated by the applicant is based on a deep-rooted inner conviction (although there is mentioned earlier that this does not *have* to be the case). If this has been made plausible, a credible conversion is assumed. All three elements are involved in this, although they can 'compensate' each other when some statements are considered less strong. Documents of third parties, from ecclesiastical persons/organizations can support the case as well, by attesting to the asylum seeker's beliefs. The WI names statements from *Commissie Plaisier* or Gave an example, a Christian (Protestant) committee and NGO. It is stated, however, that it differs per individual case how much weight is given to the statements of these third parties. The involvement of third parties is mostly talked about in the context of churches. Someone who is more of an 'internal third party' and supposed to be continuously consulted is the 'conversion coordinator'. This coordinator is involved in any case with a conversion, atheist, or apostasy motive and should be consulted before any decision. What this coordinator specifically consults on is unclear in the WI.

## **5.1.4 Discussion**

### **The Western Protestant approach**

There is argued in the literature review that categories in migration policy are often very narrow, lacking space for nuance and transformation. In line with Sajjad's (2018) wish for the questioning labels in migration policy and the warning of Martin (2017) about the risk of essentializing categories, the policy categories of belief in the Work Instruction for convert and apostate asylum seekers in the Netherlands deserved an analysis. When analyzing these labels, it seems that apostasy is the *exception* of conversion, while the premise of conversion is maintained as the starting point in deciding on the assessment (Figure 6) as well as the labels (Table 1). What does not fit as a conversion is apostasy, although the IND does not convince with this approach as it is still very unclear why atheism is a conversion and where the different types of agnosticism fit. There is definitely some undefined (and perhaps lack of) space here.

In the Western (Protestant) perspective, 'atheism' is often just a synonym for non-religion, as argued by Lee (2015) and visible in Table 1. The IND sees 'becoming atheist' as a conversion. With this, atheism is placed in opposition to religion, as well as linked to it by naming it a conversion (making it also a religious term), which is the way the concept is commonly approached in the Western world (Lee, 2015). The IND does acknowledge that their labels are not universal and deem it relevant to talk about

how the applicant understands a label such as atheism. It is interesting that this points to an awareness of a Western perspective, while at the same time the labels that are influenced by this keep being used as the starting point of the credibility assessment. Labels that subjective in the way they can be understood and correctly applied encourage essentialism, stereotyping and therefore bias.

The space for bias is further expanded by making use of Christian terms (such as ‘Church’), when it does not concern an actual example of this (Van der Burg & De Been, 2020). Secondly, the term ‘Islamic society’ is politically motivated and originated, just like a term such as ‘the West’, often used in opposition to each other with assumed divisions and attached labels (Harris, 2016). The Dutch state is supposed to be neutral and considered secular by many. Nevertheless, the Christian values and heritage are incorporated in this and therefore *not* neutral. This could be said for the Dutch asylum policy that assesses (un)belief as well, with the obvious Western Protestant elements incorporated in it. This ‘secular Christian hegemony’, as Lauwers (2022) calls it, could potentially facilitate racism and religious inequality, seeing non-Christians as the ‘others’ while also having a complex relationship with Christians, being at the same time almost ‘anti-religious’ (Lauwers, 2022).

### **The destination**

The newly given attention in the WI to apostasy is in line with the slowly growing attention for these concepts in the academic field. An apostasy is not necessarily the first step to a conversion but can be a ‘migration in and out of the religious field’, according to Streib (2014) (Appendix 8.3). Mantsinen, Larsson, and Enstedt (2019) also connect the concept of migration to ‘religious mobility’. Interestingly, the migrant that is at the same time on a journey to find asylum and changing beliefs is also a literal reflection of this (religious) mobility. The IND seems to focus here a lot on the ‘destination’ of this journey, to what has been *moved towards*, taking a ‘snapshot’ of the applicant’s beliefs as the destination. Everything within conversion is the ‘favored destination’, as the IND is not entirely clear on the content of apostasy: it just seems to entail everything that does not fit within the frames of conversion.

The terms ‘apostasy’ and ‘conversion’ are also much less solid when comparing the ideas of the IND to those of the different scholars. Figure 6, for instance, shows a too simplistic and linear approach to conversion and apostasy that does not reflect the fluid reality. This phased approach denies also how there is *always* turned away, whether an apostasy or a conversion is the ‘destination’ that is assessed in the asylum procedure. It looks like the IND looks more closely at the ‘destination’ with conversion (what is adhered to *now*), while with apostasy there is looked more at what has been ‘left behind’ (a god or all gods). Furthermore, one can not easily label someone as a convert *or* an apostate. In reality, someone can be both. An example of this are Iranians who convert to Christianity. The reason for their ‘crime’ is apostasy, rather than being a converted Christian. One is allowed to be Christian in Iran, but the issue is that this person *left* Islam. (Rose & Wilson, 2021).

### **A journey of deconversion?**

The concept of ‘deconversion’ is more all-encompassing and an acknowledgment of the entire *journey* of belief, that knows no destination but is an ongoing migration. Streib brings to attention to this concept of ‘deconversion’, which also acknowledges the growing numbers of atheists and apostates: leaving religion without conversion (note that Streib most likely does not see turning to atheism as a conversion, as the IND does). This is motivated by a more and more religiously diverse, pluralist, and individualist world (which the Netherlands reflects), where people are prone to change beliefs, sometimes more than once. Streib defines various trajectories of disaffiliation/ deconversion as named in the section of the literature review on leaving religion. Interestingly, a few of those trajectories could fit the concept of conversion as well. Hence, Streib *includes* conversion as an option within a journey in/out/through the religious field: turning away from something is the premise, after

which different journeys or trajectories are followed. Now there could be argued that the approach of the IND should be the other way around: disaffiliation/ apostasy should be the premise, while conversion is just one way this journey can go.

### **Conversion and apostasy: not just (un)belief**

An example of a trajectory of Streib (2014) is the *secularizing exit*: a termination of religious belief and practices and disaffiliation from organized religion. Interestingly, the WI addresses this as well, addressing the difference between apostasy and ‘not practicing beliefs’ or secular living. The difference is a ‘specific change in inner beliefs’, a change that is supposed to be missing when someone changes to a secular lifestyle. The inner convictions are valued most in labeling something as apostasy in this case. It looks like one’s actual practices are only of value in the assessment when the IND is also convinced of one’s inner (un)belief, even though the ‘activities’ are one of the central elements of assessment. This relates to the article of Blumgrund (2023), who makes the statement that immigration services can control which ‘manifestations of religious identity’ are deemed authentic and credible and often do so from a certain conception of religious conversion (or apostasy). There is already established that in the Netherlands a Western Protestant conception of religion is prevalent. In this context, there can be an emphasis on religion as a faith, an ‘inward orientation’, and an individual matter, while belonging and rituals are less important. This understanding is very different from other religions, such as Judaism, Islam, and Hinduism (Blumgrund, 2023 & Lauwers, 2022). This is an important matter for the IND as well. If one converts to Christianity from Islam, for instance, it can be the case that the former Muslim values the Christian rituals more than their individual faith, because that is the way this person is used to approach religion. The same goes for apostasy: perhaps someone claims to not be Muslim anymore but still engages in rituals to belong to their community (more on that in the following paragraph). Thus, religion does not universally equal belief and a thought-through individual conviction. When one converts, there is extensive negotiating taking place regarding one’s religious background and socio-political context when engaging with a new faith (Afshari, 2023). One can assume that this is the case as well when someone becomes an apostate.

There is often looked at universals and comparable elements in defining religion, but instead, they are all components that are assembled in a certain way to function in human reality. Examples of these components are sanctity, emotional regulation, experience, intentionality, and imagination, but also power, institutions, hierarchy, authority, sociality, economies, roles, classification, and exchanges (Jensen, 2019). In that case, the assessment’s elements of ‘knowledge, activities and motivation’ seem once again relevant, but too limited and too easy. The definitions of conversion and apostasy are complex and intertwined. If it is a constant negotiation, it is once again important to take the whole journey of belief into account.

### **Attribution and conformity**

Conformity is practicing without personal belief. The point that the IND makes in the WI on conformity indirectly suggests that if there is conformed before, one can do this again. With this, the IND seems to be suggesting that it does not matter, especially for the apostate or atheist, to engage in religious practices if there is not *believed*. How someone’s religious identity is seen by others is of importance in the distinction between secular living and apostasy: ‘attributed apostasy’ (or attributed conversion). This is the case when the environment of the individual in question sees this person as an apostate, regardless of their personal beliefs. This is a very decisive and important factor when there is talked about persecution in a country of origin and is called the ‘eye-of-the persecutor-test’ by Blumgrund (2023). What matters, in this case, is how a believer is *seen by others*, hence, studying the perspective of the person who ‘looks’ at the asylum seekers: the possible persecutors in the country of

origin and the ones who decide on the asylum application. The WI's concepts and considerations support the importance of this but do not seem convinced that the individual perspectives of the IND officials need to be analyzed as well. The perspective and bias of the IND officials can only be speculated on through what comes up (or not comes up) in the WI and how the assessment is evaluated and viewed by the people looking at the IND.

### Questions on knowledge

The knowledge element of the assessment is an interesting case for analysis as well. The knowledge element of a conversion is only concerned with the example of a conversion to Christianity. It is about 'knowing belief', as it were. This element seems to lean towards a somewhat essentialist assessment of someone's religious convictions (knowing the 'outlines' or 'essence') and could enhance a risk of bias as well, in line with arguments of Martin (2017). But who decides on those outlines? Do IND officials consult specific and relevant data about this? Here one could also think about the role of the conversion coordinator. Perhaps this coordinator addresses possible biases as well. Whether that is the case or not, bringing forward the idea that every belief has a general aspect to it where one should be knowledgeable about fits with the IND's categorical and simplified approach to conversion and apostasy. At some point, thinking about these changes in belief almost become a sort of cost-benefit consideration of belief (*'why is the old religion no longer satisfactory?'*), which is a very functional perspective on conversion and apostasy.

### 5.1.5 Conclusion

Acknowledging the existence of bias is not the same as being aware of it, or preventing it. This is true when looking at the space for bias in the Work Instruction. Firstly, the labels and central concepts lacking clarity is already a sign of bias. Moreover the content of the WI reflects a Western Protestant perspective or a 'secular Christian hegemony' on (un)belief, through terminology, labels, definitions and a strategy of assessment that echo a limited and simplified perspective on religion and non-religion. This is the case with conversion but with apostasy even more so, although that should not be the case. Even though apostasy is a more recent addition, it should not be 'squeezed in' but given the same careful attention as a conversion. Moreover, There is limited attention to the journey of belief, the *leaving religion*, and how this affects one's current convictions. After all, one takes their past with them, even when seemingly starting anew. Therefore seeing everything as trajectories of deconversion could aid the analysis of someone's *routes*. Roots are important, but not just as something that an asylum seeker has left in the country of origin and chose to leave behind.

Even though the IND does acknowledge some limitations of their definitions and their possible bias, their acknowledgement might not make the space for bias smaller if these limited labels are still used and the Western Protestant bias is visible through the whole WI. The IND creates this risk of bias but makes it the asylum seekers' responsibility to explain any deviations. The WI does not guide an IND official in preventing bias in the assessment. In line with the arguments of Martin (2017) and Cairney (2021), there may be various types of biases evident in the WI, from prioritizing conversion, not clarifying complexities, framing the narratives and the real risks that they bring their personal ideas, judgments, and stereotypes into the assessment as there is a vast amount of space for personal interpretation and methods in hearing the asylum seekers while searching for this 'individual and authentic story'. This could have a very negative impact on the asylum seekers that have to go through the credibility assessment.

## 5.2 The public context of the credibility assessment

### 5.2.1 Introduction

In this second part of the research results, there dived further into the context of the Work Instruction, looking at the questions of Cairney (2021) and Cardno (2018). Here, the *dispositif* of Foucault has been applied as well (Appendix 8.4). The WI is studied in a greater discourse, involving perspectives and issues portrayed in the Dutch media, positions from NGOs and institutions, and also various court rulings. Hence, this chapter is a multifaceted picture of what has been going on around the credibility assessment and its space for bias, through a collection of news, articles, opinions, and reports found through Dutch public media sources. Through the vast collection of sources, the things that came up through the content analysis are mostly categorized by subject, in line with Appendix 8.1. The main sources and their descriptions can be found in Appendix 8.7.

### 5.2.2 Reports, opinions, rulings and politics

#### The IND dealing with current challenges

For years the IND has dealt with backlogs in the assessment of asylum cases, reaching a high point at the start of 2020 with a backlog of 15.000 asylum applications. There was a special taskforce assigned to clear these backlogs, that had to operate under a lot of pressure. The Justice and Security Inspectorate (2022) supervises the implementing organizations in the field of justice and security, among which the IND is as well. Their evaluation was that the approach of the taskforce produced the risk that the speed of assessment matters more than the quality of the assessment (Ministerie van Justitie en Veiligheid, 2022).

As the backlogs at the IND were a topic that received a lot of public attention, there was reported on the work of the taskforce often. The Dutch public news source NOS (2020) headlined in one of their online articles that the taskforce was not functioning properly due to the decreasing quality of the hearings. In the article, an interviewed asylum lawyer worried about the expertise of the assessors. The requirements of the Work Instruction were not always fulfilled and there was ‘a gap of file knowledge’ perceived, at that time. Furthermore, the laws and regulations can make it almost impossible to apply a ‘human touch’ in dealing with the application. The IND identifies applications related to religion or sexual orientation as the most complex ones. A central question comes up here, once again: how does one check that a conversion is genuine (NOS, 2020)? The procedures have only become vaster and a more complex and demanding process, hence, more IND assessors are needed and the time to train them, reports the IND (IND, 2022b). This year there is also reported by the NOS how the IND struggles to handle the numbers of applicants and the complexity of the laws and policies. The IND itself sees particular benefits in more efficient working methods. For the IND this is placing a heavier burden of proof on the asylum seeker. Moreover, the IND wants to put the individual asylum cases ‘in the center’, making fewer categorical decisions and making less use of standard questions. This should lead to a reduction in the acceptance rate of asylum applications (Hoorntje, 2023).

#### The responsibility of individual assessors

Another observation made by the Justice and Security Inspectorate is how the responsibility for the quality of the credibility assessment and decision lies more and more with the individual assessors (Inspectie Justitie en Veiligheid, 2022a). This is, for instance, because the standard questions to ask the asylum seekers in the hearings are removed, supposedly for a tailored approach and to give more room to the authentic story. This was a change that was also meant to prevent bias and approach cases open-mindedly. In a public report published by the Scientific Research and Documentation Center (WODC) of the Ministry of Justice and Security, Boekhoorn & Severijns (2021) stated that the effectiveness of such changes to the credibility assessment is very mixed. As the Justice and Security

Inspection stated as well: individual mistakes are still being made. There is mostly one person doing the hearings, deciding on further research, and making the decision on the asylum case. Which increases the risk of subjectivity in the procedure and a decision that is made with incomplete information (Inspectie Justitie en Veiligheid, 2022a). *Stichting Gave* (or 'Gave'), a Dutch NGO, published a public report on its website, specifically focused on converts in the asylum procedure. The report offered an additional consideration: the quality of consultation of other experts and colleagues would also depend on the quality of questions asked. Gave argued for better preparation of the hearings, especially to prevent confusion about the direction of the hearing and the terms that will be used (which can be understood differently by the applicant). Furthermore, they state that the vulnerability of the asylum seekers should be taken into account more (Visscher, 2022).

The asylum decision will always be partly a personal judgment, stressed the Justice and Security Inspectorate. It is difficult to entirely avoid a subjective interpretation of credibility cases (Inspectie Justitie en Veiligheid, 2022a). The IND responded directly to the investigation of the Justice and Security Inspectorate, saying how there is too much emphasis is placed on the possible subjectivity in the assessment (Inspectie Justitie en Veiligheid, 2022b).

### **Measures (not taken) against bias**

Even though the WI addresses that bias should be avoided, there is not said exactly *how* it should be avoided and it is clear that they do not entirely avoid it themselves in the WI (Visscher, 2022). In 2018, Gave already stated in an online published report that the IND does not acknowledge their own framework of reasoning in the assessment of converts, even though there were valuing being 'open-minded'. The credibility assessment of conversion is hardly changed since then (Visscher, 2018).

It might be hard for low-literature asylum to reflect on complex motives, emotions, and questions on 'missing something from the old religion' and 'explaining what is negative about the new religion'. This also creates the risk that a conversion is seen as a benefit/disadvantage trade-off, while it is more of a 'coming home' (Visscher, 2018). Several possibilities would help limit the risk of bias in these decisions and prevent tunnel vision and confirmation bias. Most previously mentioned reports and investigations offer insights into the area of specific measures. An example of this is the report published by the WODC. The report talks about 'statements of third parties', where there is external specific knowledge provided for the case of the asylum seeker. More examples are peer review/consultation and consulting the conversion coordinator (Boekhoorn & Severijns, 2021). The input of a conversion coordinator is generally well-received, reports the Justice and Security Inspectorate. The coordinator counteracts possible subjectivity in the assessment, giving another perspective on the complex cases of conversion and apostasy. This consultation is expected.

Peer consultation/ review is not necessarily required. Here, the Inspectorate sees room for improvement. This is currently mostly done by initiative of the IND official that chooses *who* to consult as well (Inspectie Justitie en Veiligheid, 2022a). The IND itself states that there are always senior officials or coordinators present to consult with for the assessor and that collegial consultation is encouraged (Inspectie Justitie en Veiligheid, 2022b). The statements and contributions of external experts could improve the quality of the assessment as well, states Gave in their report on this assessment. Right now there is a lack of information on conversion and other religions. In 2021, the IND already wanted to improve the assessment and promised engagement with external experts. The Humanist Alliance, religious psychologist J.W. Van Saane and the UNHCR have been consulted, although Gave states that the promise of the IND is not fulfilled and that the actual results of these consultations are unclear. Gave states as well that the contributions/ consultations of external experts and other third parties are non-binding and variable in their implementation. They point at the lack of quality, transparency, and inconsistency in the key definitions of the WI and their application,

especially concerning the concept of apostasy. Gave asks for more thoughtful questions and room for personal experiences. The ‘main moment and motive’ of conversion is underlined too often, there is not connected to the applicant’s frame of reference enough and the lack of information creates a reliance on personal perceptions. Gave suggests starting a multidisciplinary committee on apostasy and conversion for an expert perspective, a general improvement and evaluation of the current Work Instruction, more training and more consultation of other sources of information and the use of external expertise, as the use of internal expertise (such as the conversion coordinator) is also unclear (Visser, 2022).

### **Influential rulings by the Council of State**

The rulings of the Council of State motivate change in the approach of the IND and the Work Instructions, also in the case of converts and apostates. This becomes clear in the oversight of rulings and news on the cases of converts and apostates of the INLIA Foundation (*Stichting INLIA*), an organization that has a center of expertise on these cases. In 2017, the Council of State ruled the IND the ‘leading expert on conversion and inner faith experience’. This followed the asylum case of an Iranian Christian convert that brought in a report of the professor of religious psychology Van Saane, who found the conversion of the applicant credible despite the rejection of the IND. At that time, it happened often that statements of churches and other organizations of people on the beliefs were not taken into account by the IND (INLIA Foundation, 2017). In 2018, the Council of State ruled against the IND in many cases regarding LGBT asylum seekers and converts. The reason for this was the general failure of the IND to provide a reasoned response to the earlier mentioned report of Gave (2018) on the assessment of converts and the IND insufficiently taking a possible growth in faith, the deepening of religious experience, personal characteristics, qualities and the possibility of biased judgments into account (INLIA Foundation, 2018). A few years later, in 2021, the Council of State ruled on two asylum cases of Iranian converts. There was ruled that the IND should consider what someone practices in relation to their faith, the knowledge someone has of the faith, and consider the statements of third parties. The IND has to justify why the conversion is credible (or not) by these elements and justify why the statements of third parties are included (or not) in the decision (INLIA Foundation, 2021a). In this ruling one can see links to the current ‘integral credibility assessment’. INLIA (2021c) connected this ruling also to one by the UN Committee Against Torture, where the statements of fellow believers and experts were greatly valued. Finally, in 2022, there is the first ruling of the Council of State that concerns apostasy. Following rulings on two cases where apostasy and atheism came up, the Council of State ruled that there should be better distinguished between the asylum applications of apostates and atheists. After assessing the credibility of the apostasy or atheism, the IND must further investigate the risks for those involved if they should return to the country of origin after the rejection of their asylum application. After this ruling, in January 2022, the IND published the current Work Instruction in February 2022 in accordance with the comments and recommendations of the Council of State (INLIA Foundation, 2022).

### **A political dimension**

In 2016, the Christian public newspaper *Nederlands Dagblad* published an article on the Dutch government being ‘too positive’ about the human rights situation in Pakistan. The situation for apostates (Christians included) was dangerous even though one is allowed to be Christian according to the law, a law not honored by Pakistani citizens. In the article is stated how politicians from the *SGP* and the *ChristenUnie* (both Christian/ reformed political parties) were working to improve the situation of Pakistani Christians (Stoel, 2016). In 2021, Gave published a press release called ‘Asylum injustice for converts’ on their website, in which they asked politicians to take on the responsibility of creating structural change in the working methods of the IND, the taskforce, and the general legal

system for asylum seekers. In the press release was for instance mentioned how the IND is too quick with dismissing the statements on converts from churches. Gave argues further that the judges are also not properly considering all evidence and assume that the IND is an expert in the case. The court rulings are used by the IND to demonstrate their quality (Stichting Gave, 2021). More recently, politicians from *SGP* and *Christenunie* submitted a motion for the adoption of the budget states of the Ministry of Justice and Security (VI) for the year 2023, specifically on the current Work Instruction for converts and apostates. They find it undesirable that the improvement of the WI is enforced by the judiciary (such as the rulings by the Council of State). Furthermore, it is not yet clear how the advice of experts is processed in the current WI. The motion requests the government to establish a committee of external experts to evaluate Working Instruction 2022/3 and advise the IND on this basis (Motie Ceder/Bisschop, 2022). Only a few months ago, the Secretary of State for Justice and Security published a summary of a conversation held with Protestant Churches in the Netherlands (PKN) and the Plaisier Commission that took place in March of 2023 on the Work Instruction 2022/3. There was no direct mention of bias in this, although there was talk about the role of the conversion coordinator and the use of external knowledge. The autonomy of the IND was stressed by the state, saying it is eventually up to them to assess and decide on the credibility and that they have the expertise to do that. Still, there is agreed that the IND has to explain clearly how statements of third parties are taken into account, how they will involve external experts more, and work together with the training of the conversion coordinators (Van der Burg, 2023).

### 5.2.3 On apostate and converted asylum seekers

#### **Documentary: Freethinkers on the run**

In 2016, apostate asylum seekers received some public attention through the documentary *Disbelieving - freethinkers on the run*. The documentary interviewed refugees and asylum seekers in the Netherlands that fled due to their apostasy/ atheist convictions. In the documentary, multiple people described how they feel pushed to lie about their disbelief still because the others in the asylum seekers center expect them to be Muslim. They did not expect to lack this freedom in the Netherlands as well. One of the refugees wondered why he should adapt to religious people in the Netherlands while the Dutch people are mostly disbelieving. In the documentary, one of the interviewed refugees mentioned a conversion to Christianity as well, saying that some of the asylum seekers might get a residence status more easily while at the same time risking hostility from others in the asylum seekers' center. The refugee pointed out as well that in one is a Muslim that wants to convert to Christianity or Islam, there is support available from many churches and mosques, while he feels like there is no support for someone who decides to become an atheist (HUMAN, 2016). The newspaper *Trouw* came out with an article on 'unbelieving' asylum seekers, highlighting the difficulties for them in the asylum procedure. There was mentioned how there can be confusion on terms used by the IND and the Humanist Alliance stated in the article how the IND does not understand apostates sufficiently and the asylum seekers cannot label themselves easily as there is not a 'narrowly defined doctrine as with Christianity'. An asylum lawyer argued how it is more difficult to test apostasy, as there is 'not something else chosen in its place' (compared to conversion). Lastly, there was mentioned how there is often expected of the 'non-believing asylum seekers' to lead double lives in their country of origin (and apparently in the asylum seekers centers). An IND spokesperson responded that there is a lot of attention for the group of non-believers for a long time and the assessment is continuously optimized. They cannot give too much information on the assessment with the risk this is instrumentalized (Van Beek, 2016).



### More on apostate asylum seekers

The credibility assessment is not only applied in the case of conversion and apostasy but also cases of LGBT asylum seekers. In a report, one can see an interesting parallel between those cases, where there was someone who talked about how his sexual orientation made him, according to others, an apostate as well (COC Nederland & Jansen, 2022). The Humanist Alliance reported through their lobbying efforts the assessment of asylum applications includes the protection of nonbelievers. The Humanistic Alliance aims to provide space for groups of 'freethinkers' from different countries to come together and share experiences (Humanistisch Verbond, 2021). A lack of space to meet is there for apostate Muslims in the Netherlands, tells El Bouchtili (2019) in an online article. '*Apostate Muslims cannot meet anywhere in the Netherlands and it is hardly a topic of conversation.*'

### Complexities in conversion cases

In 2021, *EenVandaag* produced a small item on the case of an Afghan convert who had to 'convince' the IND: '*quite a task*' (EenVandaag, 2021). The asylum seekers converts have been frequently in the picture in recent years and those articles there is often gone into the difficulties that the converted asylum seekers experience in their assessments. The news source *De Stentor* (2021) published an article on converted asylum seekers. In the article, there was argued for a more active and official role of churches in the asylum procedure (Dijkstra, 2021a). A similar article referred to a case of an Iranian Christian convert. A representative of Gave argued how cultural differences can influence these assessments a lot. In the Netherlands, people are much more direct and used to talk about inner development, while Iranians can be more focused on conformity and are less used to putting feelings into words (Dijkstra, 2021b). The news source *de Kanttekening* published earlier this year an article on multiple cases regarding the assessment of converts by the IND, in which examples of Iranian cases were also cited. '*We see year after year how refugees come up against a wall of bureaucracy and mistrust in many ways*', tells someone from the Dutch Council for Refugees in the article. The article goes on with statements such as that conversion stories are disbelieved 'too easily' by the IND and the IND is very strict and does not want to comment on individual cases. Of course, there are always cases where credibility assessments is misused just to receive asylum, but to always assume that in principle is harmful. There are rising tensions described in the article of *de Kanttekening*: the 'benefit of the doubt' is not applied and the IND wants to reject as many applications as possible (Van Mulligen, 2023). Arguments made in the article are generally in line with the report *Web of Distrust* (2021) on the general challenges of the IND in asylum cases by the Dutch Council of Refugees.

## 5.2.4 Discussion

### A culture of disbelief

The IND has stated in one of their responses to investigations of the Justice and Security Inspectorate that there is constant improvement at the IND and too much emphasis on the possible subjectivity in the investigations of their assessments (Inspectie Justitie en Veiligheid, 2022b). Still, there is not a lot of improvement visible in how there is dealt with bias. As becomes clear from the rulings of the Council of State and the responses from politicians and organizations, the IND seems to only improve their approach when there is enough pressure to do so, rather than being intrinsically motivated. The IND does deal with a lot of pressure due to the backlogs, the high numbers of applicants, and a shortage of personnel. All these matters seem to have gotten more priority than the actual quality of the decisions, the way there is dealt with bias included. All these issues, combined with space for bias in the credibility assessment, can even be instrumentalized to reject asylum applications. By making the individual story of the asylum seekers central to the credibility assessment, one leaves more room for individual approaches (and mistakes) and ultimately easy rejection. Even though the intention might be good, if there are not enough measures applied to deal with the risk of bias this there is even more

space for bias in the credibility assessment. There is pointed out as well by Craig and Zwaan (2019) that pressure from politics, within the office, and other third parties play a role in asylum decisions, often not working to the benefit of the assessed, creating a culture of disbelief. This statement reflects the case of this thesis, although there have been benefits for the asylum seekers as a result of the pressure of third parties as well, which are addressed in the following paragraph.

### **Christian privilege?**

Politicians from Christian political parties make a case for the believing asylum seekers and NGOs such as *Stichting Gave* question the IND as well. This advocating is mostly coming from the 'Christian corner', often mostly focused on converts, however by extension benefitting the apostates as well as they are included in the credibility assessment. Since the documentary that came out in 2016 on apostate asylum seeker, there has been considerably less attention in the media for the case of apostates. Christian organizations, political parties and news sources, on the other hand, seem very concerned with their 'fellow Christians' regardless of their nationality or citizenship. Although the Humanist Alliance also makes cases for unbelieving asylum seekers, there is again significant less support visible that is specifically aimed at apostates. There could be an argument made that the 'in-group' experience for Dutch Christians is strong(er) (Van Der Meulen et al., 2020 & Capucão, 2010). The cultural identification with Christianity has increased (Lauwers, 2022). For people who value the Christian/ Protestant heritage of the Netherlands, Christian asylum seekers might be seen as less of a 'threat'. Hence, religious similarities might be more important to the native identity than is thought, maybe even more important than ethnicity or at least very much intertwined with it (Choi et al., 2022 & Capucão, 2010). If Christian groups would have a 'Christian privilege' in the Netherlands they might help other groups, becoming an 'ally for minority religions' (Lauwers, 2022). In this case one could say that Christian NGOs and Christian political parties have become an ally to the non-religious minorities as well, aiding apostates as well through their more visible efforts for converts.

### **The need for knowledge**

Arguments of Van der Burg and De Been (2020) on the lack of knowledge and understanding about religion seem to catch ground in the case of this thesis as well. The IND is mostly focused on protecting its autonomy and its position as an institution of expertise, although they are beginning to be somewhat more open to the consultation of experts (Van der Burg, 2023). The IND protecting its autonomy in regards to the (mostly Christian) third parties that want to be involved in the credibility assessment fits the principle of separation between church and state and the supposed neutrality of the state, but is at the same time also disproved through this case. There is a 'secular Christian hegemony', as stated by Lauwers (2022). The Christian identity and the secular identity of the Dutch state are still negotiated. While secularity would push for a privatization of belief, the matter of the credibility assessment brings religion right back into the public sphere and to the state. Here, the asylum seekers meet mistrust, a culture of disbelief and bureaucracy (Van Mulligen, 2023).

Gave offered an in-depth observations analysis on the approach of the IND in line with the analysis of chapter 5.1, addressing many of the risks that Doornbos (2006), Liodden (2010), and Sorgoni (2019) point out as well. Most of the reports of Gave that are used in this thesis are written by Marnix Visscher, a theologian. Here are the benefits visible of involving scholars of religion in political science, as they might be able to identify more underlying issues and connect the religious dimension to the political dimension, seeing issues that are otherwise missed. Van Saane, a scholar in religious psychology, has been directly involved by the IND but it is not clear *how* exactly and what difference she has made in the WI.

Gave is inherently a Christian organization, but does not leave apostasy out of their analysis. They go against the IND's focus on possible conformity by apostates when returned to their country of origin,

as this goes against the guidelines of the UNHCR and the freedom of thought, conscience, and religion (Stichting Gave, 2023 & OHCHR & UNHCR n.d.). Already years ago, the Humanist Alliance states that there is not enough understanding of apostasy when one compares it to conversion (HUMAN, 2016). That might still be the case, as the implementation of apostasy and atheism as separate concepts in the credibility assessment has been a slow process. As conversion cases are generally already perceived as complicated, apostates might be even more so. Being non-religious has also many facets to it (Lee, 2015). The IND might not even know very well how to deal with it, or necessarily want to. The example of Gave, but also the other reports, evaluations, and investigations on the assessment of converts and apostates confirm their own importance by rightfully questioning the credibility assessment of converts and apostates.

### 5.2.5 Conclusion

It is clear that the backlogs and the rising numbers of asylum applications affect all applicants, the one's with a motivation related to apostasy or conversion included. The IND struggling to deal with the complexity of cases relates specifically to the (already complicated) cases that are central to this thesis. There is a lack of time, personnel, information and motivation to give these applicants the 'benefit of the doubt'. The 'culture of disbelief' is visible. The solution is not to give more space to the individual story in the credibility assessment when the risk for bias is not acknowledged and dealt with by the IND. The space for rejection and mistakes by the individual assessor make the new Work Instruction seem more of a political and strategic decision rather than a genuine effort for improvement. This is essentially a case of bias, according to Cairney (2021). The measures that should (and can) be taken to help combat bias in the credibility assessment of converts and apostates are not used enough. Especially in the case of the conversion coordinator it is unclear on what is advised, with what kind of information and how. Although the IND has to take the statements of third parties into account (or has to explain why not), there is also still unclarity about this.

In recent years there have been calls to make more use of external knowledge. This call has mostly come from Christian organizations and Christian political parties (although humanist organizations have been involved as well). In the media one can find a lot of information on their efforts for converted asylum seekers and their efforts are sometimes recognized in politics and by the IND as well. In the analysis on how the IND and the state in general deals with this, the Christian heritage of the Netherlands is visible. There are signs that point to a 'Christian privilege' in this case, where asylum seekers that have converted to Christianity are prioritized and apostasy is more or less included in the discussion because they are part of the same assessment. Still, the IND wants to protect their autonomy most of all, even though there is a call for transparency and cooperation. The idea of Gave, the *ChristenUnie* and *SGP* on a multidisciplinary committee is not farfetched and could focus on the risk for bias as well. Overall, the risk for bias in the credibility assessment closely relates to the risks that are identified in the literature. A lack of knowledge, personal and cultural differences, the vulnerability of the asylum seekers and the current issues and tensions regarding asylum applications in general all play a role. Converts and apostates are part of these tensions, being easy victims of the 'cultural of disbelief'. One could ask the question if the freedom of thought, conscience and religion is actually guaranteed in the Netherlands.

## 5.3 Insights from committed actors

### 5.3.1 Introduction

This chapter concerns the additional interviews that are done while working on the analysis of various sources in chapter 5.2 and following the analysis of the Work Instruction in chapter 5.1. These interviews are a deeper investigation into the space for bias in the credibility assessment of converts and apostates through the Dutch Council for Refugees, a nationally acknowledged actor in all areas of the asylum procedure and INLIA Foundation, a more local organization that offers (among other things) legal advice for convert and apostate asylum seekers and is in close contact with committed religious communities.

### 5.3.2 Interview Dutch Council for Refugees

The Dutch Council for Refugees is already early involved in the asylum procedure. They support all asylum seekers (in and outside of the asylum seekers centers) by answering legal questions and support during the asylum procedure, but also after the procedure with integration and family reunion and various educational campaigns. In 2022, they supported 87.800 asylum seekers in their asylum procedure. The organization is spread throughout the whole country, with 9300 volunteers. One of these volunteers that is engaged in supporting the asylum application is Jessica de Wagt. She was interviewed in the context of this thesis (Appendix 8.5).

In the interview, there were several points made on apostasy. There was pointed out how there were many rulings in which apostasy had been erroneously not assessed as a separate motive for asylum or that 'imputed apostasy' had been erroneously not assessed.

Furthermore, there was stated how Iranians are the most common nationality in cases of conversion and apostasy, of which an Iranian converting to Christianity is the most common. De Wagt supported one case of an Iranian in the context of the credibility assessment, in which credibility was a challenge. Still, De Wagt does not believe that there is a lack of knowledge at the IND, but rather high work pressure. The Dutch Council for Refugees is a vast and known organization in the Netherlands and has a close relationship with the IND. Still, it is not general knowledge what the outcomes of meetings with the IND are. The Dutch Council for Refugees also discusses issues with organizations such as Gave.

### 5.3.3 Interview INLIA Foundation

The INLIA Foundation is a network organization from and for communities of belief that aid asylum seekers and refugees in need. These communities of belief are mostly Christian churches, although there are open for other belief communities to join as well. Their vision related to INLIA as *the* knowledge institute in the field of asylum seekers in need. They have a position as experts and lobbyists in assisting asylum seekers and supporting local communities, and municipalities in their support for asylum seekers. The organization has grown quickly, having now more than fifty employees working for the cause.

A long-time lawyer of the foundation, Pieter Postma, was interviewed to provide some in-depth information on the network and his experiences with convert and apostate cases. Even though the organization is inherently Christian, there is not discriminated between beliefs or sexual orientation in their support. Regarding the cases of apostates and converts, they mostly encounter them after their first application is rejected. Even then, they mostly encounter converts. The experience is that there are generally more converts. Regarding the nature of apostasy and conversions, Apostasy from the Islamic faith and conversion from Islam to Christianity is most common. Postma argues that the conversion often happens when the asylum seeker is already in the Netherlands. They come in contact with the Christian faith through the support of churches for asylum seekers, for instance. They are

used to living with faith, not believing is for many unthinkable, hence the conversion is more 'logical' than not believing at all. The case of Iranians is brought up, as they are the most common nationality in cases of conversion and apostasy.

INLIA Foundation does not have the expertise to decide on someone's credibility, states Postma, and does not give out statements on this to the IND, although they help with it. The *Plaisier Commission*, for instance, does give out statements. *Humanitas*, a humanist organization, has given provided statements on apostate asylum seekers and the Humanist Alliance might have discussion groups for atheists. There is worked together with such organizations and groups, especially also in the case of LGBT asylum seekers that have to go through similar processes as the converts and apostates.

INLIA Foundation has no specific statements on the new WI, although there is thought that there is improvement visible, especially in the case of the inclusion of statements of third parties of churches. There is mentioned in the interview how in the past there was much more pressure on the asylum seeker to be verbally proficient to be able to explain the personal complexities of the process of conversion and apostasy. There was often a focus on this, on factual knowledge and a specific 'struggle'. Now it is more a combination of all these aspects, a coherence of evidence. Some people live and experience their faith differently, Some people focus on the practice, and just go to church every week and are taken in the discussion during bible studies more difficult. Postma states: *'Faith is what you look for in it yourself, sometimes hard to put into words'*. He argues that even for churches that can be difficult to determine although they make a careful consideration. They are not obligated to give out statements and have to be convinced about the convert themselves.

The conversion coordinator does not visibly aid the quality of decisions by the IND. A change that has been there is the difference made through the Council of State. The Council of State monitors the IND and has been judging differently in recent years. This relates to another big issue in the Netherlands: the *'toeslagenaffaire'* or the *'allowance affaire'*, where parents became victims of errors made by the tax authorities. After this affair, the Council of State started to judge governmental services more critically and realized that there was lost sight of human rights in some asylum decisions. This has had some positive consequences, a 'gamechanger', says Postma. INLIA and other organizations such as Gave and churches work together to signal problems in the cases of converts and the Plaisier Commission has played a role in the acknowledgment of their input. They even have advised churches to join in court, trying to push the balance in the case towards receiving the 'benefit of the doubt'.

Postma sees a parallel with the LGBT cases, who struggle with the same uses of proving their sexual orientation or gender. There are the same issues: is one able to talk in-depth about the process and the specific thoughts and feelings? There it is also the case that cultural differences can play a big role and different conceptions and ideas on sexuality and marriage, for instance.

There is concluded with the consideration that it is difficult for the IND to decide on such things. In every case of rules and legislation, there are also people who misuse them and that is something that one naturally wants to prevent.

### 5.3.4 Discussion

#### The influence of the 'allowance affair'

The Council of State has motivated (and required) change in the IND's approach to converts and apostates. But the interview with INLIA gives insight into what motivated this change to the Council of State: the 'allowance affair', which was an enormous public issue in the Netherlands around 2019. Newspaper *Trouw* recalls how the tax authorities ignored the mistakes when became clear that there was discrimination in the giving of allowances and that people were much antagonized (Verlouw & Kleinnijenhuis, 2021). The link from this affair to the practices of the IND is also made in an earlier quoted article by *de Kanttekening* (2023). 'What the IND is doing is just as bad as the allowance affair' was their headline. Hossini, the interviewed asylum seeker in the article, also feels like she is fighting institutional racism. 'I compare my situation to the allowance affair. Many people suffered from being powerless against the government. That happened to me, too. It's the same with other refugees.' Hossini, a Christian convert, wants to change the system, as the allowance affair also started with attention for just 'one case' (Van Mulligen, 2023).

#### Apostasy

The points made about apostasy in the interview with the Council of Refugees are interesting to shortly discuss. The point made about apostasy not being separately assessed or that imputed apostasy was not assessed can also be combined. If one does not assess apostasy, one can also not assess imputed apostasy. Here is shown, that deciding on the trajectory as mentioned in Figure 2 can have a lot of impact. Furthermore, there are two vastly different organizations interviewed. The Dutch Council for Refugees is a very big organization where knowledge is more spread and the converts and apostates are just a small part of all that is done to support asylum seekers and refugees, while the representative of the INLIA Foundation has specific knowledge of the cases, specifically on converts. The interview focused itself also mostly on converts, even though there was stated that the organization supports everyone, regardless of conviction or sexual orientation. This could have to do with the lower numbers of apostate asylum seekers applying for asylum and the Christian background and collaborations of the organization.

### 5.3.5 Conclusion

Both the Dutch Council for Refugees and the INLIA Foundation acknowledge the complexity of the credibility assessment, for them as well as for the IND who after all has to decide on these difficult cases. The Dutch Council for Refugees is more of a partner of the IND and very much involved, while the INLIA Foundation works together with other organizations to express their perspective and message to the IND. It is clear that especially the inherently Christian organizations such as INLIA and Gave are mostly involved in lobbying and supporting the asylum seekers that have a convert motive, in which apostasy is mostly indirectly included and in less prevalent in general in the Dutch asylum cases and there might also be more easily made mistakes on this. Other issues in society have influences the way the cases of converts and apostates are approached now, such as the *allowance affair*. The Council of State has been pressuring the IND more since that time and positive changes have been visible already, although there is still work to do.

## 6. Conclusion

Many things come into play when answering the main question: *What is the space for bias in the Dutch credibility assessment of converts and apostates?* Firstly, analyzing the Work Instruction and its context can only indicate the risk of bias. Nevertheless, the vast space where there is indicated that there could be bias is an important sign as well. After all, one does not only detect bias through what is already visible and acknowledged but also through the questions that come up on what is unclear, what is *not* said, and what matters are prioritized, as Cairney (2021) and Cardno (2018) stated as well. Figure 7 shows the elements that influence the space for bias in the credibility assessment. All these elements came up in the research results.

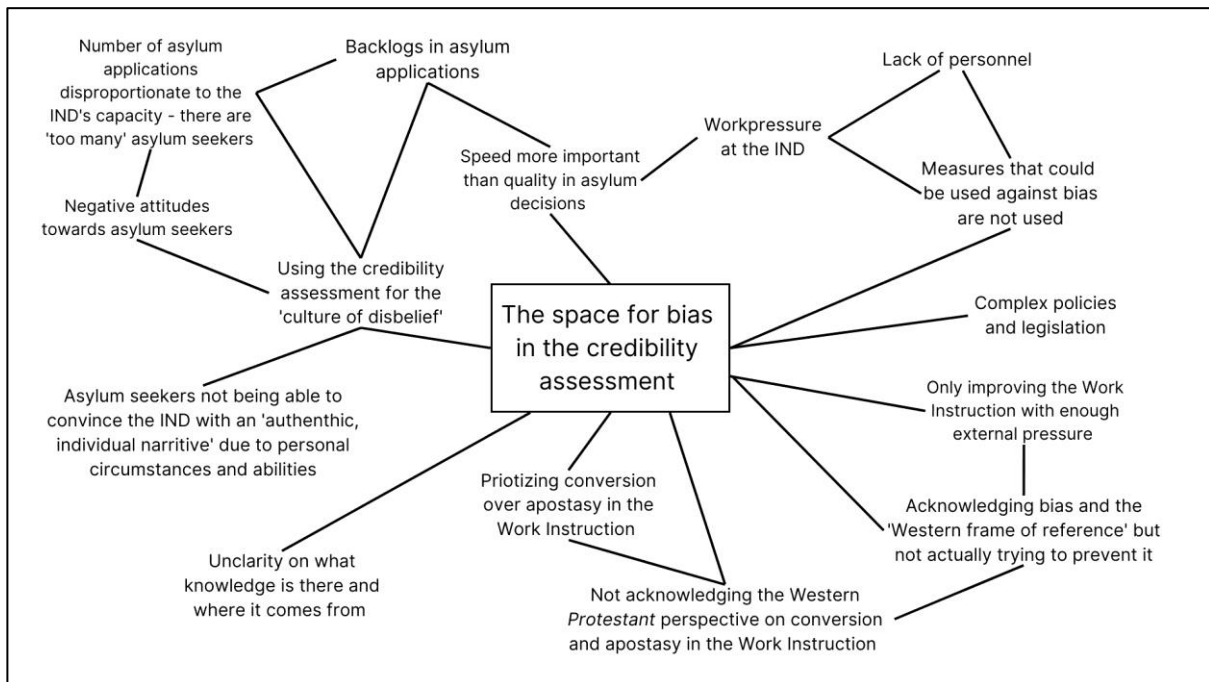


FIGURE 7 THE SPACE FOR BIAS IN THE CREDIBILITY ASSESSMENT

It initially appears that the IND has an open-minded approach to the credibility assessment with their focus on the 'individual and authentic' story, but right now the risk of bias is not decreased through this approach. The categories and labels on which the assessment is built are limited. If one starts by categorizing (un)belief in an unclear and biased manner, how can the assessment that is based on this be impartial? The IND does acknowledge the possibility that there is reasoned from a 'Western frame of reference' but in practice there is a Western *Protestant* frame of reference laced through the whole Work Instruction. Various other issues come up as well, from the use of political terms, an essentialist view of religion to linear and functional ideas about conversion and apostasy. Apostasy is seen as the exception of conversion, a phase in conversion or positioned in opposition to conversion. It seems that converts are prioritized in every way when compared to apostates. At the same time there is a central similarity: in conversion as well as apostasy there is *turned away* from something. Conversion is just one possible trajectory in the journey through the religious field and for apostasy there are many options as well (Appendix 8.3). A journey of (un)belief can go many ways and does not solidify when someone crosses into the Dutch outer sphere. Hence, the categories of the IND are too simplified, attempting to put all kinds of labels under either 'apostasy' or 'conversion'. In this attempt, it is categorized in accordance with a Western Protestant frame of reference.

In acknowledging the possibility of bias the IND does not explain *how* that should be done, only suggesting that the explanation of the elements of assessment would help in this. But even in those

elements a Western Protestant frame of reference is visible. This is all part of the space for bias that does not only become visible through the Work Instruction but also through opinions, investigations, evaluations and greater issues from outside the IND that influence this space for bias.

With the pressure of the rising numbers of asylum applications, the tensions surrounding migrants and the pressure of the backlogs, the credibility assessment is at risk of being instrumentalized. It already contributes to the 'culture of disbelief', as an asylum application based on the credibility assessment is 'easier' to reject. With a lot of responsibility put on one the individual assessor and so much space for an individual approach, the space for mistakes is great as well. The measures that could (partly) ensure more objective asylum decisions are not applied enough. Avoiding bias in general does not seem to be an urgent priority for the Dutch state, even after the 'allowance affair'. Various organizations and political parties are advocating for the asylum seekers that are subject to the credibility assessment, where it stands out that these are mostly Christian organizations and political parties that focus on the asylum seekers that are converted to Christianity. The 'Iranian converting to Christianity' is named as the most common case, however unfortunately specific statistics are missing on how many applications there are with a motivation related to conversion and apostasy.

The Christian organizations and political parties (working together with some humanist organizations) make public statements and try to bring about change in the government and the IND. Especially Christian (Protestant) organizations and political parties put in the (visible) effort to support their 'fellow Christians', in which apostasy is more indirectly included. It seems that in that case ethnicity does not matter if there is enough religious similarity, perhaps even for non-religious citizens that value the Christian-Protestant Dutch heritage. Christian organizations are visible and seem to have had recognition by the state in their efforts, also because of their distinct political presence. On the one hand, it seems that there might be a 'Christian privilege', while on the other hand, the IND has been very careful with accepting *any* external advice and knowledge and is keen on protecting their autonomy. Apostates had more visibility years ago, but apostasy and atheism are only recently distinctively included in the Work Instruction. Their position is difficult, as it might even be easier to reject apostate asylum seekers in the credibility assessment, a group about which is less known in the Work Instruction, less scholarly research, and apparently less attention for in the public sphere in comparison to the (Christian) asylum seeker convert. It seems that there is general insecurity on how to deal with assessing 'non-believers', regardless of Dutch people identifying mostly as 'non-religious'.

Regardless of the statistics on conversion and apostasy, the cases still deserve equal attention or at least an equally fair assessment. Apostasy is a more and more relevant term in a world where the numbers of apostates are growing and apostasy can also be attributed to someone with a different sexual orientation, for instance. The freedom of thought, conscience, and religion is a right for every individual. This right should be secured on the base of a well-considered assessment by the IND where there is actively thought about bias and how this could impact the decisions on asylum. After all, this has an enormous impact on a person's life and should not be taken lightly, no matter the pressure.

### **Recommendations and further research**

This policy analysis of the Work Instruction and its environment is a good starting point for thinking deeply about the meaning of religion, non-religion, conversion and apostasy. It would be advisable for the IND to reconsider the categories and elements of assessment on which the credibility assessment is built and reconsider their transparency and the way there is dealt with third parties as well. Is there equality in the way there is dealt with Christian and non-Christian actors in the negotiations between those actors and the Dutch state? Might there be a Christian (Protestant) privilege, in the policies as well as in the way there is engaged with third parties? Is there actually enough expertise at the IND, or only enough to confirm the Western Protestant perspective on conversion, apostasy and atheism,



for instance? These are questions the Dutch state and the IND can ask themselves, but also questions that could be applied to other cases in further research.

To make the credibility assessment more trustworthy, there is transparency needed. There are so many unclaritys right now that make it easy to assume that something might be missing. The IND is convinced of their own expertise, which would be more trustworthy if they would take the possibility of bias seriously. The IND seems mostly motivated for change when there is enough pressure from multiple organizations and especially through rulings of the Council of State. The idea to put up a multidisciplinary committee for the IND to possibly consult could be a very good approach. Statements that could possibly aid asylum applications are then coming from a central and acknowledged third party. Moreover, the committee could contribute as a source of knowledge. This committee could involve a variation of perspectives and expertise's on conversion as well as apostasy and atheism. It would be advisable to invite religious scholars to contribute to this part of asylum policy as well, as reports and actions of the IND itself have already shown that their contribution is valuable.

The fact that an asylum seeker could use an asylum motivation related to apostasy or conversion as a strategy to receive asylum, does not mean that it should be easier to reject such a case. Rather, there should be put effort into the actual quality of the assessment where bias is actively avoided. If the Netherlands wants to guarantee the freedom of thought, conscience and religion for everyone, the assessment needs to reflect that vision. A state is not per definition trustworthy and impartial and therefore the IND needs to show their effort in avoiding bias in order to convince people that their own way of assessing others is credible as well. Perhaps the policy bias is for the Dutch state as intangible as assessing (un)belief itself.

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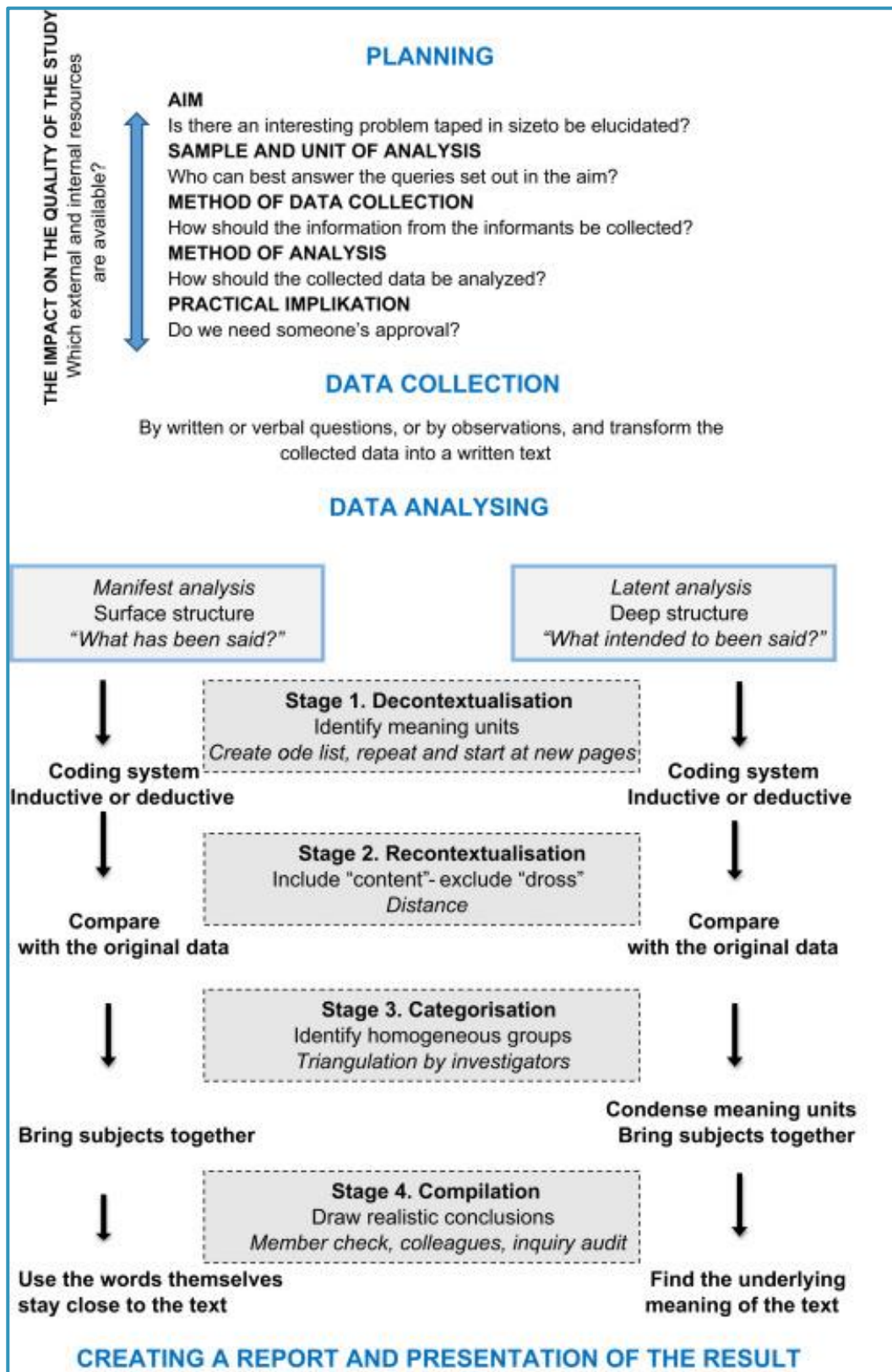
## **Z**

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# 8. Appendix

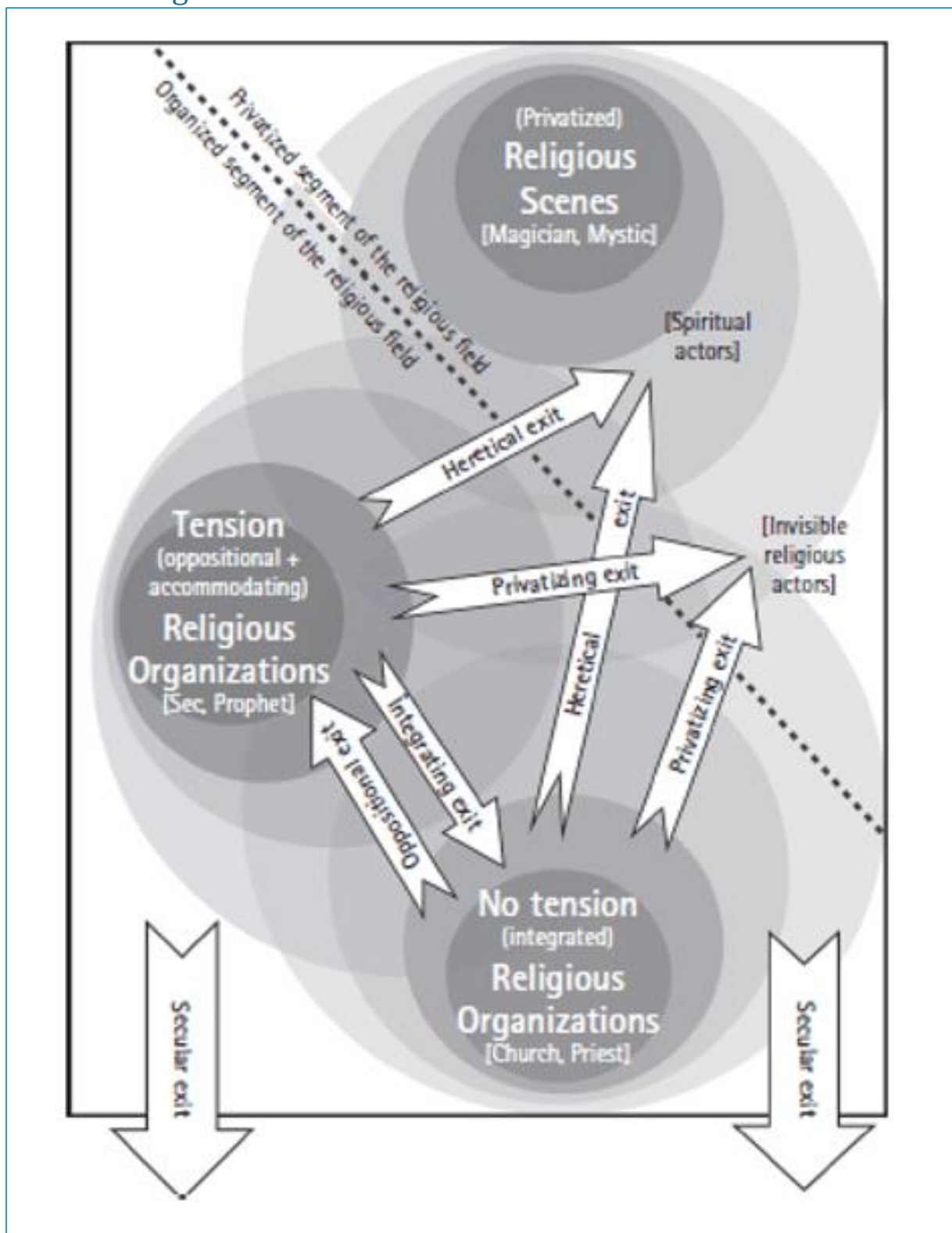
## 8.1 Data analysis



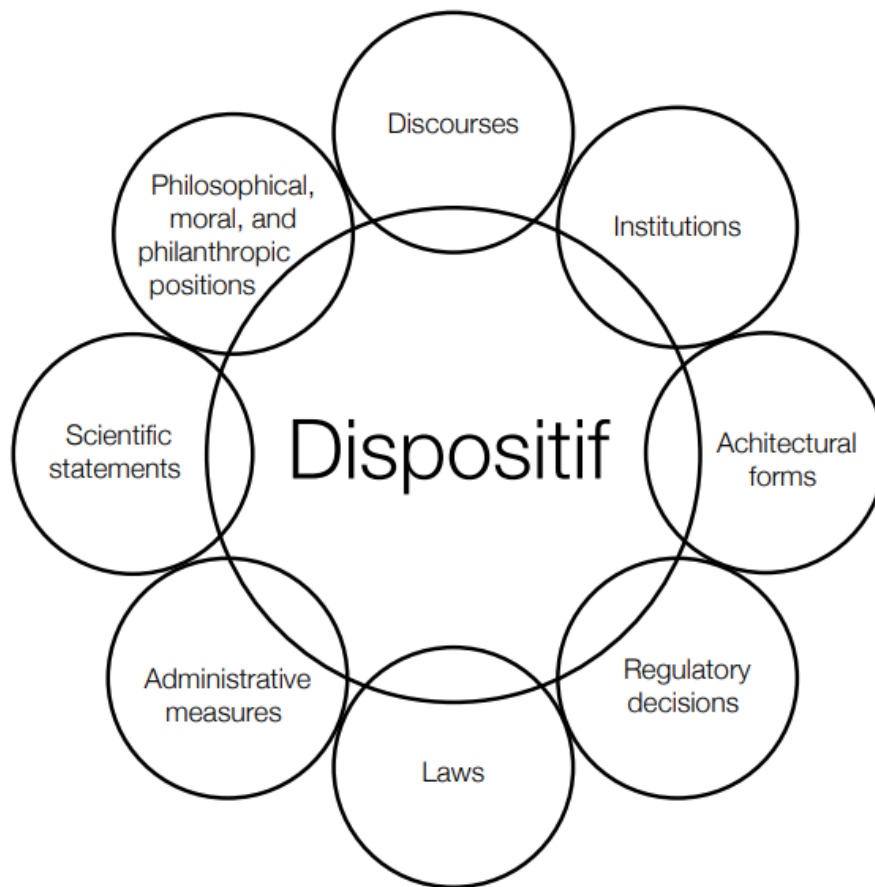
## 8.2 Integral Credibility Assessment

<b>F A S E 1</b>		Vaststellen relevante elementen  ▼			par. 3.1
	<i>Mbv de interne en externe geloofwaardigheids- indicatoren</i>  ↓	Beoordeling relevante elementen  ↓			par. 3.2
	Voldoende onderbouwde elementen	Niet of onvoldoende onderbouwde elementen  ↓	→	<i>Mbv de interne en externe geloofwaardigheids- indicatoren</i>  Zo nodig: Art 3.35, derde lid, VV	par. 3.2
	▼	▼	▼		par. 3.2
	Ja: geloofwaardig	Ja: geloofwaardig	Nee: ongeloofwaardig		
	Eindconclusie geloofwaardigheids- oordeel  ▼			par. 3.3	
<b>F A S E 2</b>		Risico-inschatting  +	Vluchtelingschap  →	Beschermings- alternatief	par. 4
		Zwaarwegendheid  →	3 EVRM  →		

### 8.3 The Religious Field



## 8.4 Foucault's *dispositif*



**Figure 10.1. Foucault's *dispositif*.**

## 8.5 Interview (Dutch Council of Refugees)

### Interviewformulier | VluchtelingenWerk Nederland

Naam afnemer: Hannelore Schouwstra

Gegevens afnemer: [a.a.e.schouwstra@student.rug.nl](mailto:a.a.e.schouwstra@student.rug.nl) / [hanneloreschouwstra@gmail.com](mailto:hanneloreschouwstra@gmail.com)

Doel interview: Informatie inwinnen m.b.t. de beoordeling van afvallige/ bekeerde onderzoekers door de IND, voor een masterthesis religieuze wetenschappen (Religion, Conflict & Globalization).

#### Persoonlijke informatie:

Naam: Jessica de Wagt

E-mail/ telefoonnummer: 0631203064

Functie (bij VluchtelingenWerk): Afstudeerstage

#### Vragen:

Wat houdt je functie bij VluchtelingenWerk in?

*Ik ben van februari tot december 2022 als stagiaire werkzaam geweest binnen het Juridisch Steunpunt te Leeuwarden. In deze periode voerde ik werkzaamheden uit, zoals het voorbereiden van gesprekken door middel van onderzoeken, het maken van vlucht verhaal analyses, vergunningen aanvragen/verlengen (denk hierbij aan Chavez-Vilchez, & EVRM, asiel en gezinshereniging), het voeren van gesprekken en de verslaglegging hiervan. Het contact met advocaten, medewerkers vanuit de IND en andere organisaties, zoals Amaryllis en Team Statushouders stond hierbij centraal. Tijdens het afstuderen voer ik dezelfde werkzaamheden als tijdens mijn stageperiode uit, maar is er meer diepgang met betrekking tot mijn onderzoeksvraag.*

Neemt VluchtelingenWerk een specifiek standpunt in ten overstaan van de beoordeling van afvalligen en bekeerlingen door de IND?

*Nee, niet waar ik van op de hoogte ben in ieder geval. Uiteraard zijn er veel uitspraken geweest die bij Vluchtelingenwerk bekend zijn, waarbij veel wordt genoemd dat afvalligheid bijvoorbeeld ten onrechte niet beoordeeld is als apart asielmotief of dat er een negatieve belangstelling door autoriteiten is door mogelijk toegedichte afvalligheid die ten onrechte niet is beoordeeld (als je hier voorbeelden van wilt, laat het me maar weten!). Mijn collega heeft aangegeven dat Vluchtelingenwerk wel in bijeenkomsten een inbreng heeft wat betreft het handelen (en het beleid?). Zo zit de organisatie bijvoorbeeld met de IND, maar ook met andere relevante stichtingen, zoals stichting gave, maar wat hier uit is gekomen/komt is ons niet bekend.*

Wat zijn je ervaringen met de geloofwaardigheidsbeoordeling en met asielzoekers waarvan de motivatie voor een asielaanvraag gerelateerd is aan bekering/ afvalligheid?

- Kun je voorbeelden noemen van specifieke situaties/ casussen?

*Ik heb een tijd geleden een minderjarige jongen uit Iran begeleid. Het was een zeer lang proces, doordat er eerst onderzocht moest worden op welke grond hij eventueel asiel zou kunnen aanvragen. Uiteindelijk ben ik tot de conclusie gekomen dat afvalligheid/bekeren het meest toepasselijk zou zijn. Toch was ook dit fastig, hij woonde namelijk in bij een Christelijke familie, waar hij natuurlijk zeer door werd beïnvloedt.*

- Welke nationaliteiten komen het meest voor in deze casussen van bekering/ afvalligheid?  
*Iran*
- Welke bekeringen komen het meest voor? (bv. Islam – Christendom)  
*Ik denk Islam – Christendom inderdaad.*
- Hoe komt afvalligheid het vaakst voor?  
*Ik heb nog maar 1 cliënt begeleid die afvallig was.*
- Wat vind jij de grootste uitdagingen bij bekering als een asielmotief?  
*Het in kaart brengen waarom hij bekeerd is en de geloofwaardigheid hiervan (Inleven in de IND).*
- Wat vind jij de grootste uitdagingen bij afvalligheid als een asielmotief?  
*De geloofwaardigheid*

Je hoort wel eens over 'bekering als een asielstrategie'. Ik zag dit zowel in internationale academische literatuur als in Nederlandse bronnen terugkomen. Zie jij dit idee ook een rol spelen bij VluchtelingenWerk en bij de beoordeling door de IND?

*Nee, nog niet mee gemaakt. Ook al zou dit wel het geval zijn is het niet aan Vluchtelingenwerk om te beoordelen, wij horen en moeten hier neutraal in staan (belangen van vluchtelingen).*

Zie jij vanuit je ervaring tekenen van vooringenomenheid/ stereotypering in hoe de IND omgaat met casussen gerelateerd aan bekering/ afvalligheid?

*Hier zou ik mij dan echt even in moeten verdiepen. Ik denk wel dat de IND snel denkt dat vluchtelingen het inderdaad gebruiken als een strategie.*

*Zo ja:*

Is hierin een verschil tussen casussen van bekering en afvalligheid?

Sinds november 2022 is er bij de IND een nieuwe werkinstructie (2022/3). In deze instructie is voor het eerst 'afvalligheid' opgenomen. Zie je een verschil in hoe de IND bekeerlingen/ afvalligen beoordeeld zijn sinds die tijd?

Bij de IND zijn er bekeringscoördinatoren die tegenwoordig worden ingezet om advies te geven over casussen. Heb je het idee dat de IND voldoende kennis heeft over afvalligheid en bekering?

*Ik denk dat er genoeg kennis is, maar dat de werkdruk gewoon te hoog is waardoor zij steken laten vallen.*

#### **Toestemming gebruik gegevens/ interview**

Zet een handtekening hieronder als:

- Je akkoord gaat met je vrijwilliger deelname in dit onderzoek en de resultaten van dit interview gebruikt mogen worden in de analyse.
- Je bij je naam en functie/ alleen functie / alleen organisatie genoemd wilt worden in het onderzoek. *Maakt mij niet uit :)*

Handtekening:





## 8.6 Interview (INLIA Foundation)

### Interview form/ consent:

Naam afnemer: Hannelore Schouwstra

Gegevens afnemer: [a.a.e.schouwstra@student.rug.nl](mailto:a.a.e.schouwstra@student.rug.nl) / [hanneloreschouwstra@gmail.com](mailto:hanneloreschouwstra@gmail.com)

Doel interview: Informatie inwinnen m.b.t. de beoordeling van afvallige/ bekeerde onderzoekers door de IND, voor een masterthesis religieuze wetenschappen (Religion, Conflict & Globalization).

Naam: Pieter Postma

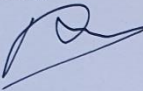
Functie: Jurist bij INLIA Foundation

**Toestemming gebruik gegevens/ interview**

Zet een handtekening hieronder als:

- Je akkoord gaat met je vrijwilliger deelname in dit onderzoek en de resultaten van dit interview gebruikt mogen worden in de analyse.
- Je bij je naam en functie/ alleen functie / alleen organisatie genoemd wilt worden in het onderzoek.

Handtekening:



### Transcript interview:

*Wat is jouw functie precies?*

Ik ben al 20 jaar jurist bij INLIA. Maar wij zijn van een kleine organisatie naar een grote gegaan, ik ben ook betrokken bij regioberaden met kerken waar we dan informatie geven over ontwikkelingen, asiel en vreemdelingenrecht en beleid geweest in het verleden. Nu minder intensief, na corona is het allemaal wat minder. Aanvankelijk hadden we 13 medewerkers en nu meer dan 50. Ook de verantwoordelijkheden veranderen dan.

*Ik zag staan dat jullie een netwerk van geloofsgemeenschappen zijn? Vooral kerken?*

Gaat vooral over Christelijke kerken inderdaad. Ik geloof dat we nu wel openstaan voor andere geloven maar je ziet dat die zich toch niet aanmelden. Maar wij richten ons qua hulpverlening hier niet specifiek op.

*Ja, dat was mijn tweede vraag, waar richten jullie je qua hulpverlening dan op? Ook afvalligen?*

Ja ook afvalligen. We maken geen onderscheid tussen geloven of seksuele oriëntatie in de hulpverlening.

*Welke soort bekering of afvalligheid komt het meest voor?*

Afvalligheid van het islamitische geloof. Veel het islamitische geloof. Afvallig tot humanisme of niet meer geloven. Maar het meeste gaat het om een bekering tot het christendom. Ze komen vaak in Nederland in contact met het christelijk geloof. Ze zijn dan vaak wel gewend om te leven met geloof, niet geloven is voor velen ondenkbaar dus een overgang naar een ander geloof is dan logischer dan geen geloof. Bij Iraniërs speelt dat ook vaak, dat die overstappen naar het christelijk geloof. Dat zie je vaak. Ik weet ook dat er een casus was van een Iraniër die ook aangaf vervolgd te zijn in Iran. Die

was van oorsprong altijd christelijk en mag dat zijn maar in Iran, maar mag niemand bekeren. In de gaten gehouden maar zelf tijdens liefdadigheid, zoals eten en troost geven, verdacht van bekeringsactiviteiten. Dat is al een verdachte activiteit. Misschien werkt het soms ook wel zo, zoals in Nederland. In Nederland komen de mensen ook vaak in contact met kerken, tijdens de opvang van ongedocumenteerden, nieuwkomers.. Dan kom je ook in contact met een nieuw geloof en nieuwe denkwijzes die misschien meer aanspreken.

*Gebeurd zo'n bekering vaak dan dus vaak in Nederland zelf? En niet onderweg?*

Ja vaak wel. Soms geven mensen ook wel aan dat ze in Iran zelf in contact gekomen te zijn met het geloof. Wij zien die mensen juist op het moment dat de asielaanvraag is afgewezen. Wij krijgen juist de casussen waarbij mensen niet geloofd werden door de IND.

*Zei je nou ook dat jullie ook verklaringen deden voor de asielprocedure?*

Wij hebben zelf niet de deskundigheid om te zien of iemand bekeerd is. Ik vind dat de instantie, zoals de kerk, dat het beste kan doen. Wij kunnen wel helpen bij hoe zo'n verklaring er ongeveer uit zou moeten zien. Wat kunnen we verder nog doen... Wij zijn ook wel benaderd door een kerk die mensen wilden voorbereiden op gehoren als het gaat om bekering en uiteindelijk hebben wij ze geholpen bij de cursus. Je ziet wel dat we het proberen te ondersteunen. Nu gaat het beter, maar in het verleden was het in ieder geval heel vaak kerken die zeiden ja de asielzoeker komt hier iedere zondag en is echt bekeerd. Ik kan daar zelfs niks over zeggen maar als de kerk aanklopt maar wie ben ik dan om daar aan te twijfelen.

*Zijn er voor afvalligen ook organisaties die zorgen voor verklaringen?*

Humanitas heeft dat wel gedaan. Het Humanistisch Verbond heeft volgens mij wel atheïstische gespreksgroepen of iets dergelijks. En ze zijn ook goed bezig met LHBT asielzoekers, daar zijn ook gespreksgroepen voor. Ook daar werken we altijd heel intensief mee samen. We verwijzen dan ook door naar die gespreksgroepen, met name bij LHBT. Wij hebben ook wel eens een voorlichting gegeven daar. Meestal hebben ze daar wel iets voor.

*Dat is mooi om te horen, want de ondersteuning van bekeerlingen en afvalligen lijkt wat uit verhouding.*

Is ook een minder grote groep denk ik hoor. Als ik na ga hoeveel bekeerlingen in verhouding tot afvalligen dan zien we bij ons dat het veel meer bekeerlingen zijn dan.

*Wat is jullie standpunt over de nieuwe werkinstructie?*

Daar weet ik geen details van. Volgens mij beter geworden, verklaringen meetellen van kerken erg belangrijk. Voorheen lag de nadruk altijd veel mee rop 'is iemand verbaal goed in staat te kunnen vertellen hoe je tot geloof bent gekomen en het oude geloof verlaat'. Maar de mensen die daar afvallen zijn vaak ook verbaal veel minder sterk. Dur niet iedereen die van geloof veranderd is hoog opgeleid en heeft verbale kwaliteiten van een goede redenaar bij wijze van spreken. Mensen die laag begaafd zijn minder goed uit hun woorden komen sociaal minder handig zijn, en dus verklaringen weten te verkrijgen, die vallen af maar dat zegt niets over of iemand vastheid en overtuiging en bekering. Je moet dan vaak met een bewijs komen, bv dat je laagbegaafd bent. Aanvankelijk ook welke worsteling doorgemaakt en feitelijke kennis hebben over de religie. Nu iets meer een combinatie geworden. We zien vaak bij LHBT's hetzelfde verhaal, mensen die minder begaafd zijn die vallen af.

*Dus, is dat de grootste uitdaging bij een bekeringscasus?*

Niet uit de woorden kunnen komen, denk ik wel. Samenhangen met andere bewijzen, ze kijken niet alleen maar nog naar dat je het goed moet kunnen verklaren, maar ook naar andere bewijzen. Sommige mensen zijn ook meer doeners, willen wel helpen in de kerk of elke zondag aanwezig zijn. Ook wel Bijbelstudies volgen maar nemen dat lastiger tot zich. Je moet creatief zijn in de bewijslast, lastige casussen. Is voor de IND ook lastig maar kijk ook naar andere bewijzen dan. Waarom wordt je aangesproken door het geloof, verschilt ook. Geloof is wat je er zelf in zoekt, soms lastig onder woorden te brengen.

*Er wordt in de elementen van beoordeling wel erg gevraagd naar de essentie van de nieuwe religie, dat is misschien wel een hele Protestants perspectief, dat je die universele kennis moet hebben.*

In confrontatie met het Christelijk geloof weet je als asielzoekers misschien niet goed waarom het je aanspreekt, alleen dat je het aanspreekt. Misschien mis je het familiegevoel uit het land van herkomst, en vind je dat in de kerk en is dat wat je heel erg aanspreekt. Ja.

*De focus van de IND is erg op het Islam en het Christendom, met name ook de bekering. Is de IND wel klaar voor andere soorten bekeringen?*

Het moet echt niet mogen dat je het geloof beleid. Zoals Iran. Dat is wel een punt.

*Ik heb ook vaak het idee zien langskomen dat een bekering tot het Christendom een strategie is voor asielzoekers, speelt dat ook een rol?*

Ja dat speelt wel een rol en gebeurt waarschijnlijk ook wel. Overal waar regelingen zijn wordt er misbruik van gemaakt en dat wil je voorkomen. Maar kerken maken vaak ook wel een integere afweging. Voor hun is het ook lastig om letterlijk te zien, niemand kan in de ziel kijken, maar je kun wel de hoogte krijgen of iemand serieus actief is in de kerk of niet. Dat is de vraag. Kerken hebben ook teruggekoppeld dat zij ook wel dingen van we willen ons niet van misbruik schuldig maken. Daar moeten ze zelf over nadenken. Ze kunnen verklaringen afgeven en zijn nergens toe verplicht natuurlijk. Als zij ervan overtuigd zijn en dat doen ze zelf de afweging voor het geven van de verklaring. Mee in de kerk, doen aan alle activiteiten dus je kunt het wel stellen. Persoonlijk geloof is lastig voor kerken ook om te verklaren

*Er zijn wel bekeringscoördinatoren, dat is zelfs verplicht volgens mij tegenwoordig. Zie je daar iets van terug?*

Niet op die manier. Je ziet wel verbeteringen, onder andere dat de raad van state anders is gaan oordelen. Je hebt de toeslagenaffaire gehad, in het verleden was de raad van state erg op de hand van in de IND, die werd dan gelijkgesteld. Dat gaf de IND heel veel ruimte, ook om zaken zoals bekeringen af te wijzen. Want keer op keer werd de IND gelijkgesteld waardoor ze zich oppermachtig en vrij voelden om zaken af te wijzen waarvan je je kunt afvragen of dat wel correct was. Sinds die toeslagenaffaire waarbij de kern ook is dat de raad van state oordeelde dat de belastingdienst ook te weinig kritisch beoordeeld is. Essentiele mensenrechten zijn uit het oog verloren. Dat is precies de ervaring die wij al jarenlang met de raad van state hadden als het gaat over vreemdelingenrecht en asielrecht, lang niet alleen op het gebied van bekeerlingen maar op allerlei gebied. Als het gaat om breder asielbeleid zagen we dat de raad van state met de IND instemde bij afwijzingen. Dit kan natuurlijk heel goed terecht zijn, maar heel vaak waren het bijzondere afwijzingen waarvan je je kon afvragen of het nog wel past binnen mensenrechten. Het stond wat ons betreft heel erg op gespannen voet met mensenrechten. En dankzij die toeslagenaffaire waar de raad van state ook eigenlijk het boetekleed heeft aangetrokken en toen is er ook vanaf het vreemdelingenrecht aan de bel getrokken over wat we zagen. De houding van de IND is veranderd en we merken de positieve gevolgen daarvan. Een gamechanger. De raad van state controleert de IND dus als zij teruggevlogen worden door de rechter moeten zij hun werkwijze wel bijstellen. Als ze het niet redden weet de IND dat ze hun werkwijze anders moeten doen. Er wordt veel verschil gemaakt.

*Hebben jullie ook invloed gehad op het beleid en werkwijze van de IND?*

Ja zeker, we hebben ook samen met Gave en ook met anderen dit gedaan, we zitten ook in de werkgroep vluchtelingen van de raad van kerken. Daarvandaan zijn wel signalen uitgegaan over zorgen over de toetsing en beoordelingen van bekeerlingen dus name vanuit het platform waar wij dan ook aangehaakt zijn natuurlijk. We geven input over waar we tegenaan lopen en waar andere organisaties tegen aan lopen is wel hetzelfde. De commissie plaisier heeft wel een belangrijke rol gespeeld en de acceptatie daarvan heeft ook wel een tijdje geduurd, maar die is volgens mij nu wel vrij groot. Belangrijke dingen en de rol van kerken is ook belangrijk geweest bij het aanleveren van bewijzen. Dus op een gegeven moment hebben wij ook letterlijk geadviseerd dat als de kerken ervan overtuigd zijn dat je te maken hebt met een echte bekeerling, ga dan gewoon met de hele kerk naar de rechtbank en laat die rechtbank dan kijken wat ze vinden als daar een hele kerk zit. Onze toenmalige voorzitter ook, die was toen ook dominee, die is toen ook lettelijk een keer meegegaan naar de rechtbank en heeft ook ene getuigenis afgegeven. Dat is wel belangrijk. Je moet soms ook

proberen daar creatief in te zijn als je echt overtuigd bent dat iemand verkeerd is. Als een rechter ziet dat er een hele kerk zit in de rechtszaal, dat slaat de balans toch door dat diegenen toch gelijk krijgen.

*Dan krijg je toch het voordeel van de twijfel en daar gaat het uiteindelijk om.*

Ja.

*Heb je nog een laatste opmerking?*

De parellel met lhbt's. daar komt het ook voor dat het niet geloofd wordt, lastig aan te tonen als je bv geen relatie hebt of getrouwd bent. Daar speelt hetzelfde ook. Goede babbel nodig over de bewustwording van je seksuele oriëntatie. Aanhankelijk ging het toen ook heel sterk om een soort van calvinistische houding die je dan moest hebben gehad. Bv voor Afrikaanse asielzoekers die beleven het huwelijk en seksualiteit anders en vielen dan door de mand omdat ze dat dan niet goed konden verklaren. Sterke parallellen met bekeringen. Snap het dilemma van de IND, het is ook gewoon heel lastig en het komt ook voor dat mensen er misbruik van maken maar dat kun je nooit helemaal voorkomen.

## 8.7 Sources of the media content analysis and interview

Source	Description
<i>Commissie Plaisier</i>	To aid the IND in their judgments, the Protestant Church Netherlands (PKN) has established the Plaisier Committee in 2016 to issue advice based on their judgement of the convert.
<i>ChristenUnie</i>	The Christian Union ( <i>ChristenUnie, CU</i> ) is a centrist Christian-democratic political party in the Netherlands.
<i>COC Nederland</i>	The COC is committed to a diverse and inclusive society, standing up for emancipation, acceptance and equal rights for all lhbti+ persons.
<i>De Kanttekening</i>	A media organization started in 2017, with the core values 'free, courageous and inclusive'. They publish articles and opinions focusing on integration, big-city issues, culture, meaning, extremism, human rights and freedom.
<i>De Stentor</i>	A public news website/ newspaper that reports on bigger news and the news in various specific municipalities in the Netherlands.
Dutch Council for Refugees	The Dutch Council for Refugees seeks to protect and defend the rights of refugees and asylum seekers in the Netherlands. It is an independent, non-governmental organization.
<i>EenVandaag</i>	EenVandaag helps to interpret the news on TV, radio and online. It is the current affair program of AVROTROS, a public broadcaster, to analyze news developments.
HUMAN	A socially oriented media organization In addition to TV, radio and online, we are active in education and in your area with debate programs and events.
Humanist Alliance / <i>Het Humanistisch Verbond</i>	The Humanist Alliance was founded to offer non-believers a philosophical "shelter" in the Netherlands.
INLIA Foundation	The INLIA Foundation was established in the Netherlands in 1988 as the 'International Network of Local Initiatives with Asylumseekers'.
<i>Nederlands Dagblad</i>	<i>Nederlands Dagblad</i> informs from a Christian identity about society, about what faith has to say in it and about Christianity worldwide.
NOS	The most common public broadcaster/ news source in the Netherlands.
SGP	The <i>Staatkundig Gereformeerde Partij</i> (SGP) is a Dutch political party that is reformed and values the Protestant political tradition.
<i>Stichting Gave / Visscher</i>	Gave makes churches and Christians aware of refugees. Gave initiates, organizes and supports diaconal, missionary and pastoral work among refugees in the Netherlands. A number of reports are written by Marnix Visscher, the pastoral and legal advisor of the organization.
The Justice and Security Inspectorate	The Inspectorate of Justice and Security contributes to a just and safe society by supervising the implementing organizations of the Ministry of Justice and Security.
<i>Trouw</i>	<i>Trouw</i> is an independent investigative news medium that always looks for the depth behind the most important events in the news.
Scientific Research and Documentation Center (WODC)	Research and documentation center of the state