Minister presents draft bill on criminalising obstructed returns of foreign nationals without legal residence

The Minister for Asylum and Migration presented the draft Criminalization of Return Frustrated Persons Act for public consultation on 7 October 2026. The proposed legislation aims to criminalise the conduct of foreign nationals without legal residence who actively frustrate their departure and thereby prevent their return, for example by withholding or providing incorrect information about their identity or failing to apply for replacement travel documents. Imprisonment would be used as a last resort when all other efforts have been exhausted and the individual continues to obstruct their departure.

Source(s)

- Government | Rijksoverheid (7 October, 2026), Minister Van den Brink presenteert Wet strafbaarstelling terugkeerfrustreerders [Minister Van den Brink presents the Criminalization of Return Frustrated Persons Act], https://www.rijksoverheid.nl/actueel/nieuws/2026/10/07/minister-van-den-brink-presenteert-wet-strafbaarstelling-terugkeerfrustreerders

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