EUROPEAN
POLICYBRIEF

SUSTAINABLE REINTEGRATION POST-EXIT

An analysis of the return and reintegration experiences of third country nationals returned from the EU via Assisted Voluntary Return or forced removal.

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INTRODUCTION

The return of migrants without the legal right to stay in the EU has become an increasing priority for the EU and its member states. Enforcing returns via 'Assisted Voluntary Return' (AVR) is preferred over forced removal for several reasons including, first, because it is considered more cost-effective (European Commission, 2021), and second, because AVR is assumed to support the sustainable reintegration of return migrants. There is however a lack of evidence comparing the reintegration of migrants returned via AVR and forced removal to substantiate the frequent assumption that return via AVR leads to more sustainable reintegration outcomes.

Current understandings of whether and how irregular migrants who are returned from the EU manage to 'sustainably reintegrate' are hindered by the lack of a precise and commonly accepted definition and operationalisation of this term, as well as by a lack of data on longer-term reintegration outcomes. It therefore remains unclear what sustainable reintegration should mean in practice, what policies to support sustainable reintegration should achieve, how policies can effectively facilitate processes of sustainable reintegration, and how we can evaluate whether sustainable reintegration has been achieved.

The primary aims of Task 2.4 of the ADMIGOV project were therefore to examine: 1) the decision-making of migrants who do not have the right to stay in the EU and, in particular, their decisions on whether or not to accept AVR; and 2) the reintegration processes of migrants returned via AVR or forced removal, and the impacts of EU policy on return migrants' experiences of return and reintegration. It is important to note that we refer to AVR as a policy category, not as an indication of the actual voluntariness of the decision to participate in such a return programme.

To answer these questions, Maastricht University conducted a cross-country comparative study of return and reintegration across three case countries: Albania, Iraqi Kurdistan, and Senegal. In each country, in-depth interviews were conducted with migrants who had returned from the EU (or from a country of transit such as Libya, Morocco and Turkey) either via forced removal or AVR. The resulting dataset includes 50 return migrants interviewed in Albania (80% AVR, 20% forced removal), 40 interviews in Iraqi Kurdistan (65% AVR, 35% forced removal), and 30 interviews in Senegal (53% AVR, 47% forced removal), overall totalling 120 respondents (68% AVR, 32% forced removal). Almost all interviewees had returned at least 12 months prior to the interview (the large majority between 2015 and 2019), allowing us to study longer-term reintegration outcomes. In addition to these migrant interviews, the research team also interviewed between 5 and 11 key stakeholders in each country, including government officials, and people working in inter-governmental and non-governmental organisations to support the reintegration of return migrants.

First, regarding the return decision-making of irregular migrants in the EU, the study reiterates previous research which has found that, generally, when migrants accept AVR, this is not because they decide of their own volition and without coercion that they want to return to their country of origin (Leerkes et al., 2010; Strand et al., 2008). Accepting AVR is accepting that there is no viable or acceptable alternative. In this study, feelings of having no other choice were common among the interviewees who accepted AVR. This was the case for most of the Albanian interviewees whose asylum applications had been rejected, and whose only other "choice" was therefore to risk forced removal. In the Albanian case, respondents were particularly concerned not to be forcibly removed from the EU because they did not want to be subject to an EU entry ban that would prevent them from legally re-migrating to the EU for a number of years. Migration to EU countries such as Greece, and also via Germany's new labour migration scheme (the 2015 Western Balkan Regulation) are significant opportunities for Albanians and respondents did not want to risk their access to such opportunities due to an entry ban.

A broader range of reasons for accepting AVR were offered by the respondents from Iraqi Kurdistan. Almost all of these interviewees had similarly applied for asylum in the EU and most commonly explained that they had no other choice than to accept AVR – after one or more negative decisions on their case they had lost hope of being granted asylum and/or could no longer tolerate conditions as an asylum-seeker in the destination country. However, a few others cited family reasons, the achievement of migration objectives, or changed conditions or circumstances in Iraqi Kurdistan as reasons for their return.

Feelings of choiceless-ness were also common among the Senegalese respondents who were returned from Libya via Voluntary Humanitarian Return (VHR). However, more active decisions to return were more frequently described by the Senegalese respondents who returned from the EU via AVR, most of whom actively sought out AVR programmes (and who had always intended to return to Senegal anyway). However, reflecting exclusionary and coercive pressures in the destination country, these respondents most often sought out AVR because they were tired of the tough conditions they faced as irregular migrants and were disappointed that they had been unable to achieve their migration goals. Consistent with the existing literature, the offer of reintegration assistance was not a key determinant of return decisions across the three case studies – although such assistance may be considered helpful and as an additional motivation by migrants who have already decided to, or are inclined towards, return (Black et al., 2004; Brekke, 2015; Koser & Kuschminder, 2015).

Regarding those respondents who were forcibly removed, the Albanian respondents generally did not consciously refuse AVR and risk forced removal – most did not understand that they had been issued with a return order or were at immediate risk of forced removal (for example, because they were in the process of appealing a negative decision). Most of the Senegalese respondents who were forcibly removed from EU or non-EU countries did not seem to have been given the option of

AVR as an alternative – but likely understood that they were at risk of forced removal from these countries. The decision-making of those respondents who ended up being forcibly removed to Iraqi Kurdistan was not always clear. Some respondents whose asylum applications had been rejected seemed to consciously risk forced removal because they were unwilling to accept return to Iraq.

Second, regarding the return migrants' reintegration experiences, the comparative analysis corroborates previous research that has highlighted the importance of both structural context and individual characteristics in shaping reintegration processes (Koser & Kuschminder, 2015; Kuschminder, 2017a; Lietaert & Kuschminder, 2021). Reintegration is a complex process and there are a multiplicity of factors that can affect the reintegration of an individual. The key variables of importance vary by country context, as well as between individuals, which underlines the continuing need for country-specific and individualised case management approaches. In Albania, unemployment; a lack of access to social security and public services – particularly healthcare –; family and community tensions, insecurity, and marginalisation; and a lack of perceived future prospects in the country were key drivers of migration that are experienced again upon return. These are systemic barriers which inhibit reintegration upon return. In Senegal, economic challenges are similarly experienced prior to migrating and upon return, when reintegration may be further undermined by the sometimes unsupportive or even hostile way in which return migrants are received by their families or communities, and by the lasting effects of traumatic migration experiences. In Iraqi Kurdistan, the picture was more mixed, as a higher number of return migrants reintegrated relatively well and reported satisfaction with their lives. However, many other interviewees in Iraqi Kurdistan experienced significant difficulty and precarity upon their return: economic challenges were also common, and some migrants returned to the same social or political problems which had motivated their departure.

Several cross-cutting insights emerge from across these three case studies. First, reiterating previous research, reintegration is a multi-dimensional process, and the challenges that an individual return migrant faces can be multiple and interacting. For example, poor physical or mental health can make it much more difficult for a return migrant to reintegrate economically. Second, it is evident that the main barriers to reintegration are often the same issues that motivated migration in the first place. For example, if someone has a low level of education, found it difficult to find work and never had a secure and sufficient income before migrating, it is likely that they will continue to struggle to be economically self-sufficient upon their return – unless, of course, there have been significant improvements in terms of the country of origin's labour market, or in terms of the migrant's own skills and competencies. Third, and relatedly, respondents who were more integrated into their communities prior to migrating (for example, in terms of their labour market participation and economic opportunities, and the strength of their family and community relationships) were better able to reintegrate upon their return. This means that for some groups and individuals who are very poorly integrated into society even before migrating, it would seem to make little sense to speak of their 'reintegration', given that an important pre-condition to reintegration would be to enable their integration in the first place (see also Lietaert and Kuschminder, 2021).

Overall, few respondents across the three case countries could be considered sustainably reintegrated according to either a highly ambitious definition such as the United Nations Network on Migration's (UNNM) recent proposition (2021) or to a more pragmatic conceptualisation such as the IOM's (2017). Satisfaction with quality of life was generally low among the respondents in Albania, and more mixed in Senegal and Iraqi Kurdistan, but feelings that re-migration would be necessary – or may in the future be necessary – to achieve a secure, dignified and fulfilling life were common across all three countries. The generally difficult reintegration processes experienced by respondents, whether or not they returned via AVR or forced removal, challenges the assumption that AVR offers a path to sustainable reintegration upon return. However, it was also clear that forced removal poses a number of additional costs for return migrants which may further inhibit sustainable reintegration. These include the dangers of overland removals (in the case of the Senegalese respondents), the shock and distress of a forced removal (even in cases where these were implemented safely), the lack of time to prepare for return and reintegration, the confiscation of savings (in the case of the Albanian respondents) and the imposition of a multi-year EU entry ban (particularly significant for the Albanian nationals for whom opportunities for re-

migration to the EU are otherwise more accessible). Moreover, key stakeholders involved in supporting reintegration discussed the shock of an unprepared return as a central challenge for supporting reintegration, regardless of whether the migrant returned via AVR/VHR or forced removal.

The results reiterate that reintegration assistance is limited in its effectiveness. Migrants who return via AVR and receive reintegration assistance are not necessarily more sustainably reintegrated than migrants who are forcibly removed. Respondents and key stakeholders emphasised that reintegration assistance is not sufficient to ensure sustainable reintegration. Reintegration assistance was certainly found useful and valued by respondents in many cases but typically offers only a small boost to an individual's reintegration efforts and does not address the – often, multiple – structural barriers to reintegration. Moreover, even with a strong will to reintegrate, return migrants' efforts may be undermined by a lack of skills or simply by bad luck. Policymakers must therefore not assume that the provision of reintegration assistance is sufficient to ensure sustainable reintegration. Broader structural factors within the country context must be acknowledged as playing a central role in shaping reintegration processes and may call into question the extent to which sustainable reintegration is even possible.

POLICY IMPLICATIONS AND RECOMMENDATIONS

The above conclusions have a number of implications for policy and programming:

1. EU member states should implement 'Assisted Return' programmes that acknowledge the lack of voluntariness in many cases and focus on supporting 'preparedness' for return: In Norway, it is recognised that assisted return is not voluntary (Kuschminder, 2017b). The focus of Norwegian return counselling is for migrants to accept their return and prepare for it in order to make their reintegration process less difficult. The EU should consider changing return programming to focus on 'assisted return' processes that support migrants to accept their return and prepare for their return through pre-departure support which could include: informing their family of their return, and helping the family to understand the return policy and procedure, where this might be necessary and beneficial; developing skills to support the individual's reintegration; facilitating contact with reintegration service providers in the country of origin in order to support the development of a shared plan for their reintegration; and further work with the migrant to build psychological preparedness for their return. Nonetheless, acknowledging 'assisted return' as a form of forced return which requires further support to enable a sustainable reintegration should not reduce the support available to migrants who do make a more active and voluntary choice to return to their countries of origin rather than continue their migration projects – these migrants also need assistance to ensure their safe, dignified and orderly return journeys and to support their sustainable reintegration (and, often, wishes to invest and contribute to their country's future).

2. The EU and its member states should create accessible pathways for legal labour migration. The Albanian case study indicates that acceptance of AVR seems to be driven in large part by the opportunities that Albanians have for legal re-entry to and labour migration opportunities in EU member states, due to their access to visa-free travel since 2010, and – since November 2015 – to low-skilled labour migration opportunities through Germany's Western Balkan Regulation. Policymakers interested in encouraging compliance with return orders should therefore consider creating legal labour migration opportunities with relatively low barriers to access (i.e., in terms of skills, administrative procedures and financial resources) that would offer a better alternative to staying on irregularly in the EU. As highlighted in ADMIGOV deliverable 1.1, these legal pathways to the EU for low-skilled or low-wage workers are lacking (Koopmans and Gonzales-Beilfuss, 2019). Opportunities for legal labour migration would also provide a much-needed alternative for return migrants who are unwilling or unable to reintegrate sustainably.

3. Reintegration must be measured and evaluated from return migrants' own perspectives. Return migrants' experiences and concerns must be considered central within reintegration programming and must be heard within the monitoring and evaluation of return and reintegration processes. In this research, in addition to the need for economic security, acute concerns relating to personal safety, psychosocial challenges, and access to affordable and quality healthcare were often expressed by return migrants. These non-economic needs must be included within a multidimensional and holistic approach to reintegration. As the EU and its member states move towards formulating indicators for regular monitoring and evaluation of sustainable reintegration, careful attention must be paid to incorporating the returnees' perspective within an objective and on-going monitoring and evaluation process. This could include self-assessment questionnaires completed via mobile phone at multiple moments in time. Indicator development and measurement must then be followed by accurate data analysis to represent returnees' perspectives.

4. EU destination countries must work with third countries to align reintegration assistance with broader development processes and interventions in the country of origin. Return and reintegration should be considered within EU-third country development policy frameworks from early stages, within which the conditions driving migration and the specific vulnerabilities of return migrants must be acknowledged. Specific country provisions should then be added to address the needs of vulnerable return migrants through longer-term development funds that aim to improve structural conditions and thereby support reintegration. Development assistance should not, however, be conditional upon bilateral cooperation on return and readmission.

5. An adaptable approach to reintegration programming is required: policies and programmes need to be responsive to changing conditions and setbacks. It must be recognised that businesses can and do fail, but this may not be the fault of the returnee. Programmes should provide opportunities and space for returnees to pivot and undertake fresh attempts to sustainably reintegrate.

6. Sustainable reintegration must be understood as a long-term process: sustainability takes time and simply cannot be achieved within one year. Sustainable reintegration should therefore only be discussed after a period of at least two years.

7. Further research on sustainable reintegration must take a holistic approach that accounts for the perspectives of not only the EU and members states, but migrants themselves, countries of return and local actors in countries of return. The role of legal migration channels in shaping return decision-making should also be further explored.

RESEARCH PARAMETERS

This analysis is based on in-depth qualitative research in three case countries. Fieldwork took place in Albania in January 2020 (facilitated by Dr. Ilir Gëdeshi), in Senegal in January and February 2021 (led by Dr. Mamadou Dimé), and in Iraqi Kurdistan between December 2020 and March 2021 (conducted by Botan Sharbazheri). Additional key stakeholder interviews took place between June 2020 and July 2021. In all countries, the population of return migrants targeted for interviews was defined as nationals of that country, who were over the age of 18 (at the time of interview), and who had returned from any EU country either via AVR or forced removal (or from a non-EU country of transit in the case of some Iraqi and Senegalese nationals who were returned before reaching their intended EU destinations). Recruitment focused on migrants who had returned to their country of origin in the last ten years, but at least 12 months prior to the interview, to allow for the observation of longer-term reintegration processes – although there were some exceptions to this. In all countries, in the absence of comprehensive data on the return migrant populations, the sampling strategy was necessarily based on a combination of purposive,

convenience and snowball sampling. Every care and precaution was taken to adhere to the research ethics protocols and data management plan of the ADMIGOV project, including the imperative to obtain voluntary and informed consent, ensure the confidentiality and anonymity of research participants (except in the case of key stakeholders who preferred not to remain anonymous), and to 'Do no harm'.

The resulting dataset includes 50 return migrants interviews in Albania (80% AVR, 20% forced removal), 40 interviews in Iraqi Kurdistan (65% AVR, 35% forced removal), and 30 interviews in Senegal (53% AVR, 47% forced removal). An approximately even gender balance was achieved in the interviews in Albania (48% women, 52% men), whereas mostly men were interviewed in Iraqi Kurdistan (73% men compared to 28% women) and all Senegalese interviewees were men, reflecting the demographic patterns of migration from these countries to the EU.

PROJECT IDENTITY

PROJECT NAME	ADVANCING ALTERNATIVE MIGRATION GOVERNANCE (ADMIGOV).
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FURTHER READING	Talitha Dubow and Katie Kuschminder (2021). EU Exit Regimes in Practice: Sustainable Return and Reintegration, ADMIGOV deliverable 2.4, Maastricht: Maastricht University. Talitha Dubow, Sze Eng Tan, and Katie Kuschminder (2021). EU Exit Regimes in Practice: Sustainable Return and Reintegration in Albania, ADMIGOV Interim Report on Albania (deliverable 2.4). Maastricht: Maastricht University.

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