
**The Future of Circular and Return
Migration:
Integrative Migration Frameworks
and 'Decided' Return as the Only
Way Forward**

MAJOR RESEARCH PAPER

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Abstract

Circular migration – a form of regulated migration based on the temporality of migrants – has been on the increase in the European Union (EU) in recent decades, and is now the preferred form of intake for immigrants. The benefit of this system is that it is supposed to provide positive outcomes for the three parties: countries of origin, countries of destination, and the migrants themselves.

In this paper, the lens of ‘integration’ is taken to analyse the effects of circular migration on all three parties. Integration, as the key motor to a successful experience for the migrant, is necessary in the country of destination for the migrant to be able to bring any skills, social capital or financial capital back home, and bring productive returns to the host country.

The increasingly controlled circular system - with tight visas and time limits – leads to an increase in the number of migrants who become irregular at the end of their stay on the European territory. These migrants then need to be ‘returned’ home. The destination countries take a tough stance towards workers in irregular status and the return can happen in a coercive or a non-coercive manner.

A successful and sustainable return depends on many variables: the experience in the country of destination, the conditions and reasons of the return, and the opportunities and circumstances back in the country of origin.

Different forms of return are analysed to determine which allow for a full learning experience abroad and sustainable return. It is demonstrated that any return other than the one ‘decided’ by the migrant will break their migration cycle and not allow for any long-term benefits for any of the three parties.

The principal argument of this paper is that there is a close relation between policies that do not allow for growth of social capital – or integration – and the poor achievement of sustainable returns. If any positive result or long-term benefit is desired, it is important to make room for the integration of migrants in EU countries, and not to lump all migrants together in a mass of foreigners that need to be moved away. Positive mechanisms and return incentives for returnee migrants will be addressed, as well as the need to change the discourse around immigration in countries of destination.

Introduction

Global international migration has undergone a transformation in the last decade. One of the main elements in this transformation has been the substantial increase in non-permanent, circular migration between nations. Circular migration is defined as a “temporary movement of a repetitive character either formally or informally across borders, usually for work, involving the same migrants”¹. Such mobility, of course, has a long history but is now occurring in the contemporary world on an unprecedentedly large scale. Circular migration has recently been promoted as an effective migration management system and as a triple win solution – bringing benefits for receiving countries through meeting labour market shortages, for sending countries through guaranteeing remittances for development, and for migrants themselves through offering employment and control over the use of their wages². Circular migration is also referred to later in the text as a managed migration program – these terms are used interchangeably.

Among the regions with high migration flows, Europe is the one that has now become the first pole of immigration in the world: 3 million net inflow in 2005 compared to 1.2 million in the United States and Canada³ (not including the immigrants already in the territory). This paper will concentrate on the case of Europe, where migration is driven by the economic, political and cultural advantage that European metropolises have on the countries of the “periphery”⁴.

¹ Wickramasekara, P. (2011). *Circular Migration: a Triple Win or a Dead End?* International Labour Office, Bureau for Workers' Activities (ACTRAV). Geneva: ILO. (GURN discussion paper No.15)

² Vertovec, S. (2007). *Circular Migration: the way forward in global policy?* International Migration Institute – University of Oxford. <http://www.imi.ox.ac.uk/pdfs/imi-working-papers/wp4-circular-migration-policy.pdf> (viewed 1/12/2011)

³ Wihtol de Wenden, C. (2009). *La globalisation humaine*. (Paris : Presses Universitaires de France). P.3 and United Nations, Department of Economic and Social Affairs, Population Division. *Trends in International Migrant Stock: The 2008 Revision*. <http://esa.un.org/migration/index.asp?panel=1>

⁴ Report on Migration and Cooperation in the Euro-Mediterranean Region (2011). Euromed Summit of Economic and Social Councils and Similar Institutions. European Economic and Social Committee. Istanbul, Turkey. <http://www.cese.europa.eu/?i=portal.en.events-and-activities-euromed-summit-2011-reports.20593> (viewed 1/12/2011)

Migrating is seen as a way of curtailing this inequality, of bridging the gap and having access to Europe's development.

Subjects and Goals of the Study

Based on a survey of literature and reviews of different labour migration programs, this study argues that the benefits of circular migration have been highly exaggerated in recent discussions. Managed circular migration programs are only one of the options – and hardly the best option – for expanding legal migration avenues. However, for the purposes of this study, arguments towards permanent migration programs will not be considered.

The study is meant to provide an informed and current overview of the multiple practices in the field of circular and return migration in Europe. It will compare the various approaches, strategies and return mechanisms existing in the European Union, as well as convey the importance of integration, and its role in ensuring a sustainable return. The study will also identify a step forward, discussing improvements of the mechanisms available to migrants in returnee situations, the role of countries of origin in assuring a favorable environment for their nationals to return to, and challenging the current negative discourse that exists in Europe regarding migrants.

The main goal of the study is to raise awareness on the fact that the process of return migration is as important as the migration itself, and that sustainable return and gains for both countries and the migrant are only achievable when the migrant is given the chance to integrate and participate in the economy of the destination country, and later chooses of his own volition to go back to the home country– after taking the necessary time to prepare his return.

Organisation and Structure

The paper is presented in five parts. Following the introduction, Part 1 focuses on the notion of ‘circular migration’, and presents basic terminology, and the political and legal framework around the circular migration system. Circular migration as a ‘triple-win’ mechanism is then thoroughly assessed. Part 2 defines ‘integration’ and explains the important role that this concept plays in the development of social capital, of learning experiences and skills for the migrant, and in making the migration experience fruitful and productive for all parties. The failure of integration in the EU will be addressed, as well as the new initiatives that have been taken in the direction of more integrative circular migration schemes. Part 3 analyses the different forms of ‘return migration’ that exist, and the impact that these different forms of return have on the sustainability of the migrant’s return to his home country. To simplify the analysis, ‘returns’ are divided into ‘decided returns’ and ‘expulsions’. At a second level, the distinction between ‘coercive expulsions’ and ‘non-coercive expulsions’ is made, and ‘Assisted Voluntary Return Programs’ are described. Part 3 also contains an analysis on which return policies best promote integration and sustainability following return. The study ends with conclusions on the current circular and return migration strategies, identifies ‘best practices’ and presents a way forward with recommendations for stronger mechanisms and incentives for migrants who are returning to their home country, and proposes a challenge to the current discourse on migration.

Methodology and Resources

This study is supported by various resources. An extensive review of existing literature was made in order to place return migration within a wider context, and to identify key debates, issues and questions. The review covered published material (mainly academic books and

journals) identified through library catalogues and Internet search engines. Pertinent European and international legal sources have also been referenced, such as ILO conventions and regulations, documents setting the EU framework towards migration, and recent initiatives taken by the United Nations (UN) towards the creation of a new dialogue. A majority of the knowledge on practices and strategies regarding return and reintegration assistance comes from programme descriptions, project reports and event documentation largely available online and so referenced in the study. A not inconsiderable share of the information was also provided by experts from various organisations responsible for return assistance, international cooperation and statistical analysis. Working at the International Training Centre of the International Labour Organisation (ITC-ILO) in the Summer 2011 also allowed me to gain expertise on issues relating to migration in Europe. In addition to working alongside specialists and researchers, I was also allowed to meet some of the most prominent experts in the field and to get information from them first-hand during the *Labour Migration Academy*, where I assisted with workshops. These workshops were essentially on the good governance of labour migration, protection and promotion of migrant workers' rights, and issues pertaining to migration and development.

An important limitation of this paper needs to be acknowledged: the lack of data. The limited statistical data available is provided by the IOM, UNDP, OECD and other federal, European or international agencies. There is no official and reliable set of data on the overall scope of 'decided return' because neither countries of destination nor origin record them as of now. In addition, the few studies that have been done cannot guarantee an unbiased or representative study of the whole population.

1. It all started with Circular migration...

Circular migration as a concept will now be examined, as well as the wider implications that circularity has on migrants' rights and their protection. A history of circular migration in Europe will be presented, along with an assessment of the system's 'triple-win' benefits.

a. Circular Migration: Brief History and Current Situation in Europe

Between 1945 and 1970 almost all Western European countries used temporary labour programmes as a way to recruit migrant workers from lesser-developed countries. The United Kingdom, France, Switzerland and Belgium were the first countries that introduced such programmes in the 1940s. Germany, the Netherlands and Austria followed. In those years, migrants were used to serve the needs of the national economies, as these needed a labour force in the reconstruction of countries ravaged by war. This type of labour migration became the primary form of migration to Europe for the 20 years that followed. The motivations of the migrants were mostly to work abroad for a short time, improve their financial situation, help their families, and so forth. According to Castles⁵ these countries were importing labour instead of people: "the idea was to ensure rotation by recruiting workers for a limited period, restricting their rights, and minimizing family reunion"⁶. In the 1960s, immigration experts and governments began to realize that it was impossible to effectively control these flows, and by 1974, most countries had abandoned policies of migrant labour recruitment. Many European countries – but not all – shifted their strategic approach and moved towards the integration of the

⁵ Castles, S. (2006). 'Guestworkers in Europe: A Resurrection?', *International Migration Review*, Vol. 40, No.4, 2006. pp. 741-766. (New York: Centre for Migration Studies)
http://meme.phpwebhosting.com/~migracion/rimd/documentos_miembros/17033SC%20IMR%20Guestworkers%20in%20W%20Europe%2011%2006.pdf (viewed 30/10/2011)

⁶ 'Circular Migration – A New Form of Temporary Labour Migration?'
<http://www.radio1812.net/circular-migration-%E2%80%93-new-form-temporary-labour-migration> (viewed on 30/10/2011)

migrants present on their territory, while at the same time enforcing increasingly restrictive entry rules.

Today, employers, politicians and European Commission officials are producing a return to policies of systematic admission of migrant workers⁷. One reason for this is the perceived demand for migrant workers due to demographic and economic factors, such as the realization that fertility rates have fallen in EU countries, and that not all low-skilled work can be exported to low-wage countries (i.e. construction, restaurants and hotels). Another reason is the realization that migration will inevitably happen, and instead of driving it underground politicians now think it better to control entrants to ensure that they do not pose a security threat.

However, the idea that ‘there is nothing as permanent as a temporary migrant’⁸ (arisen largely out of the experience of post-war Europe when temporary workers developed permanent communities) has probably scared policy makers, since the current approaches are stricter and differ significantly from the guest worker programs of the past. Temporary workers programs now differ in their length, differentiate between high skilled and low skilled workers, have stronger regulations and border control, partake in mobility partnerships with third countries, and intend to link migration to the development of countries of origin. Nevertheless, both past and present programs share common features, such as the discriminatory rules that deny rights to migrant workers and the possibility that these may lead to negative social outcomes in both receiving and sending countries⁹.

⁷ Castles, S. (2006). ‘Guestworkers in Europe: A Resurrection?’, *International Migration Review*, p. 745

⁸ Hugo, G. (2003). *Circular Migration: Keeping Development Rolling?*
<http://www.migrationinformation.org/feature/display.cfm?ID=129> (viewed 1/12/2011)

⁹ Vertovec, S. (2007). *Circular Migration: the way forward in global policy?*

b. European and International Agreements on Migration

Migration is facilitated in Europe by the existence of an important common space that is relatively open to movements of people and capital. To arrive at this common space, the EU has had to develop a long list of legislations, conventions and agreements¹⁰ where the shared goals and policy directions of the EU Member States towards migration were established. It is important to present them here, as they are the cornerstones for migration flows in Europe, and the basis for common EU policies and guidelines.

Table 1: Establishing the European Union's Open Space

1985: The Schengen Treaty	<ul style="list-style-type: none"> – gradual abolition of checks at common borders – establishment of freedom of movement for all persons who are nationals of countries that signed the agreement – police and judicial cooperation between these countries in the framework of the Schengen Information System (SIS) (common visas and policies towards asylum claims and immigration)
1999: Treaty of Amsterdam enters into force	<ul style="list-style-type: none"> – Immigration policy is now the responsibility of the European Union (residence requirements, residence, etc.) – adoption of “measures defining the rights and conditions under which third country nationals legally residing in a Member State may reside in other Member States”¹¹
<p><u>EU Frameworks for Migration Management</u></p> <p>-1999: Tampere Programme</p>	<ul style="list-style-type: none"> – aims for the adoption of a common immigration policy to control migratory flows based on economic needs and on the ability to absorb and <u>integrate new immigrants</u>, while fully protecting the fundamental rights of citizens – abandonment of the goal of ‘zero immigration’

¹⁰ ‘Histoire de l’Union européenne’ http://europa.eu/about-eu/eu-history/index_fr.htm (viewed 30/10/2011)

¹¹ Report on Migration and Cooperation in the Euro-Mediterranean Region (2011). Euromed Summit of Economic and Social Councils and Similar Institutions. European Economic and Social Committee. Istanbul, Turkey. <http://www.cese.europa.eu/?i=portal.en.events-and-activities-euromed-summit-2011-reports.20593> (viewed 1/12/2011)

<p>-2005-2010: Hague Programme</p>	<p>– aims to strengthen fundamental rights and citizenship, define a balanced approach to immigration, develop a common asylum procedure and ensure minimum procedural safeguards for access to justice</p>
<p>-2009-2014: Stockholm Programme</p>	<p>– setting of a new EU framework for police, judicial and customs cooperation among Member States, as well as for policy on asylum, immigration and visas</p>

Source: ‘Histoire de l’Union européenne’ http://europa.eu/about-eu/eu-history/index_fr.htm

These common European agreements are however a constant struggle in Europe: there is a need to find a form of cooperation on immigration policy that preserves national sovereignty and takes into consideration domestic labour potential. Member States do recognize common policies to be necessary (a fragmented European labour market is unattractive to qualified migrants) but are unwilling to establish truly common EU policies¹². Immigration is a very politically sensitive area of policy, and Member State governments place high priority on maintaining both their flexibility in determining labour-market policy and their ability to act independently in order to respond quickly to changes or downturns in the economy. In particular they want to keep the right to decide which migrants are granted entry to their country and its labour market. The Member States’ willingness to hand over full authority to the EU in this key area of national sovereignty is extremely low, especially considering the little competence that the EU has in this field. This tandem-governance is important to keep in mind, but even with such challenges and differences in Member States’ labour markets, the EU is still a very attractive labour space that is growing, and is increasingly protected by common EU agreements and guidelines.

¹² European Union Blue Card: The Blue Card Impasse’. <http://www.europeanunionbluecard.com/> (viewed 25/10/2011)

In addition to the European ones, several international agreements on migration have also been concluded, although these are far less binding. The 1990 *United Nations (UN) Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* was the largest step taken to date in establishing an international agreement on migrants and their rights. The convention emphasizes the connection between migration and human rights, and aims to protect migrant workers and members of their families; its existence sets a moral standard and serves as a guide and stimulus for the promotion of migrant rights in each country. The convention does not create new rights for migrants but aims at guaranteeing equality of treatment, and the same working conditions for migrants and nationals.

The convention entered into force in 2003 (it took 13 years to get the minimum number of signatures) and no migrant-receiving state in Western Europe has ratified the convention as they do not want to create a precedent. To date, countries that have ratified the convention are primarily countries of origin (for example Mexico, Morocco and the Philippines). For these countries the convention is an important vehicle to protect their citizens living abroad. However, these countries have not only signed the convention for self-interested reasons, as they are also transit and destination countries, and the convention delineates their responsibility to protect the rights of migrants on their territory.

Another important step taken by the UN has been towards a change in the direction of the global discourse around migrants. This is crucial in shifting the perceptions around migrants in receiving countries. To do this – and to get attention on the debate – the UN discusses international migration in relation to development. The UN created a *2006 High-Level Dialogue on International Migration and Development* with a non-binding outcome. This dialogue in 2006 moved the discussion forward in three main ways. First, it created the *Global Forum on*

Migration and Development (GFMD) to continue the global dialogue on the topic. The GFMD is a space for informal, voluntary, non-binding and consultative process and dialogue. Second, the Secretary-General appointed a special representative (SRSG) on international migration and development. Third, the Secretary-General established the *Global Migration Group* (GMG) with a view to increasing system-wide coherence between the United Nations system and the International Organization for Migration (IOM) in their response to the opportunities and challenges presented by international migration. More than 160 governments have taken part in the annual meetings of the GFMD, which see roundtable discussions around central themes proposed by the host governments. The goals of the Special Representative of the Secretary-General (SRSG) and of the UN Special Rapporteur on the Human Rights of Migrants are to look for themes that would mobilize states, to promote good practices, to propose and leverage good initiatives and to shape the current global discourse on migration¹³. These initiatives do demonstrate the UN's normative framework and there has been a program for discussion set for the next few years, and another *High-Level Dialogue* scheduled for 2013.

Nevertheless, there are obviously many questions raised about the GMG's and the GFMD's ability to truly alleviate the challenging conditions that migrants face and to respond to their needs. Criticism is being heard about the UN's 'super structure' and its bureaucracy, in contrast with what actually gets accomplished.

The one recent ground-breaking convention that demonstrates that a change of perspectives is beginning to take place at the international level is the 2011 International Labour Organization's (ILO) *Convention Concerning Decent Work for Domestic Workers*. This

¹³ Crépeau, Francois - United Nations Special Rapporteur on the Human Rights of Migrants. "Towards a Global Migration Management Regime." Ottawa University, Centre for International Policy Studies (CIPS). Ottawa. 03/04/2012. Public Address.

convention sets labour standards for domestic workers: weekly rest hours, entitlement to minimum wage and the ability for workers to choose the place where they live and spend their leave. This convention was adopted with a large majority – 396 countries voting in favour, including many migrant-receiving Western States.

The fact that this convention was so widely accepted is already a breakthrough: something is happening on a global level. Such a convention would not have been popular in the past. Yet, signing the convention is only a first step: legally, two countries need to ratify this convention before it can actually come into effect. In April 2012, Uruguay became the first country to ratify the convention¹⁴. Now, only one more country needs to ratify it for it to come into force; until then it is not binding. Nevertheless, this is a ground-breaking treaty, as its strength is that it sets a standard¹⁵. Indeed, multilateral (European or international) agreements are important in that they establish a precedent. Such instruments codify human rights into legal standards and they are the starting point for a new discourse and approaches towards migration.

c. Is Circular Migration Really a Triple-Win Solution?

Circular migration is promoted as a triple win solution in bringing benefits for destination countries, countries of origin and migrant workers themselves, and also as a major mechanism to acquire the development benefits of labour migration. The shift to this type of temporary programme came largely after a rather sudden realization that remittances (the transnational flows of money earned by migrants abroad) have become a major global economic resource. The value of worldwide remittances doubled during the 1990s to well over \$105 billion annually –

¹⁴ “Uruguay Ratifies ILO Convention 189 on Domestic Work” (2012).

<http://connect.bwint.org/?p=494> (viewed on 05/06/2012)

¹⁵ “ILO passes landmark treaty to protect domestic workers” (2011).

<http://globalnation.inquirer.net/4318/i-lo-passes-landmark-treaty-to-protect-domestic-workers> (viewed on 17/04/2012)

more than twice the level of international aid¹⁶. The scale of remittances has continued to soar. The United Nations (2006) currently puts the annual figure of official global remittances at about \$232 billion; the amount of unofficial flows is estimated to be much higher still¹⁷. In addition, the ‘*Communication on Migration and Development*’ document published by the European Commission in 2005, proposes that circular migration policies could play a key role in fostering the transfer of skills to the developing world¹⁸. Therefore, countries of origin do seem to come out as ‘winners’ in this structure: important levels of remittances constitute considerable income and skills are transferred as migrants return back home.

Destination countries benefit from this scheme as well. Circular migration contributes to filling labour market gaps – as the population in EU member states is getting older – and facilitates a quick response to changing economic conditions. In 2005 the European Commission addressed circular migration in a second document¹⁹ (*Policy Plan on Legal Migration*) outlining how circular migration would make it even easier for employers to hire temporary labour migrants and identifying possible measures that could enable viable, managed circular migration systems. These systems are based on the provision of long-term multi-entry visas for returning migrants, and an understanding that former migrants be given priority for obtaining new residence permits for further temporary employment under a simplified procedure.

Migrants themselves come out as winners from this system as well. The main wins for migrant workers come from higher earnings abroad and related remittances, skills acquisition and improvement, and the possibility of good incomes on return through investments in business

¹⁶ Vertovec, S. (2007). *Circular Migration: the way forward in global policy?* p.2

¹⁷ Idem.

¹⁸ Idem, p.25

¹⁹ Idem.

and enterprise development. This seems to be a perfect system wherein labour migrants support the development of their country of origin and assist their families financially.

However, it is important to take a closer look at circular migration and the reasons why it is so attractive. First off, even if remittances are a good source of income for countries of origin, circular migration programmes should not only be debated in terms of diaspora options, but also in terms of the role they play as mechanisms for expanding legal avenues for workers from developing countries to destination countries – and whether they are respectful and protect the migrants. Remittances only represent one side of the debate on circular migration, and “maximizing the human development and rights protection of migrant workers [...] is the best guarantee in the longer term for maximizing development gains in countries of origin as well as in the destination country”²⁰. In addition, there is no basis to assume that “circular migrants will have higher capacity or propensities to remit, given that the bulk would be in seasonal and other low-paid wage occupations. Thus the total volume of remittances will not change much”²¹. Permanent migrants also send remittances home, and after having acquired a stable position in the host country, their greater earning power allows them to send more money to the country of origin (if there is a will to do so)²². In addition, the legal migration opportunities provided by destination countries are not numerous – the quotas defined in bilateral mobility partnerships are small – and countries of origin need to make large concessions to send people to work abroad, as will be discussed later in this paper.

On the migrants’ side, while some researchers suggest that the experience and money obtained abroad does give migrants scope to get better jobs (either in the country of origin or

²⁰ Wickramasekara, P. (2011). *Circular Migration: a Triple Win or a Dead End?* p.87

²¹ *Idem*, p.29

²² “International Migrant Remittances and their Role in Development” (2006). *International Migration Outlook*, OECD, p.148 <http://www.oecd.org/dataoecd/61/46/38840502.pdf> (viewed on 05/06/2012)

receiving country), others claim that circular migrants tend to remain stuck in low levels of employment. This is the case in particular for regulated circular migration systems which see people returning year after year to the same job rather than trying to negotiate their way into better jobs like unregulated circular migrants might do²³. Also, while migrants are “expected to bring back skills, it is highly unlikely that employers would invest in training circular migrants in lower skilled categories”²⁴. Therefore it is not often that circular migrants bring back valuable skills to their country of origin. The wins of the ‘win-win-win’ scenario may not be as mutual as imagined.

In the same way, there is little evidence to support the idea that circular migration represents the natural preferences of most migrants: they have limited choice regarding the jobs, change of employers, timing of return, and family unification. In addition, labour legislation in many destination countries fails to provide adequate protection for migrant workers involved in circular migration programmes (as reflected in international labour standards), employers can therefore minimize their obligations in terms of good working conditions, adequate social security, freedom of association, equal treatment between nationals and migrants workers, employer mobility and family reunification.

As we have seen in this section, today’s European Union favors programs of circular migration. In accordance, concrete steps are being taken at a European and international level to make sure that these labour migration programs run smoothly. It is however apparent that the current circular model praised as a ‘triple-win solution’ seems to make the destination countries the sole winners in providing them ‘labour without people,’ or ‘circular migrants’ with ill-

²³ Vertovec, S. (2007). *Circular Migration: the way forward in global policy?* p.6

²⁴ Wickramasekara, P. (2011). *Circular Migration: a Triple Win or a Dead End?*

defined rights. This makes it easier for employers to exploit workers, and to engage in flexible hiring and firing in line with economic conditions, and short term savings in integration costs.

2. Why Identity and Integration Matter

This section examines integration as a concept, and the negative consequences of the progressive failure of integration in Europe. It also illustrates that while recent European initiatives and improvements do exist in this area there need to be increased efforts and renewed action if Europe wants to avoid a future escalation of problems.

a. Definitions

Circular migration by definition “denotes a migrant’s continuous engagement in both home and adopted countries”²⁵. However, to be ‘engaged’ in both countries, the migrant needs to be somewhat integrated, possess a certain social capital, and be able to identify with both countries. Being constantly subject to social exclusion in the destination country cannot lead to the migrant’s becoming a productive member of the community, and therefore the returns for both countries and the migrant himself are considerably reduced.

Integration is a process – it is the inclusion of migrants in the institutions and relationships of the host society. But it is not only that. “Integration, in a sociological context, refers to stable, cooperative relations within a clearly defined social system”²⁶. Much discussion around integration focuses on ensuring migrants’ ability to be gainfully employed and contribute to the local economy. Integration also involves other crucial dimensions such as cultural, social and legal integration. It is through the integration of the migrant that the host society best ensures the protection of the migrant’s human rights, non-discrimination, unbiased employment policies, social stability, a chance at education, and the ability for the migrant to develop his social and

²⁵ Wickramasekara, P. (2011). *Circular Migration: a Triple Win or a Dead End?* p.12

²⁶ Bosswick, W., Heckmann, F. (2006). “Integration of Migrants: Contribution of Local and Regional Authorities”. *European Foundation for the Improvement of Living and Working Conditions*, P.2
<http://www.eurofound.europa.eu/pubdocs/2006/22/en/1/ef0622en.pdf> (viewed on 04/06/2012)

human capital in general. Migrants can best profit to both countries (origin and destination) if they are productive, trained, and educated members of the community²⁷; training is known to lead to human capital growth and the production of economic value.

Forming relationships and networks – also known as interaction – or creation of social capital is also very important to integration as it allows for the individual to identify with the social system. When the migrant sees himself as part of the collective body, he will participate more in the community and it will reflect in how he identifies himself. Social capital is the idea that social networks have value and increase productivity; it is “the ability of actors to secure benefits by virtue of membership in social networks or other social structures”²⁸. Most importantly, building social capital requires a personal investment in the community; it is a “culture of trust and tolerance, in which extensive networks of voluntary associations emerge”²⁹. Social capital fosters greater integration and vice-versa. If new migrants are not provided the opportunity to create social capital and integrate, the results and social returns are not very optimistic.

In circular migration, the meaningful and high-return investments in people that are necessary for development, integration, and that contribute to human capital and economic growth are discouraged by the temporariness of the system³⁰. Employers have little interest in training migrants whom they will never see again for higher skilled positions or giving them more responsibility. This limits the occupational mobility of immigrant workers. For countries of

²⁷ Wickramasekara, P. (2011). *Circular Migration: a Triple Win or a Dead End?*

²⁸ Portes (1998). “A Comprehensive Resource on Social Capital and its Research”.

<http://www.socialcapitalresearch.com/definition.html> (viewed 10/06/2012)

²⁹ Inglehart (1997). “A Comprehensive Resource on Social Capital and its Research”.

<http://www.socialcapitalresearch.com/definition.html> (viewed 10/06/2012)

³⁰ “Circular Migration – A New Form of Temporary Labour Migration?” <http://www.radio1812.net/circular-migration-%E2%80%93-new-form-temporary-labour-migration> (viewed 30/10/2011)

destination as well, a migrant who has no chance of becoming a productive member of the host community – and later a contributor back home – is of little interest. As we can see, integration is a very important element to hold in consideration when developing effective migration policies.

b. Failure of Integration in the European Union

Integration is a two-way process that involves both host societies and migrant communities³¹. This is an approach shared by the EU; however, its current policies leave the responsibility solely to local actors at the ground level. This shows a lack of understanding, or will, on the part of EU authorities to successfully integrate migrants into the societies they live in. Different levels of institutions, authorities and powers exist, but the EU only relies on the effectiveness at the ground level: in this situation, if those that implement policies have other priorities, then integration disappears from the local political agenda³².

In the EU member states, the approach widely taken (and accepted, which is worse) is one where the precariousness of the status of migrants needs to be maintained³³. Measures deterring the integration of migrants are used to keep migrants in an unstable situation (restricted access to work permits, reduced legal aid and social safety, safe country agreements, and increased detention in detention camps). The problem is that in Europe – and in most of the world – all types of migrants are lumped into the same category. In the obsessive fight against illegal migration, destination countries have begun resisting every type of migration. The image

³¹ Sanchez, P. (2010). “Migration and Integration at the EU Level: A Rights-based Perspective”. *European Social Watch Report 2010: Time for Action, Responding to Poverty, Social Exclusion and Inequality in Europe and Beyond*. Brussels, 2010.

http://www.socialwatch.eu/wcm/migration_a_rights_based_perspective.html (viewed on 16/04/2012)

³² Idem.

³³ Crépeau, Francois - United Nations Special Rapporteur on the Human Rights of Migrants. “Towards a Global Migration Management Regime.” Public Address.

that migrants need to be controlled and managed is a main theme, and detention camps³⁴ have been set-up far and wide (**ANNEX 1**). These camps are now a symbol of migration policy and the most visible part of ‘migration management tools’ in Europe. This logic of ‘securitization’ and protecting the safety of the state is the direction that the EU Member States took. Sadly, it takes the human face off of these migrants, and Europeans feel like there needs to be a distancing of foreigners in general³⁵. Considering the growing volume of European legislation in the field of security³⁶, the EU is not sending an integration-friendly message to its citizens, nor is it creating a positive environment for the integration of migrants into host communities: ‘securitization’ measures actually contribute to an anti-immigrant climate³⁷.

Furthermore, irresponsible political discourse has played an important role in leading us to where we are today³⁸, as political actors definitely have an influence on public opinion. The first ever Eurobarometer survey on Migrant Integration was conducted in March-April 2011³⁹. Over 500 EU citizens and 200 non-EU migrants participated from 14 member states. According to this Eurobarometer there was considerable confusion and a lack of understanding on the distinction between regular and irregular migrants⁴⁰. With multiple types of migrants lumped together as a big invasive mass, they are increasingly becoming scapegoats for various problems. Migrants are portrayed as stealing jobs and profiting from social services without contributing to

³⁴ These camps serve all purposes: the migrant waits there when entering the destination country, gets controlled there when leaving the destination country, gets his identity checked there, etc.

³⁵ Crépeau, Francois - United Nations Special Rapporteur on the Human Rights of Migrants. “Towards a Global Migration Management Regime.” Public Address.

³⁶ Sanchez, P. (2010). “Migration and Integration at the EU Level: A Rights-based Perspective”. (i.e., the establishment of FRONTEX, the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union, which started its activities in 2005).

³⁷ Idem.

³⁸ Crépeau, Francois - United Nations Special Rapporteur on the Human Rights of Migrants. “Towards a Global Migration Management Regime.” Public Address.

³⁹ “Qualitative Eurobarometer : Migrant Integration”, (2011).

http://ec.europa.eu/public_opinion/archives/quali/ql_5969_migrant_en.pdf (viewed on 17/04/2012)

⁴⁰ Idem.

them. According to another Eurobarometer survey from 2004, 54% of European citizens expressed their disagreement with the idea that the EU needs immigrants to work in certain sectors of the economy⁴¹. This shows that the common negative rhetoric and misinformation in the EU obviously has an effect on how migrants are perceived by host societies. Inevitably, the integration of migrants is not the primary public policy issue in most EU member states. When there is no strong mobilization and no electoral pressure, there are then no incentives in electoral democracies for executive or legislative powers to change anything⁴². The negative perception that EU members have of labour migrants is a matter that needs to be tackled at once.

The Commission and Member State governments have a responsibility to better communicate their policies on legal migration, and their actions to support integration of regular migrants. According to the 2011 Eurobarometre on integration, citizens feel that renewed endeavour is needed from governments, migrants and the general public in order to make integration work. EU citizens feel that migrants need to be integrated for their country to benefit from immigration. They also feel like more efforts should be made to facilitate migrants' access to work and their participation in education in order to improve interaction.

The negative political discourse is not the only reason for a failure of the integration of migrants in the EU. The global financial crisis of a few years ago also had a significant effect on the levels of immigration. There was a significant reduction in immigration to the European Union, according to new figures from the Organization for Economic Cooperation and Development (OECD)⁴³. According to the report, immigration to some countries declined by

⁴¹ "Eurobaromètre Spécial : Agenda de Lisbonne", 2005.

http://trade.ec.europa.eu/doclib/docs/2005/march/tradoc_122060.pdf (viewed on 02/12/2011)

⁴² Crépeau, Francois - United Nations Special Rapporteur on the Human Rights of Migrants. "Towards a Global Migration Management Regime." Public Address.

⁴³ 'Economic recession reduced EU immigration in 2009', (2011)

almost 50 percent in 2009. The crisis led to a rise in unemployment at the European level and therefore a reduction of openings for low skilled migrant workers, which necessarily decreases migration flows into the EU.

The crisis also forced local authorities in most Member States to cut social services, including services that are linked to integration programmes⁴⁴. The European social model has been put under stress. Although poverty and social exclusion existed before the crisis, there has clearly been an increase over the past couple of years, and this has impacted on migrant communities⁴⁵. Moreover, the social and political consequences of the crisis also need to be considered – an increase in xenophobia and racism has been noted in most host countries⁴⁶.

All in all, the circular migration system in the EU appears to be problematic in many ways. Its failure to better the living conditions of migrants is attributed to the fact that it is not designed with development considerations in mind, nor with integration and ‘skills improvement’ for migrants as a goal. Temporary migration does not tend to lead to human capital development, in part because of the type of jobs migrants find themselves doing⁴⁷.

Also, there is no built-in mechanism in the circular migration programme to protect migrant rights: they are now attempting a ‘shared responsibility’ between source and destination countries, which indicates an effort to shift the bulk of migrant protection to countries of origin. However, the country of origin can only prepare and educate migrants before their departure.

<http://www.workpermit.com/news/2011-07-15/europe/economic-recession-reduced-eu-immigration-in-2009.htm> (viewed 25/10/2011)

⁴⁴ Sanchez, P. (2010). “Migration and Integration at the EU Level: A Rights-based Perspective”.

⁴⁵ Report on Migration and Cooperation in the Euro-Mediterranean Region (2011).

<http://www.cese.europa.eu/?i=portal.en.events-and-activities-euromed-summit-2011-reports.20593> (viewed 1/12/2011)

⁴⁶ Idem.

⁴⁷ Agunias, D. (2006). *From a Zero-sum to a Win-Win Scenario: Literature Review on Circular Migration*, Migration Policy Institute, Washington DC.

Employers in host countries also need to be educated as to how to act towards the migrant worker.

The system of ‘circular migration’ in the EU appears to be built on the instability and temporality of migrants. Even if there are policy recommendations which state that circular migration should always be accompanied by temporary integration measures, countries and employers do not seem to have any short-term incentives to do so as one of the acknowledged advantages of circular migration is the ‘no integration costs’. When new migrants are not provided the opportunity to create social capital and integrate, the results of such migration schemes are not very optimistic. The result is that no feelings of identity are created, no dynamic participation in the host community, no sense of belonging, and instability. These are all great disincentives for integration on the part of the migrant too – which leads to a vicious circle.

c. Why is a New Approach Necessary?

The European Union has finally recognized that there is a need for better integration for Europe’s migrants. In August 2011, the EU Commissioner for Integration, Malmstrom stated that "the benefits of migration can only be fully achieved if we have good and effective integration"⁴⁸. She added that the EU needed to do more to get new migrants help in learning the language of their new home and to find work and gain an education. Malmstrom also stated that "the Commission cannot and will not integrate migrants, but we can assist Member States and in particular the local level with funding and platforms for sharing of knowledge and experience of what works"⁴⁹. She admits that this is important for not only migrants, but also for the European

⁴⁸ ‘EU Commissioner calls for better integration of immigrants into society’. (2011)
<http://www.workpermit.com/news/2011-08-16/europe/eu-commissioner-calls-for-better-integration-of-immigrants.htm> (viewed 30/10/2011)

⁴⁹ Idem.

economy and welfare as the demographic challenges ahead mean that Europe will soon be dependent on labour migration in order to sustain its way of living. Failure to integrate migrants successfully risks undermining the cohesiveness of local communities and impacting negatively on the allocation of public resources, which can lead to a negative shift in public attitudes towards migrants and immigration generally.

As we have seen, this is a situation already common in EU member states. Given the intensity of the political debate on this issue in Europe, it is arguable that a failure to integrate migrant labour properly will make it more difficult for the next generation of politicians to construct immigration policies which facilitate the economic migration required to ensure future prosperity⁵⁰. Highly visible integration failures and the negative public attitudes and immigration policies which stem from them, are frequently at odds with the private sector's needs and the successful functioning of the labour market.

If employers want to become successful lobbyists for economic migration in Europe, they need to become actively involved in the integration debate. They must recognize the wider impact that migrants have on the community, instead of merely viewing them as units of labour. Given that the integration of migrant workers takes place at the local and community level – i.e. in the places where migrants eventually settle – employers are very well placed to play a central role in this process. It is also in their interests to ensure that a properly-designed framework of integration programs is in place, providing the tools needed to help migrant workers realise their full potential in the workplace.

⁵⁰ Collett, E., Sitek, K. (2008). 'Making migration work: the role of employers in migrant integration', *European Policy Centre*, Working Paper No.30. EU Integration & Citizenship Programme. P.14
http://www.epc.eu/documents/uploads/608394341_EPC%20Working%20Paper%2030%20Making%20migration%20work.pdf (viewed 30/10/2011)

Needless to say, a new approach towards labour migrants is not only interesting for the host country, but for migrants and their home countries as well. Migrants' patterns of reintegration and their capacity to contribute to the development in their home country (in terms of financial and human capital, and skill transfers) are actually shaped by the type of migration experience, duration of the time spent abroad, and conditions back in the home country. Many organisations study returnees' patterns of reintegration in their country of origin and attempt to explain why some successfully contribute to development at home, whereas others don't. The answer is that the experience abroad really does matter: "low skilled return migrants have rarely been found to be agents of change, highly-skilled return migrants have more chances to assume such a meaningful role in their home country. This particular group of migrants is in a better position to acquire capital abroad and effect changes back home"⁵¹. Ammassari's research and cross tabulations have shown, for example, that the longer a labour migrant lives and works abroad, the more they interact and have closer contacts with local people, which in turn leads to a greater 'integration' into the local context and the development of a sense of identity. Consequently, these same migrants participate more in the host society, make investments and feel more stable. Such migrants are more prone to becoming agents of change upon their return to their country of origin⁵². Here we see that an integrative migration framework is crucial for all three parties.

d. Recent Initiatives: Improvement of Circular Migration Schemes?

The EU policy on the integration of migrants was first formulated in 2002 when the European Economic and Social Committee (EESC) released an opinion on *Immigration*,

⁵¹ Ammassari, S. (2009). *Migration and Development: Factoring Return into the Equation*. Cambridge Scholars Publishing. p.6

⁵² Idem.

Integration and the Role of Civil Society. The integration process is still ongoing today, however from a human rights perspective it is rather uneven. The EU does not have specific competence in this field, and it is still up to the Member States and the relevant regional and local entities to implement EU ‘guidelines’ in this area. The Member States, however, have not yet succeeded in agreeing on a common integration model. This fact, together with the lack of a comprehensive universal legal framework, leaves the EU in patchy terrain for migrant integration; characterised by good intentions, it lacks a consistent approach.

In 2005, the European Commission (EC) set the stage for the development of new initiatives in the field of integration. It published a *Communication on a Common Agenda for Integration – Framework for the Integration of Third-Country Nationals in the European Union*, which provided the basis for their priority areas (promoting European values, working on the public perception of migrants and legal immigration, and identifying indicators to evaluate the results of integration policies). It initially looked like the European Commission was going to present a universal framework for admission, but in the end the EC preferred a fragmented approach favouring highly skilled migrants, short-term stays and curtailing rights. This approach raises questions about the will of the European Union to integrate migrants within its society.

Another EC initiative that followed was the European Integration Fund, in operation since 2008. It was created in an attempt to improve diversity management and facilitate the integration of non-EU migrants⁵³. The Fund promotes integrative policies for migrants in a range of sectors (access to public services, education, and professional training); but the beneficiaries are migrants who have been living in the EU for a specific length of time, creating inequality

⁵³ “The European Integration Fund”. *European Commission Home Affairs*. http://ec.europa.eu/home-affairs/funding/integration/funding_integration_en.htm (viewed on 18/04/2012)

among migrants based on the time they have been in the host country⁵⁴. This is in line with the current focus of circular migration programmes, where short-term migrants do not need ‘integration’ as they are only staying for a limited time.

In 2010, the Council also adopted the *Framework Decision on Racism and Xenophobia*, and agreed that the better integration of migrants would help it to achieve the Europe 2020 target of 75% employment for 20 to 64 year olds⁵⁵. Little else has been done since then at the European level that can be considered meaningful. It has mostly been left to local and national authorities to deal with the problem.

After aiming for years for the adoption of a common immigration policy, the only truly common European initiative until now to govern labour migration is the “EU Blue Card”. In 2009, after long and difficult negotiations, the EU Member States agreed on common rules to govern the immigration of highly qualified workers from outside the Union. The blue card would grant a 4-year work and residence permit to non-EU citizens and would allow them to move to another member state after certain conditions are met. EU blue card holders would be able to bring family members with them, renew their blue card, and apply for permanent residency. “If we are going to realise our goals in the Europe 2020 strategy, the EU needs to remain open and competitive in the labour market, and we need to create more legal ways for migrants to come to Europe,”⁵⁶ said Maria Seneus, chief adviser to the EU.

However, even before its entry into force, the blue card had become the target of criticism. Many observers consider the program inadequate to meet the EU’s need for high-

⁵⁴ Sanchez, P. (2010). “Migration and Integration at the EU Level: A Rights-based Perspective”.

⁵⁵ Sanchez, P. (2010). “Migration and Integration at the EU Level: A Rights-based Perspective”.

⁵⁶ “EU Blue Card for Skilled Immigrants to be Introduced Soon” (January 2011).

<http://www.workpermit.com/news/2011-01-26/europe/eu-blue-card-for-skilled-immigrants-to-be-introduced-soon.htm> (viewed 25/10/2011)

skilled workers⁵⁷. One of the reasons is that in this scheme, the vast potential that already exists within EU and Member States is ignored and not well utilized. An important concern of Member States is their desire to better utilize the labour-market potential of residents of immigrant origin before encouraging increased immigration. Some of the immigrants that were allowed to settle on the territory in the past are not yet fully integrated into the society; past integration failures mean squandered potential⁵⁸. Also, this program is not made for the better management of circular labour migration, it is there only to attract the most qualified, and has been viewed as just another legal route for permanent migration for those who are most desired in the EU. Therefore, the blue card cannot be looked upon as a ‘good practice’ for effective and better labour migration in Europe as the lower skilled migrants are excluded.

Some EU countries such as the Netherlands have tried initiatives on their own by the means of bilateral agreements with other third-countries, such as the Dutch-Polish agreement ‘*Polish Nurses in the Netherlands, Development of Competencies*’ programme⁵⁹. The goal of the programme is to enrich the circular migration process by providing the migrant with language and skill training: this would allow the migrant to return home with a newly-acquired labour-market value. From 2002 until 2005 the Dutch and Polish Ministries of Health Care developed this pilot project. In this program nurses train and work in the Netherlands for up to two years, and then have valuable experience when they go back home. The Netherlands benefits from this because it has a shortage of nursing and caring personnel, and its population is aging. The Dutch Government requested the IOM to monitor the activities of three international organisations that recruited Polish nurses as part of the pilot project.

⁵⁷ ‘European Union Blue Card: The Blue Card Impasse’. <http://www.europeanunionbluecard.com/> (viewed 25/10/2011)

⁵⁸ Idem.

⁵⁹ Riga, A. (2007). “Dutch Health and Social Care: international labour mobility”. *Comparative European Social Research and Theory (CESRT)*. Maastricht. P.24

This Dutch-Polish initiative is only partly seen as a successful ‘good practice’; research results have shown that many of the employers and nurses acknowledged that their level of Dutch language skills was not sufficient to function optimally. This was also an obstacle to training. Participants are now starting to better prepare with pre-departure language courses and Dutch nursing training. There will also be thorough supervision on the job during daily work to bridge both cultural differences at work and language barriers.

Skill upgrading is a frequent recommendation that is seen in most EU reports, ILO Conventions, and academic research in general⁶⁰. It is this way for a reason – when temporary workers receive training while they are abroad, there are benefits for both countries. However, skills upgrading can only be coupled with a long-term relationship, for workers to return home with a newly-acquired labour-market value. Even if this program is seen by some as just another example of ensuring temporariness through cooperation, it does offer real gains for the migrant and for the country of origin.

Circular migration programs – with goals such as the ‘temporality’ of migrants, do not seem very efficient and positive for neither the European economy in the long run, nor for the development of human capital, social capital, and rights of migrant workers. This section clearly illustrates that Europe still has many challenges to overcome, such as the negative political discourse of governments regarding migrants, a challenging logic of securitization, cuts in integration programs caused by the financial crisis, and the lack of protection of migrants’ rights. If the present structure in Europe does nothing more to encourage integration, it may have negative impacts on the civil society in the Member States, and also hinder the more profitable

⁶⁰ Newland K, Rannveig A.D. and Terrazas, A. (2008). ‘Learning by Doing: Experiences of Circular Migration’, *Migration Policy Institute: Insight*. Washington, DC, September 2008.
<http://www.migrationpolicy.org/pubs/Insight-IGC-Sept08.pdf> (viewed 30/11/2011)

returns that migrants could bring to both countries if they were allowed to integrate and participate in the society and economy. Even with recent European initiatives to improve the migration scheme, if the EU does not progressively change its discourse and address the root causes of today's malaise towards migrants, it might turn into a structural problem before long.

3. Changing directions? Return migration

a. Taking the Lens of Integration and Respect of Human Rights to Analyse Return Migration

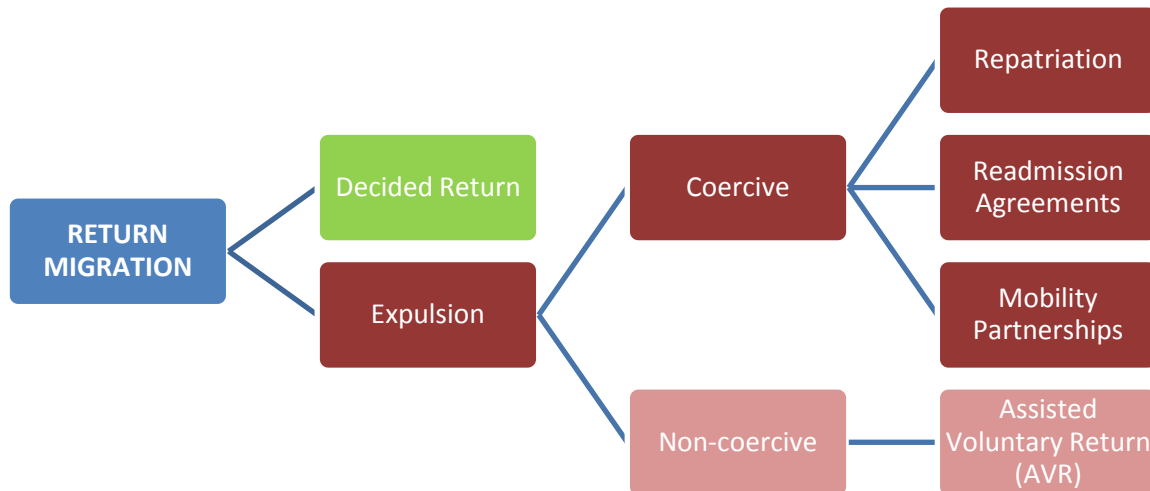
The circularity of the current migration system inevitably leads to an expected return of migrants to their home country at the end of their stay. This section will take the lens of ‘integration’ and respect of human rights to analyse the framework, goals and strategies of the programmes that are used to send migrants back home, and assess whether their subsequent returns are sustainable. The desired “sustainability of return”, simply put, means that the returnee remains in his country of origin after returning there, that his socio-economic status and his fear of violence and persecution has not become worse after returning, and that he is able to participate and become an active member in his country of origin⁶¹.

It is assumed that when a migrant actually chooses to return, it is a more sustainable form of remigration to the country of origin. Empirical studies of returnees have shown that the desire to depart again is stronger in returnees who were deported than in those who returned of their own volition⁶². This study will now examine this hypothesis as well as different types of return, and endorse the one that best promotes integration, re-integration, and sustainability – namely, ‘decided return migration’.

What does it actually mean to talk about a migrant’s ‘return migration’? The different types of return are presented in a simplified manner in the figure below:

⁶¹ Cassarino, J-P (Ed.) (2008). “Return Migrants to the Maghreb Countries. Reintegration and Development Challenges”. *General Report 2008*. San Domenico di Fiesole: European University Institute.

⁶² Idem.

Figure 1: Different types of Return Migration

In a general sense, return typically refers to the migration of a person back to his or her country of origin following a stay in another country. Even if the definition of return as a generic term is not generally binding, various definitions and legal acts have determined its meaning in connection with migration management. According to a rather operative definition from the European Commission (EC), the term ‘return’ comprises “the process of going back to one’s country of origin, transit or another third country, including preparation and implementation”, in which it “may be voluntary or enforced”⁶³. Unfortunately, it is clear that this EC operative definition sees ‘return’ as the end of a process; whereas return is actually just a step in the migratory cycle and it is important to see it that way and not as the end of a linear process.

⁶³ “Return Assistance in Germany: Programmes and Strategies fostering Assisted Return to and Reintegration in Third Countries”. (2009). *European Migration Framework*, Germany. p.18
http://www.bamf.de/SharedDocs/Anlagen/EN/Publikationen/EMN/WorkingPaper/emn-wp31-return-assistance-en.pdf?__blob=publicationFile (viewed 14/04/2012)

The word ‘return’ is currently used as a synonym for readmission or removal – that is not only semantically misleading but also analytically biased. As we have previously seen, the EU Member States’ return policies are primarily aimed at securing the effective departure of unauthorised foreigners. All policies are euphemistically named ‘return policies’ deliberately; the migration cycle and reintegration steps are not held in consideration, and coercive and non-coercive types of return are confused. This is all the same in the media and to the eyes of the population.

As we saw in Figure 1, there are mainly two different types of return: the ‘decided return’, where a migrant chooses to go back to his home country by his own volition (forfeiting his right of residence in the country of destination), and the ‘expulsion’ (coercive or not), which is an interruption to the migratory cycle. The term ‘expulsion’ will be used in this paper as a generic term that covers any return situation where general procedures were taken to terminate a migrant’s stay in the territory of the host country. The following sections will take a closer look at these return processes, always holding in consideration the ‘integration’ element and sustainability of return.

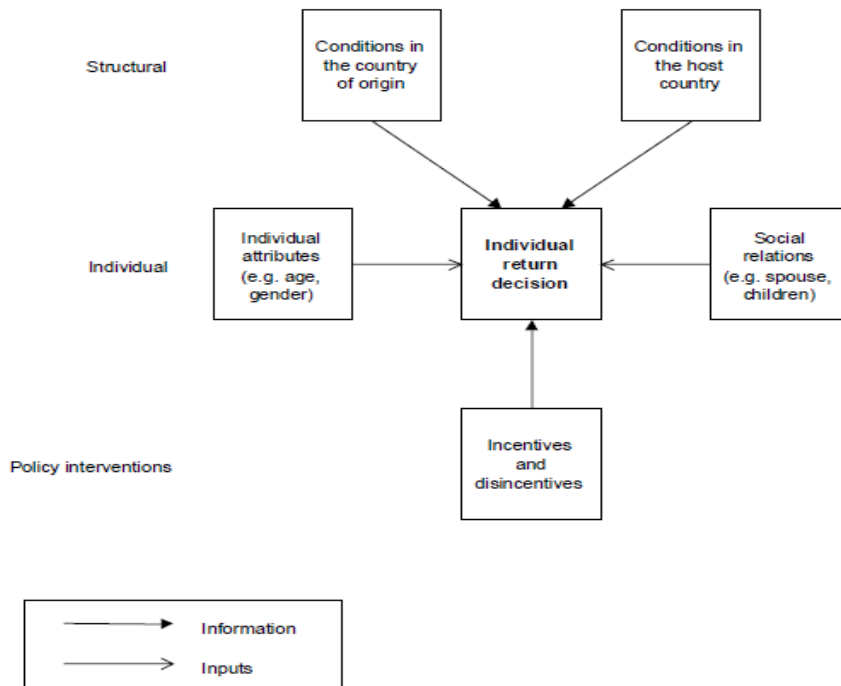
b. Decided Return Migration

Numerous questions can be asked here, such as ‘who are these people who chose to return to their home countries?’ ‘What are the motivations behind such a choice?’ ‘What difficulties are they faced with when trying to come back into a society that had been left some time ago?’ Past theories that attempted to explain migration reduced the act of return to a cost-benefit calculation, where the migrant decided to return either if he did not realize the original migration objective (failed migration project) or, in the other case, return was seen as the result

of a successful migration project where the migrant effectively saved and sent money back home, and is ready to go back.

Today, the existing literature on the decision to return voluntarily suggests that non-economic factors actually weigh more heavily than economic factors, and that ‘pull’ factors in the country of origin are more important than ‘push’ factors in the country of destination⁶⁴. Newer sociological approaches – such as ones adhered to by Jean-Pierre Cassarino – focus more intensely on the link between country of origin and destination, and consider power structures, traditions, and values as determinants for the decision to return. Figure 2 shows an analysis of the factors determining the decision to return.

Figure 2: Factors determining the decision to return



Source: Koser, K. et al. (2004). “Understanding Voluntary Return”. p.13

⁶⁴ Koser, K, Black, R, Munk, K. (2004). “Understanding Voluntary Return”. *Home Office Online Report*. Sussex Centre for Migration Research.

A whole package of factors is relevant for the decision to return: certainly the cultural matrix and the age, level of education, professional expertise, and occupational status of the migrant do matter. Some might also have the desire to spend their remaining years in the country of origin or to innovatively invest the accumulated capital and competences there. Ultimately, the research carried out (based on censuses and surveys) generally shows that the most important factors that influence the migrants' decision to return are peace and security in their home countries, family ties, and lack of economic prospects and employment opportunities in the country of destination.

In addition, Cassarino points out that a migrant's 'preparedness' has considerable impact on his decision to return⁶⁵. The decision to return is made at a point in time when sufficient resources in the destination country have been accumulated, and when the situation in the country of origin is positively assessed⁶⁶. Sufficient time needs to be available in order to mobilise the necessary resources; it is in this way that the nature and shape of the migration experience are variables that influence the migrant, because the amount of time needed for him to prepare this return, his occupation and initiatives upon return, social status and lifestyle, social relationships and networks will all depend on it. In the same way, Cassarino emphasizes that there are dynamics between migration processes and that return is not the ultimate destination, but rather a part of a circular system of social and economic relationships. 'Preparedness' is determined by the existence of the principle 'willingness' to return, as well as by the factual and current 'readiness'.

⁶⁵ Cassarino, J-P (2004): Theorising return migration. The conceptual approach to return migrants revisited. *International Journal on Multicultural Societies* 6, p.272-275

⁶⁶ Cassarino, J-P (2004): Theorising return migration. p261-263.

Unfortunately, a more thorough analysis of the situation is hindered by the fact that many migration countries do not record their returnees – the ones that return of their own volition. Destination countries register foreign nationals leaving the country, but do not record where they leave for. On the other hand, countries of origin do not require from their nationals to register upon arrival; there are no formalities when those re-enter the country with a valid passport. The statistical background is therefore very weak and information about pre and post-return conditions, return motivations or patterns of reintegration is scarce. This also makes it harder to assess what factors contribute the most to the sustainability of a return. The only sources to evaluate the number of people that go back to their home country by their own volition is through censuses, field surveys, or interviews with migrants – these sources do not provide clear or detailed data.

The lack of sufficient and accurate data on decided return migration can lead to negative political implications for the implementation and clear assessment of mechanisms and policies that would aim to facilitate the return, reintegration and participation of migrants who have decided to return to their home country. An improvement of the available datasets on return would be beneficial in order to gain statistical information on these migrants and to create appropriate policies or incentives for them – the ultimate goal always being to arrive at more sustainable returns.

c. Expulsions

Expulsions have been on the rise in Europe in the past fifteen years, as they have become a big part of the EU's migration management policy⁶⁷. To support the efforts made by the Member States to improve the management of 'return', a *European Return Fund* has been established by the EC in 2007. Between 2008-2013 a total of 676 million euros⁶⁸ are appropriated from the EU budget and distributed to the Member States to support measures in the fields of coercive and non-coercive expulsions.

A state is considered to have the right – by its sovereign powers – to control its own territory, its borders, and to admit or expel whoever it wants from its grounds. But this power to expel has been slowly regulated by international and regional laws to give it a legal framework and provide safeguards. An expulsion is always an interruption of the migratory cycle (because the migrant is not yet ready to leave), and it has a negative effect on the reintegration of the migrant at home – in the form of unemployment, burden on the family or neighborhood, etc.

It is important to distinguish between the different types of expulsions. First off, expulsion should not be confused with 'extradition', which is an official process regulated by treaties between nation states whereby one state surrenders a suspected or convicted criminal to another nation or state. This paper concentrates on the coercive and non-coercive means of expulsion which are used to return migrants home. Coercive means of expulsion include 'repatriation', 'readmission agreements' and 'mobility partnerships'; these means are used when migrants find themselves in an irregular situation in the host country and are under legal

⁶⁷ "Les Nouveaux Vents de la Migration - 4/4 - Retour au Pays." Perf. J-P Cassarino, J-M Lafleur, and A. De Tinguy. *France Culture - Émission Cultures-monde*. 08 /03/2012. Radio. <http://www.franceculture.fr/emission-culturesmonde-les-nouveaux-vents-de-la-migration-44-retour-au-pays-2012-03-08> (Viewed on 14/04/2012)

⁶⁸ "Return Assistance in Germany: Programmes and Strategies fostering Assisted Return to and Reintegration in Third Countries". (2009). p.51

obligation to return home. The most important non-coercive mechanism used to return migrants to their country of origin is the ‘assisted voluntary return’ programme. The word ‘voluntary’ in there actually means ‘voluntary under compulsion’, where the ‘voluntary’ decision to return is rather linked to the impossibility of continued residence in the destination country⁶⁹.

Type 1: Coercive

Coercive, or forced, returns are determined by law or legal regulation. They include measures such as refusal of entry (rejections), return after illegal stay, repatriations (returning refugees to their country of origin after a war) and any other type of removal. In 2008, the *EU Return Directive* was put in place. It calls for the detention of irregular migrants for up to 18 months and forbids their return to the EU for 5 years. It is said that this policy was put up to encourage ‘voluntary returns’ (voluntary departure period of seven to thirty days) before a removal order is issued⁷⁰. The purpose of the legislation was also to lay down EU-wide rules, procedures and minimum standards on the treatment of illegal immigrants during their return process. The directive covers periods of custody and re-entry bans.

Human rights advocates are very disappointed with these provisions because they seem abusive, and there are worries coming from many sides because this excessive period of detention and re-entry bans risk to lower existing standards in Member States and set an

⁶⁹ The UNHCR defines voluntary return as a result of the “execution of the own free and unrestricted will in a sensible choice between returning or not returning to the country of origin against the background of the existing conditions...” (UNHCR, 1993. p.52). It is later added in 1996 that no measures, such as physical, psychological or material pressure, that force the refugee to return to his home should be exerted, and that as a general rule “the positive pull factors in the country of origin are an overriding element in the refugees’ decision to return rather than possible push factors in the host country” (UNHCR, 1996. 2.3). The IOM differentiates between “voluntarily without compulsion” and “voluntarily under compulsion”, whereby the first alternative would correspond with the voluntariness concept of UNHCR (and therefore what is called ‘decided return’ in this study) and the second alternative wouldn’t. “Voluntarily under compulsion” is therefore not really voluntary, as we have previously explained.

⁷⁰ “Parliament adopts directive on return of illegal immigrants”. (2008). *European Parliament*. <http://www.europarl.europa.eu/sides/getDoc.do?language=en&type=IM-PRESS&reference=20080616IPR31785> (viewed 17/04/2012)

extremely bad example for other regions in the world. The EU Return Directive also contains weak provisions with regard to judicial oversight of administrative detention.

Repatriation – where any irregular migrant is returned to his home country - is facilitated by the many ‘readmission agreements’ that exist between the EU Member States and third-countries. This practice dates back to the early 20th Century, where the principle of readmission – based on the obligation to take back one’s own nationals who are found in unlawful conditions – was expressed in various bilateral agreements in Western Europe⁷¹. ‘Readmission agreements’ are now an immigration control system consolidated between countries of origin, transit countries, and destination countries, aimed at facilitating the removal of “persons who do not or no longer fulfill the conditions of entry to, presence in or residence in the requesting state”⁷².

States differ in terms of cooperation and readmission. Some use the standard readmission agreements while others – in a drive for flexibility – adopt more recent mechanisms and instruments such as exchanges of letters, memoranda of understanding, and police cooperation agreements⁷³. The EU has numerous readmission agreements in place, such as with Ukraine, Russia, Serbia, and Sri Lanka, to only name a few. The drive for flexibility and operability has gradually led to the emergence of diverse cooperative patterns on readmission and to a dramatic expansion of the cobweb of bilateral agreements linked to readmission (**ANNEX 2**).

⁷¹ "The obligation for states to readmit their citizens is clear in international law. Article 13 of the 1948 UN Universal Declaration of Human Rights enshrines the right to return to one’s own country, the corollary of which must be the obligation of the state to allow one to do so. Readmission agreements do not establish the state’s obligation to readmit its citizens, but merely facilitate this process” (Roig and Huddleston 2007, p. 364).

⁷² European Commission (2002), *Communication from the Commission to the Council and the European Parliament on a Community Return Policy on Illegal Residents*, COM (2002). p.26

⁷³ Cassarino, J-P. (2010). “Readmission Policy in the European Union.” Directorate General for Internal Policies, Policy Department C: Citizens' Rights and Constitutional Affairs, Civil Liberties, Justice and Home Affairs, Brussels, European Parliament.

As the sole pressure to induce third countries to cooperate effectively on readmission is not always enough, the European Commission has also been looking since 2006 to negotiate ‘mobility partnerships’ – a new concept – between the EU and third countries, with a view to enable the citizens of third countries to have better access to the European Union⁷⁴. “Both mobility partnership cooperation partners [...] promote an abstract and conceptual agreement on temporary labour-migration schemes”⁷⁵ ‘Mobility partnerships’ are not EU readmission agreements, neither in their rationale nor in their form. They are tailor-made arrangements and encompass a broad range of issues ranging from development aid to temporary entry visa facilitation, and circular migration schemes, including cooperation on readmission.

The partnerships are made with countries that agree to cooperate on border control, and on effective mechanisms of readmission (of its own nationals and of third-country nationals who cross their territory before arrival in the EU). The EU for its part eases the access to short-term visas for nationals of these countries, ‘facilitates’ access to labour markets, and assists financially in technical trainings, programs for the readmission of migrants back home, and other development aid. There are already some ‘mobility partnerships’ put in place with Moldova, Georgia, Cape Verde, and Senegal. The European Commission presents these partnerships as a paradigmatic “shift from a primarily security-centred approach focused on reducing migratory pressures to a more transparent and balanced approach”⁷⁶. These partnerships are meant to be a platform for dialogue and consultations, and an attempt to build mutual understanding and trust. In addition, these ‘readmission agreements’ and ‘mobility partnerships’ are rarely an end in

⁷⁴ ‘Circular migration and mobility partnerships’.

http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/14564_en.htm (viewed 30/10/2011)

⁷⁵ Fleischer, A. (2012). “A Statistical Overview on Return Migration to the Republic of Armenia”, p.7

⁷⁶ European Commission (2008), Strengthening the Global Approach to Migration, Increasing Coordination, Coherence and Synergies, Brussels, COM (2008). p.3

themselves but rather one of the many ways to consolidate a broader bilateral cooperative framework, including “other strategic (and perhaps more crucial) policy areas such as security, energy, trade, and the fight against terrorism”⁷⁷.

However, these reciprocity packages are selective in that they are only made with countries that agree to cooperate on illegal migration. There is – once again – an underlying need to avoid the permanent stay of migrants and to secure the temporariness of the circular migration movement⁷⁸. The EU’s attempt to link ‘mobility partnerships’ with cooperation on readmission reflects how this issue has now become a central component of its immigration policy. In addition, the reciprocity of commitments does not mean that the contracting parties benefit equally from ‘mobility partnerships’. The main goal here is not really to ease the access to the EU labour market, but a speedy return of migrants staying without authorisation on the territory of the EU (within the framework of readmission agreements).

As to the efficiency of these programs, statistical shortcomings make it once again difficult to assess and monitor. The only reliable information available is the first report on readmission agreements concluded between the EU and third countries, released by the European Commission (EC) in February 2011. The conclusions are mixed regarding the efficiency of these programs and the human rights violations that they induce⁷⁹. The EC agrees that the agreements

⁷⁷ Cassarino, J-P. (2010). “Readmission Policy in the European Union”. p.52

⁷⁸ Cassarino, J-P. (2008), “Patterns of Circular Migration in the Euro-Mediterranean Area: Implications for Policy Making”, CARIM AS 2008/29, Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute. P.7
http://cadmus.eui.eu/bitstream/handle/1814/8350/CARIM_AS%26N_2008_29.pdf?sequence=1 (viewed 25/10/2011)

⁷⁹ “Migreurop: Évaluation de la Commission européenne sur les accords communautaires de réadmission. Quelques réactions et interrogations”. (2011). p.1 <http://www.statewatch.org/news/2011/apr/eu-migreurop-readmission-fr.pdf> (viewed 05/04/2012)

are not always democratically controlled in all European countries, and that they can be at times susceptible to result in human rights abuse (in which case they can be suspended).

However, the EC then follows by recommending that the directives for the negotiations should be clearer on the retaliation measures that the EU might take in case of persistent refusal to cooperate on behalf of the partner country. These agreements are indeed an economic cooperation and have development conditionality: in the end, the third countries will have to accept the EU's policy on management of migration flows (which promotes its own interests) under penalty of seeing their 'aid' suspended⁸⁰. This 'cooperation on return' should be called 'cooperation on expulsion' – we see here again how the word 'return' is inaccurately used.

Type 2: Non-coercive

The most important 'non-coercive' mean of expulsion is the Assisted Voluntary Return (AVR) programme. AVR programmes are endorsed by international organisations, governments, NGOs, because they strive to create beneficial outcomes for all parties involved in the return. It is seen as a politically acceptable and humane way to return migrants to their countries of origin, relative to deportation. It is also more cost-effective than forced removals.

Assisted return in Europe started “in the 1970's , as the era of guest-worker migration to Europe ground to halt due to economic recession in many European countries prompted by the 1973 oil crisis”⁸¹. The *aide au retour* programme in France for example offered migrants cash payment to return to their home countries. These initiatives failed to live up to the expectations

⁸⁰ “Migreurop: Évaluation de la Commission européenne sur les accords communautaires de réadmission. Quelques réactions et interrogations”. (2011). p.4

⁸¹ “Assisted Voluntary Return (AVR): an Opportunity for Development?” (2009). Development Research Centre on Migration, Globalisation & Poverty. No.20. UK: Sussex Centre for Migration Research. http://www.migrationdrc.org/publications/briefing_papers/BP20.pdf (viewed 01/04/2012)

of policymakers, but the idea did not die: assisted return policies have not been abandoned by European governments, and now they often take the form of AVR programmes.

The IOM implements over 40 AVR projects within 26 Member States, and Norway and Switzerland (2009 data)⁸². Recently, AVR schemes have also been introduced in migrant transit countries, with financial support from European governments and European Commission. For example, the IOM has facilitated an AVR programme in Libya since 2006, offering stranded migrants from Sub-Saharan Africa the opportunity to return home with added benefit of in-kind reintegration assistance to start small businesses. AVR projects support every type of irregular migrant, including labour migrations who overstayed their visas, rejected asylum seekers, recognised refugees, and other foreign nationals eligible for benefits who decide to “voluntarily” return to their country of origin or an admitting third country. There are three basic stages in an assisted voluntary return process: the first stage is pre-departure, with information sessions, assistance, and facilitating travel documentations; the second stage is departure, with transit and escort assistance, and last the stage of post-arrival and reintegration, with reception and post-arrival counseling, health related support and provision of reintegration assistance.

To what extent are the AVR programmes voluntary? Have they been effective? Do they have a positive impact on the returnee or on the development of the returnee’s country of origin? Contrary to actual ‘decided returns’, statistical data on assisted return programmes is available and the European Commission, IOM, ILO, and Federal reports agree that successes are few⁸³. It has been noted that typically the State (in partnership with the IOM) merely provides transportation costs and lump-sum travel assistance, and only a selected few receive start-up aid

⁸² “Assisted Voluntary Return and Reintegration (AVRR) in the EU”. (2009). *International Organization for Migration*. Geneva. p.1

⁸³ *Idem*, p.12

for reintegration. In addition, the IOM has not been able to consistently “conduct monitoring of the programmes it facilitates, as this is extremely costly”⁸⁴.

There has also been contention with the concept of voluntariness as we have previously seen. The main argument is that “one can only talk about voluntariness if there is a real option to stay”⁸⁵. Individuals who are under an enforceable legal obligation to leave the country are in a situation in which they are faced with deadlines for departure, re-entry bans, reduction of social benefits, cancellation of the work permit, and pending deportation. These factors, combined with simultaneous return counselling, exert considerable pressure and do not make the return a very ‘voluntary’ process⁸⁶. A longitudinal survey by Von Lersner on migrants who returned with AVR programmes from Germany to Bosnia, Serbia, Kosovo, Turkey and Iraq informs us that 58% of the interviewees “reported that their return was [actually] involuntary and highly influenced by government authorities”⁸⁷. Such findings demonstrate that often ‘return’ has shifted from being a voluntary decision made by individuals, to a policy option which is now exercised by governments⁸⁸.

AVR projects are seen by many as another deterrent measure by EU Member States, to maintain the precariousness of the status of migrants, and to remove them from the territory as fast as possible. Although some returnees get reintegration funding, most of them end up in precarious situations upon their return, and their small business ventures fail to provide for themselves and their families.

⁸⁴ “Assisted Voluntary Return (AVR): an Opportunity for Development?” (2009). p.2
http://www.migrationdrc.org/publications/briefing_papers/BP20.pdf

⁸⁵ “Return Assistance in Germany: Programmes and Strategies fostering Assisted Return to and Reintegration in Third Countries”. (2009). p.20

⁸⁶ *Idem*, p.22

⁸⁷ Von Lersner, U., Elbert, T, Neuner, F. (2008), “Mental Health of Refugees Following State-sponsored Repatriation from Germany”, *BMC Psychiatry* 8:88. <http://www.biomedcentral.com/1471-244X/8/88>

⁸⁸ *Idem*.

The reason for this is that economic needs are not the only side to take into consideration when ‘returning’ a migrant back to his home country. These programs are financing the return to a migrant whose whole migratory cycle has been interrupted: their children going to school, their life developing in the host country, some have even been caught in the economic crisis and have loans. These people have not had the chance to stay as long as they needed to, and upon return they often face many obstacles. AVR reintegration packages cannot (and are not meant to) help against military conflicts in the country of origin, politically motivated persecution, lack of security, insufficient medical supplies, unemployment, and limited prospective and educational opportunities. In addition, there might be further obstacles in the shape of ‘expectation barriers’ which are created by relatives or the local community. If migration took place for reasons of poverty, the return is very much linked to social prestige as the returnees are expected to have accumulated visible wealth, which might serve the benefit of the local community – a lack of that might be viewed as a cultural or social loss of face for those affected⁸⁹.

If we look at some of the studies that have been done on AVR returnees the results are not impressive. A study conducted in 2008 in Sri Lanka by the *Development Research Centre on Migration, Globalisation and Poverty* consisted of interviews with 48 migrants who had returned from the UK under the Voluntary Assisted Return and Reintegration Programme (VARRP)⁹⁰. A total of 44 of the 48 returnees interviewed had opened businesses – and this reflects the common pattern amongst VARRP returnees to Sri Lanka. At the time of interview, only four business owners reported that businesses generated a profit above subsistence levels and 20 businesses

⁸⁹ “Return Assistance in Germany: Programmes and Strategies fostering Assisted Return to and Reintegration in Third Countries”. (2009). p.60

⁹⁰ “Assisted Voluntary Return (AVR): an Opportunity for Development?” (2009). p.2
http://www.migrationdrc.org/publications/briefing_papers/BP20.pdf

had closed completely⁹¹. 45 of the 48 returnees indicated that they hoped to emigrate again. Four returnees also reported that they had experienced human rights abuses at the hands of Sri Lankan authorities since they had returned home. These migrants were perhaps no worse off than other people in their communities, but the AVR return and one-time reintegration payment given to them clearly has had no benefit for the migrant or value-added for his country of origin. In addition, even when AVR programmes are not meant to calm tumultuous political situations in the country of origin, it is undeniable that such safety concerns will be a reality in the everyday life of the returned migrant.

Another studied example has been the one of returnees to Afghanistan (**ANNEX 3**). It has been observed that returnees are faced with poor employment and housing conditions back in their country of origin. According to a field survey by Bree, 93% of the interviewed sample declared that they face social and political tensions and have restricted mobility due to lack of safety⁹². Insecurity, added to economic and social instability in Afghanistan, are the most frequent factors that interviewees mentioned to leave again for abroad as 89% of them expressed the desire to return to the West. In addition, Von Lersner's study of AVR provides evidence of resilient psychological distress among respondents⁹³. These factors deeply hamper a returnee's process of social and professional reintegration in the country of origin.

These field investigations shed light on all the challenges that migrants face when breaking their migratory cycle and returning home under assisted 'voluntary' programmes. It is important to understand how "the voluntary dimension and the 'sustainability of return', which

⁹¹ "Assisted Voluntary Return (AVR): an Opportunity for Development?" (2009). p.3
http://www.migrationdrc.org/publications/briefing_papers/BP20.pdf

⁹² Bree, J. (2008), Return Migration to Afghanistan: Monitoring the Embeddedness of Returnees. Radboud University Nijmegen, CIDIN. p.16

⁹³ Von Lersner, U., Elbert, T, Neuner, F. (2008), "Mental Health of Refugees Following State-sponsored Repatriation from Germany", *BMC Psychiatry* 8:88. <http://www.biomedcentral.com/1471-244X/8/88>

constitute key elements supporting the adoption and implementation of AVR programmes, have been addressed in concrete terms”⁹⁴ in the above case studies. More wide-ranging and comprehensive monitoring and evaluation of those who return under AVR programmes is needed in order to better understand the risks and challenges to returnees, and the challenges of the programme. “Evaluation of the effectiveness of return and reintegration assistance by reviewing programmes and measures is an eminent sphere of activity [...] A more uniform view should be pursued with regard to the basic semantic question towards the actual essence of sustainability in return assistance.”⁹⁵

d. What Policies Best Promote Integration and Sustainable Return?

Let’s first remind ourselves what a ‘sustainable return’ consists in, and what factors influence a successful reintegration into the home country. Sustainable return migration has been framed as a (re)embedding process, in which the returnee finds his own place in society while simultaneously establishing an identity-related form of belonging to and a sense of participation in this society⁹⁶. There are three dimensions of embedding: economic embedding, psychosocial embedding and embedding in social networks. Sustainability of return as signified by the individual’s embeddedness is considered a great influence on the stability of society in the return region, which can be described as structural sustainability.

⁹⁴ Cassarino, J-P. “Readmission Policy in the European Union.” (2010). p.46

⁹⁵ “Return Assistance in Germany: Programmes and Strategies fostering Assisted Return to and Reintegration in Third Countries”. (2009). p.13

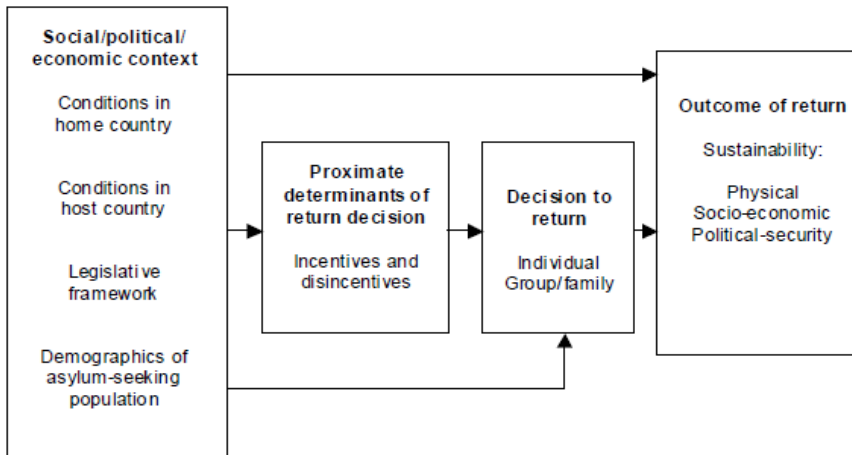
⁹⁶ Davids, T., Van Houte, M. (2008): “Remigration, Development and Mixed Embeddedness: An Agenda for Qualitative Research?”. *International Journal on Multicultural Societies* Vol. 10, No. 2 (Special Issue: “The Conditions of Modern Return Migrants”).

How well individual embeddedness advances, depends on a number of influential variables. Empirical studies such as van Houte and de Koning's⁹⁷, clearly show that reintegration packages and aid from public or private organisations do have some influence on the embeddedness of returnees, however the most important factors are the individual characteristics of the returnee and the experience gained from the migrant's individual situation in the migration cycle⁹⁸.

There is no fixed or defined set of factors that lead to a sustainable return, as each case is different. However, researchers have determined that the type of migratory experience matters, so do the circumstances of the return and transition back, the economic, social and political conditions in both destination and origin countries, and the amount of time spent abroad. There is an 'optimal duration' of the migration cycle which is anywhere between 5-10 years, as the migrant needs time to mobilise tangible (financial savings) and intangible resources (contacts, networks, social capital), and to invest in different ways. Figure 3 presents a list of factors leading to a sustainable return.

⁹⁷ Van Houte, M., de Koning, M. (2008): "Towards a better embeddedness? Monitoring assistance to involuntary returning migrants from Western countries". *Centre for International Development Issues*, Nijmegen.

⁹⁸ Ibid.

Figure 3: Factors leading to the sustainability of return

Source: Koser, K. et al. (2004). "Understanding Voluntary Return". p.36

Note: In this figure, asylum-seekers are mentioned, but this figure also applies to labour migrants.

As previously mentioned, Cassarino argues that the migrant's 'preparedness' has a considerable impact on his return⁹⁹. Sufficient time needs to be available in order to mobilise the resources, and to assess the situation in the country of origin. On the degree and scope of preparations, a well prepared migrant would have had enough time to prepare his return (minimum of four years), and a person who would have to depart because of an obligation to leave the country and would have no motivation to do so, wouldn't be prepared at all. This lack of will and readiness to leave would tend to lead to an unsustainable return.

At this point, the important question to ask is: to what extent can the different returns and mechanisms identified in this study be relied on to ensure integration of the people that they are there for, or promote sustainability after the return? Expulsions, whether they are coercive or non-coercive, always interrupt and break down a migration cycle that could have been full of

⁹⁹ Cassarino, J-P (2004). "Theorising return migration. The conceptual approach to return migrants revisited". 272-275.

opportunities. Real ‘decided returns’ appear from the limited studies more likely to be sustainable than involuntary returns.

Those who return by their own volition are less inclined to leave their home country again, and enjoy, on average, higher income levels back home. Also, education, employment and training enjoyed in the country of destination would appear to have encouraging effects on sustainable return, as it made the migration experience more fruitful, and permits the migrants to accumulate more capital (tangible and intangible). When the migration cycle is not cut, and migrants have time to prepare, they return home with savings, skills, knowledge and ideas, as well as with personal and professional contacts. All of this equips them with the necessary means to operate meaningful changes after return, being as returnees are seen as innovators in terms of the human, financial and social capital transfers that they operate¹⁰⁰.

Nonetheless, even in the event of a ‘decided return’, returnees will not be able to bring much capital back home if they were not given the opportunity to integrate, and build social and human capital during their experience in the destination country. As we have previously seen, a problem in the EU is that all migrants are put in the same boat – they are all perceived as a threat, one way or another. AVR programmes as offered to all types of migrants who want to accept this form of assistance, and none of them are really given a chance in the host country. Migrants are not seen for their potential, their skills, and their human capital; whatever they have to offer stays concealed, and possibilities to grow and build on their experience in the destination country are very limited.

¹⁰⁰ Ammassari, S. *Migration and Development: Factoring Return into the Equation*.

Studies such as Koser's show that restricting employment for migrants does not actually increase the likelihood of their return home¹⁰¹. Also the same study points out that granting permanent status to migrants does not necessarily reduce the likelihood of their return home – there was no clear correlation found there. This is yet another proof that the migration cycle and return are not only influenced by economic motives – a complex set of factors plays in, and these circular migration schemes with countless ways to send migrants back home rapidly (mobility partnerships, readmission agreements, AVR programmes, detention centres, etc) might not even be relevant at all.

It is important to invest in structural change, as this will bring about real, positive and long-term returns: taking in the human capital and potential, and allowing it to thrive and to grow. When the migrant returns to his home country after a few years, if it is a prepared and wilful return, it brings real benefits for all three parties. It is in the end a matter of giving the migrant a chance, and that is where integration comes into play – it is really the key element in the success of any migrant programme, and of the migrant's return home. There needs to be more focus on the part of the EU to commitments such as the EU Integration Fund and not to the EU Return Fund. The best policies are the ones that allow integration, respect human rights, and promote mechanisms for wilful return migrants to contribute to the host country and the country of origin. In the opposite scenario, their migration cycle is broken, they are discouraged and lose the potential to really contribute anywhere.

e. The Way Forward

Originally circular migration was not supposed to be about expulsions or distancing migrants. It is meant to be a mechanism to get labour migrants into the EU Member States, profit

¹⁰¹ Koser, K. et al. (2004). "Understanding Voluntary Return". p.41

from their work and contributions during their stay in general, and let them go back to their home country with gains in capital (financial, social and human) and projects for the future. However, the challenges in this system are numerous. Not only do migrants often lack the possibility to gain any capital and often return home against their will, but the migrants who actually manage to build on their experience abroad do not necessarily have access to strong institutions or instruments to come back and invest in their country of origin.

The recent European Commission's *Policy Plans* (2005) appear unlikely to do anything to improve the rights and conditions of future migrant workers. The relatively small numbers of legal low-skilled migrants will be treated as temporary workers with enforced rotation and no right to settle. Other lower-skilled workers who will try to come to Europe by undocumented entry will remain marginalized and exploited in irregular work.

The negative perception and discourse around migrants that is currently in place in Europe lumps all migrants into the same category, where they are perceived as threats and as eternal outsiders. Whether the new members of society come as asylum seekers, undocumented workers or as legal circular migrants, they are all likely to experience discrimination and social exclusion. The result – as in the past – is likely to be divided societies and social conflict.

The fundamental problem with the current approach is that it is based on values that are antithetical to social and economic justice. It treats migration as a problem to be solved, migrants as little more than commodities who are justifiably not accepted as full members of their host countries, and workers' rights as replaceable or negotiable. The current approach continues to enforce low-wage competition and appears to accept that xenophobia and racism are naturally occurring conditions. These factors pose a serious threat to the successful integration of

migrants, and create a divided society. Hannah Arendt wrote that “acceptance of lesser evils is consciously used in conditioning the government officials as well as the population at large to the acceptance of evil as such”¹⁰². In this case, the lesser evil is our tolerance for a ‘second-class’ of workers, who ‘deserve’ lower rights and are not worthy of being a real part of society. The acceptance of the lesser evil filters and shapes our categories of thought, and that is what needs to be changed. This current image that we have of migrants needs to be transformed into one where migrants also have human capital – just as the rest of us – and their growth is a prosperity that we will all share.

Yet, negative discourse in the EU is not the only challenge that migrants face. Destination countries are not the only ones that need to make an effort, as countries of origin have a big role to play in the return process also. Building state capacity in countries of origin is a recommendation that is often given by researchers and professionals in the field. In this sense, it is really crucial for countries of origin to work on their incentives and mechanisms to better advance the country, so that the returnee can see opportunities for the future, and can work his way into economic and psychosocial embedding and embedding in social networks.

It has been found that most of the high-skilled migrants who return home do so because they feel the situation at home improved, rather than because of return schemes facilitating such a move back home¹⁰³. And the high-skilled migrants, those who managed to work and build capital while abroad, are the ones who have potential to be innovators in their society back home. It is important that they see a future at home, because they are the ones that can most contribute in building this future. It is essential not to forget that often, it is the most educated that are the

¹⁰² Arendt, H. (2003). *Responsibility and Judgment* [ed. by Jerome Kohn]. New York: Schocken Books. pp. 36-37.

¹⁰³ Ammassari, S. Migration and Development: Factoring Return into the Equation. Chap.8

most mobile. When these migrants see that there is potential back at home, they can consider coming back – which they would not do if they see no opportunity to grow, or at least to be stable. Returning back home is often an emotional – more than a rational – decision for many migrants, not just the ‘educated’ ones, and the best incentive is to see a way to bring changes to the country of origin, and be part of that change.

Sustainable return might generally only be achieved if, apart from sufficient security, the conditions in the countries of origin offer opportunities such as jobs, decent housing, public infrastructure, education and mechanisms to build on¹⁰⁴. If those opportunities don’t exist, a sustainable return might not appear very realistic. Mechanisms need to be strengthened for migrants to be able to contribute to their country of origin upon return. Specific measures and permissions – concrete safeguards – can be given to migrants who come back, to incite them to invest their tangible and intangible capital in the country of origin¹⁰⁵.

In addition, as most partnerships on migration established with the EU are now done through bilateral agreements – which mostly represent EU interests, provisions should be included in the agreements about: equality of treatment (nationals/non-nationals), reciprocity and mutual administrative assistance, and maintenance of rights in course of acquisition for returnees (especially maintenance of acquired rights and provisions of benefits abroad). Countries of origin can enhance this mechanism and create in this way a robust international framework of protection and support for migrants.

¹⁰⁴ Ghosh, B. (2000). Return Migration: Reshaping Policy Approaches. Ders. (Hg.): *Return Migration. Journey of Hope or Despair?* Genf: IOM/United Nations, p.207

¹⁰⁵ "Les Nouveaux Vents de la Migration - 4/4 - Retour au Pays." Perf. J-P Cassarino, J-M Lafleur, and A. De Tinguy. Radio.

The recommendation about the maintenance of benefits goes hand in hand with the idea of portable pensions: “many migrants are reluctant to return to their home countries because they may have to sacrifice entitlements they built up during their working life abroad”¹⁰⁶. To date, the ILO’s ‘Maintenance of Social Security Rights Convention’ of 1982 (No. 157) only has 4 ratifications. It would be interesting to see bilateral agreements include an ‘international coordination of social security’ system too, as recommended by the ILO and many researchers. It would be a system that ensures that migrant workers who have been contributing to social security schemes abroad are able to transfer their contributions and benefits back to their home countries upon their return (this includes pensions and annuities in respect of old age, invalidity, death, and medical care for workers and their families). The EU is currently looking at such schemes; however implementation will likely be difficult. Such an agreement would entail analysing the scope of the application, allowing the export of benefits if the beneficiary resides in any contracting country, anti-double-taxation legislations, allowing for ‘totalisation’ to meet eligibility¹⁰⁷, establish administrative cooperation, establish payment channels, and so forth. Such an agreement is actually already in place in the MERCOSUR, between Argentina, Brazil, Paraguay and Uruguay: all nationals who are insured in any of the four countries, or who have contributed to the pension plan, can receive the benefits in any of the four countries. It would be a remarkable step to see such agreements appear between EU Member States and third-countries, and a great positive incentive – and safeguard – for returnees.

On top of incentives from the countries of origin and wilful migrants wanting to contribute to the change, nothing significant will be achieved if the current discourse in Europe

¹⁰⁶ Newland K, Rannveig A.D. and Terrazas, A. (2008). ‘Learning by Doing: Experiences of Circular Migration’

¹⁰⁷ National benefit rules usually foresee minimum contribution/residence criteria. The agreement would need to agree to sum periods in both countries to establish eligibility.

does not change, as has been mentioned repeatedly during this study. The necessary change of dialogue has already been happening at an international level, with the *Global Migration Group* (GMG), other previously discussed UN initiatives and the ILO Convention on domestic workers. All of these elements create a precedent, and are the international instruments that codify human rights and integration initiatives into legal standards. However, these initiatives need to be present at a local level too; the discourse needs to be changed by the governments, the media, and civil society.

A new discourse towards migrants is crucial, one where the migrant goes from being everyone's burden and a problem to be 'managed' (in the country of destination as well as country of origin when they return empty-handed from a broken migratory cycle), to one where the migrants are instead everyone's chance at 'shared prosperity'¹⁰⁸. The concept of 'shared prosperity' suggested by Organizations such as the ILO recognizes that migration has the potential to mutually benefit migrants, their families, home and host societies, employers, and local and national economies in terms of personal, social and economic development. The recognition of shared benefits can then be a basis for negotiating and conducting migration flows between countries in more cooperative and mutually responsible ways than now.

The 'shared prosperity' strategy implies heavy attention to improving the education and skills of all workers including recent immigrants¹⁰⁹. The strategy also emphasizes measures to protect the wages and working conditions of foreign workers. EU institutions need to ensure that decent work standards are recognised, accepted as a principle, and effectively defended for migrants and native workers alike. Employers should be included in this discourse too, as they

¹⁰⁸ "Towards Shared Prosperity". Global Migration Group (GMG), Practicioners Symposium, Background Paper. May 2010. http://www.globalmigrationgroup.org/uploads/news/2010-symposium/Background_paper_WGD_UNITAR.pdf (viewed 06/04/2012)

¹⁰⁹ Idem.

clearly and directly benefit from migrant workers. They should play a more active role in the debate, since there has been recognition of the value of investing in the integration of their migrant workforce¹¹⁰.

Such a change is dependent on civil society. In electoral democracies such as the EU Member States, in the end it is the electorate which holds the power. They need to make their voice heard and be the actors behind the alternative policy discourse, addressing the problem at its root causes. Even with shallow top-down efforts from the government, such as awareness and information centres, integration and anti-discrimination workshops or language cafes, these efforts do not address the root causes of the problem and do not come with the necessary comprehensive effort to change the dialogue, and to present migrants as a source of ‘prosperity’ and as our equals.

The process of migration in itself is a cycle, and it can be a very rewarding one. This section presents decided return migration as the only sustainable type of return, as it does not break the cycle and brings benefits to all three parties. This said, the migration is only rewarding if the migrant actually had a chance to integrate, and participate in the host society. If nothing changes in Europe, the result – as in the past – is likely to be one of divided societies, social conflict, and xenophobia. That is why national governments in the EU need to start focusing on social cohesion, integration, and on the image they give of migrants, so as to avoid such a situation. Countries of origin also need to start doing their part by strengthening their infrastructures, demanding decent rights safeguards and minimum standards for their nationals, and promoting incentives for the migrants’ more sustainable return. This is the only way to bring

¹¹⁰ Collett, E., Sitek, K. (2008). ‘Making migration work: the role of employers in migrant integration’.

about real long-term gains for destination countries, countries of origin, and also, for once, for the workers.

Conclusion

The current tendency in the European Union is to promote the virtues of the circular migration program (by focussing on the contributions of the diaspora). However, these current approaches to labour migration have negative social consequences for both receiving and sending countries: as attested in this study, the triple-wins of circular migration turn out to be a myth.

The migrant himself is not a winner from this program either, as it takes integration to a host society to see any positive outcomes, or a sustainable return. Labour migrants' patterns of reintegration for example, and their capacity to contribute to the development in their home country (in terms of financial and human capital, and skill transfer) are shaped by the type of migration experience, duration of the time spent abroad, conditions of the return, and situation in the home country¹¹¹. Irrespective of migrant category, integration should be a crucial step during a migrant's passage in the European Union.

The return mechanisms that we have seen during this study (readmission agreements, mobility partnerships and Assisted Voluntary Return programmes) also enforce the 'circularity' and quick removal of the migrant from the territory – these programmes do not contribute to the more meaningful integration aspects of the migration experience, ones that can actually yield long-term benefits. This study has clearly shown that expulsion – coercive or non-coercive – is not the right direction to take, as it interrupts the migration cycle, and does not let the migrant prepare his return. Expulsion does not allow for any meaningful benefits, neither for the migrants nor for the countries involved. The 'decided' return is the only one that allows for a sustainable

¹¹¹ Cassarino, J-P. (2009). 'EU Mobility Partnerships: Expressions of a New Compromise'. <http://migrationinformation.org/Feature/display.cfm?ID=741> (viewed 1/12/2011)

return and reintegration in the home country, and allows the migrant to develop enough capital to be able to contribute and become an actor of change.

This study has also proven that structural changes in Europe are necessary to create any significant positive transformation. The underlying discourse around migrants is the first element that needs to be altered, as the negative image that migrants have today only makes it harder to implement policies that would benefit them. Another important improvement should be from the countries of origin themselves, as ‘decided’ returns will be very scarce if those do not invest their efforts into incentives that can attract their nationals back home, and into creating adequate legal and institutional mechanisms aimed at supporting their reintegration and their investments. The study also clarified that return migration is not the end of the migration cycle, as some mistakenly perceive it. It is the moment when the returnee can finally give back to the home community, with newly acquired skills and capital, ready to innovate and be a part of the change. It is therefore important to pay as much attention to a migrant’s return process, as to the migration itself.

This study inevitably faces some limitations, and the main one is a lack of data. Today’s available statistical data is not very complete, and cannot assess returnees (who returned of their own volition) and their patterns of reintegration properly. This lack of reliable data is felt throughout the study, as tangible numbers and examples are few, and theories cannot be asserted against significant numbers. This lack of data is also problematic beyond the value it would have for this study: it inhibits the development of adequate policies and measures aimed at supporting these migrants’ return. This is where the research needs to start.

Another important limitation in this study is the lack of a clear perspective on how to create an alternative policy discourse regarding migrants. To actually achieve substantial shifts - in discourse and later in policies – requires creating the political will for change¹¹². This has yet to happen, and requires the active involvement of citizen groups, civil society organizations, and political actors in both sending and receiving societies. However, it is not necessarily clear what action should come first and where it should come from. Is civil society and citizen action lacking in Europe on the topic of migration, and therefore more bottom-up action would lead to electoral pressure and a promise of change? Another scenario is for the initiative to come in the form of government action, with an alternative positive message conveyed to the population regarding migrants. A third possibility is an EU-level initiative, even if they have limited experience and competencies in the field. The advances made in migration research in recent years are starting to be heard, and can potentially translate into policy advice. However, there is a large unfinished agenda for further research. One thing that is clear is the need for greater investment in raising the level of debate on circularity and the sustainability of return, to ensure that there is a balanced understanding of the issue. Labour migration is both an economic and a social issue, and should be addressed as such.

Further research on the topic is important to alleviate migrants' current situation and bring about a genuine change in policy. The empirical research needs to start with an assessment of AVR returnees, as surveys and ad hoc censuses gave us a trend, but they are no longer enough. Significant numbers are needed to form any type of valid study or analysis, and they are lacking. To further my research it would be extremely interesting to participate in a study with the IOM or a National government, performing a systematic evaluation of its returnees, to detect

¹¹² Vertovec, S. (2007). *Circular Migration: the way forward in global policy?* p.33

the actual causes, main factors and explanations behind a sustainable return. Such numbers and information would be crucial for the progression of my study.

Another question that will be given attention to in the future is the one of mass mobilization and governance. How do innovative movements in civil society start? What is the best way to raise awareness? It is important to understand where and how the action starts, as there is often a very small window open for change, if there is ever one. The best way to reach out to the highest number of citizens needs to be explored, as well as the most efficient approach in explaining that migrants can be beneficial for them and for the whole country, that they are a means for 'shared prosperity'. Passing this message across is crucial. The positive outcomes of a change of direction in the discourse will be clearly visible when local, national, and international efforts are focused into creating an integrative system, rather than a system of exclusion. However, there are many steps left before we reach that stage, and research on the topic of means of mobilization will be a crucial element in any future study.

Bibliography

Agunias, Dovelyn. (2006). 'From a Zero-sum to a Win-Win Scenario: Literature Review on Circular Migration', *Migration Policy Institute*, Washington DC.

Ammassari, Savina. (2009). *Migration and Development: Factoring Return into the Equation*. Cambridge Scholars Publishing.

Arendt, Hannah (2003). *Responsibility and Judgment* [ed. by Jerome Kohn]. New York: Schocken Books.

"Assisted Voluntary Return (AVR): an Opportunity for Development?" (2009). *Development Research Centre on Migration, Globalisation & Poverty*. No.20. UK: Sussex Centre for Migration Research. http://www.migrationdrc.org/publications/briefing_papers/BP20.pdf (viewed 01/04/2012)

"Assisted Voluntary Return and Reintegration (AVRR) in the EU". (2009). *International Organization for Migration*. Geneva.

Bosswick Wolfgang and Heckmann Friedrich (2006). "Integration of migrants: Contribution of local and regional authorities". *European Foundation for the Improvement of Living and Working Conditions*. P.2
<http://www.eurofound.europa.eu/pubdocs/2006/22/en/1/ef0622en.pdf> (viewed 04/06/2012)

Bree, June de (2008), *Return Migration to Afghanistan: Monitoring the Embeddedness of Returnees*. Radboud University Nijmegen, CIDIN.

Cassarino, Jean-Pierre (2004): Theorising return migration. The conceptual approach to return migrants revisited. *International Journal on Multicultural Societies* 6, 253-279.

Cassarino, Jean-Pierre (2008), "Patterns of Circular Migration in the Euro-Mediterranean Area: Implications for Policy Making", *CARIM AS 2008/29*, Robert Schuman Centre for Advanced Studies, San Domenico di Fiesole (FI): European University Institute.
http://cadmus.eui.eu/bitstream/handle/1814/8350/CARIM_AS%26N_2008_29.pdf?sequence=1 (viewed 25/10/2011)

Cassarino, Jean-Pierre (Ed.) (2008): *Return Migrants to the Maghreb Countries. Reintegration and Development Challenges*. General Report 2008. San Domenico di Fiesole: European University Institute.

Cassarino, Jean-Pierre (2009). 'EU Mobility Partnerships: Expressions of a New Compromise'. <http://migrationinformation.org/Feature/display.cfm?ID=741> (viewed 1/12/2011)

Cassarino, Jean-Pierre. (2010). "Readmission Policy in the European Union." Directorate General for Internal Policies, Policy Department C: Citizens' Rights and Constitutional Affairs, Civil Liberties, Justice and Home Affairs, Brussels, European Parliament.

Castles, Stephen (2006). 'Guestworkers in Europe: A Resurrection?', *International Migration Review*, Vol. 40, No.4, 2006. pp. 741-766. (New York: Centre for Migration Studies)
http://meme.phpwebhosting.com/~migracion/rimd/documentos_miembros/17033SC%20IMR%20Guestworkers%20in%20W%20Europe%2011%2006.pdf (viewed 30/10/2011)

'Circular Migration – A New Form of Temporary Labour Migration?'
<http://www.radio1812.net/circular-migration-%E2%80%93-new-form-temporary-labour-migration> (viewed 30/10/2011)

'Circular Migration' – *Consortium for Applied Research on International Migration (CARIM)*, Robert Schuman Centre for Advanced Studies, European University Institute (EUI).
<http://www.carim.org/index.php?callContent=238> (viewed 25/10/2011)

'Circular migration and mobility partnerships'.
http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/114564_en.htm (viewed 30/10/2011)

Collett, Elizabeth and Sitek, Karolina (2008). 'Making migration work: the role of employers in migrant integration', *European Policy Centre*, Working Paper No.30. EU Integration & Citizenship Programme.
http://www.epc.eu/documents/uploads/608394341_EPC%20Working%20Paper%2030%20Making%20migration%20work.pdf (viewed 30/10/2011)

Constant, Amelie and Zimmermann F. Klaus. (2007). 'Circular Migration: Counts of Exits and Years Away from the Host Country', *IZA Institute for the Study of Labour Discussion Paper Series*. Bonn, Germany, August 2007. <http://ftp.iza.org/dp2999.pdf> (viewed 30/10/2011)

Crépeau, Francois - United Nations Special Rapporteur on the Human Rights of Migrants. "Towards a Global Migration Management Regime." Ottawa University, Centre for International Policy Studies (CIPS). Ottawa. 03/04/2012. Public Address.

Davids, Tine, Van Houte, Marieke (2008): "Remigration, Development and Mixed Embeddedness: An Agenda for Qualitative Research?". *International Journal on Multicultural Societies* Vol. 10, No. 2 (Special Issue: "The Conditions of Modern Return Migrants"), 169-193.

'Economic recession reduced EU immigration in 2009', (2011)
<http://www.workpermit.com/news/2011-07-15/europe/economic-recession-reduced-eu-immigration-in-2009.htm> (viewed 25/10/2011)

'EU Blue Card for Skilled Immigrants to be Introduced Soon" (2011).
<http://www.workpermit.com/news/2011-01-26/europe/eu-blue-card-for-skilled-immigrants-to-be-introduced-soon.htm> (viewed 25/10/2011)

'EU Commissioner calls for better integration of immigrants into society'. (2011)

<http://www.workpermit.com/news/2011-08-16/europe/eu-commissioner-calls-for-better-integration-of-immigrants.htm> (viewed 30/10/2011)

‘Eurobaromètre Spécial : Agenda de Lisbonne’, 2005.

http://trade.ec.europa.eu/doclib/docs/2005/march/tradoc_122060.pdf (viewed 30/03/2011)

‘European Union Blue Card: The Blue Card Impasse’. <http://www.europeanunionbluecard.com/> (viewed 25/10/2011)

European Commission (2002), *Communication from the Commission to the Council and the European Parliament on a Community Return Policy on Illegal Residents*, COM (2002).

European Commission (2008), *Strengthening the Global Approach to Migration, Increasing Coordination, Coherence and Synergies*, Brussels, COM (2008).

Fleischer, Annett. (2012). “A Statistical Overview on Return Migration to the Republic of Armenia”, *CRIS Analytical Note* 2012/01, RSCAS/EUI. Florence.

Ghosh, Bimal (2000). Return Migration: Reshaping Policy Approaches. Ders. (Hg.): *Return Migration. Journey of Hope or Despair?* Genf: IOM/United Nations, 181-226.

‘Histoire de l’Union européenne’ http://europa.eu/about-eu/eu-history/index_fr.htm (viewed 30/10/2011)

Hugo, Graeme. (2003). *Circular Migration: Keeping Development Rolling?*

<http://www.migrationinformation.org/feature/display.cfm?ID=129> (viewed 1/12/2011)

“ILO passes landmark treaty to protect domestic workers” (2011).

<http://globalnation.inquirer.net/4318/ilo-passes-landmark-treaty-to-protect-domestic-workers> (viewed on 17/04/2012)

Inglehart (1997). “A Comprehensive Resource on Social Capital and its Research”.

<http://www.socialcapitalresearch.com/definition.html> (viewed 10/06/2012)

“International Migrant Remittances and their Role in Development” (2006). *International Migration Outlook*, OECD, p.148

<http://www.oecd.org/dataoecd/61/46/38840502.pdf> (viewed on 05/06/2012)

IOM – International Organisation for Migration (2008): Assisted Voluntary Return (AVR). Geneva.

Koser, Khalid, Black, Richard, Munk, Karen. (2004). “Understanding Voluntary Return”. *Home Office Online Report*. Sussex Centre for Migration Research.

‘L’agenda de Lisbonne’. <http://www.euractiv.com/fr/avenir-europe/agenda-lisbonne/article-120328> (visionné 01/03/11)

"Les Nouveaux Vents de la Migration - 4/4 - Retour au Pays." Perf. Jean-Pierre Cassarino, Jean Michel Lafleur, and Anne De Tinguy. *France Culture - Émission Cultures-monde*. 08 /03/2012. Radio. <http://www.franceculture.fr/emission-culturesmonde-les-nouveaux-vents-de-la-migration-44-retour-au-pays-2012-03-08> (Viewed on 14/04/2012)

‘Making migration work: the role of employers in migrant integration’
http://www.epc.eu/documents/uploads/608394341_EPC%20Working%20Paper%2030%20Maki ng%20migration%20work.pdf

Marshall, Ray (2009). *Immigration for Shared Prosperity*, Economic Policy Institute, Washington DC.
http://www.bctd.org/BCTD/media/Documents/Newsroom/Policy%20Statements/Marshal-Report-Immigration_Reform_Final.pdf (viewed 06/04/2012)

“Migreurop: Evaluation de la Commission européenne sur les accords communautaires de réadmission. Quelques réactions et interrogations”. (2011).
<http://www.statewatch.org/news/2011/apr/eu-migreurop-readmission-fr.pdf> (viewed 05/04/2012)

Newland Kathleen, Rannveig Agunias, Dovelyn and Terrazas, Aaron. (2008). ‘Learning by Doing: Experiences of Circular Migration’, *Migration Policy Institute: Insight*. Washington, DC, September 2008. <http://www.migrationpolicy.org/pubs/Insight-IGC-Sept08.pdf> (viewed 30/11/2011)

“Parliament adopts directive on return of illegal immigrants”. (2008). *European Parliament*.
<http://www.europarl.europa.eu/sides/getDoc.do?language=en&type=IM-PRESS&reference=20080616IPR31785> (viewed 17/04/2012)

Portes (1998). “A Comprehensive Resource on Social Capital and its Research”.
<http://www.socialcapitalresearch.com/definition.html> (viewed 10/06/2012)

“Qualitative Eurobarometer : Migrant Integration”, (2011).
http://ec.europa.eu/public_opinion/archives/quali/ql_5969_migrant_en.pdf (viewed on 17/04/2012)

‘Report on Migration and Cooperation in the Euro-Mediterranean Region’ (2011). Euromed Summit of Economic and Social Councils and Similar Institutions. *European Economic and Social Committee*. Istanbul, Turkey. <http://www.cese.europa.eu/?i=portal.en.events-and-activities-euromed-summit-2011-reports.20593> (viewed 1/12/2011)

“Return Assistance in Germany: Programmes and Strategies fostering Assisted Return to and Reintegration in Third Countries”. (2009). *European Migration Framework*, Germany.
http://www.bamf.de/SharedDocs/Anlagen/EN/Publikationen/EMN/WorkingPaper/emn-wp31-return-assistance-en.pdf?__blob=publicationFile (viewed 12/04/2012)

Roig, Annabelle and Huddleston, Thomas (2007), "EC Readmission Agreements: A Reevaluation of the Political Impasse," *European Journal of Migration and Law* 9: 363-387.

Riga, Albert. (2007). "Dutch Health and Social Care: international labour mobility". *Comparative European Social Research and Theory (CESRT)*. Maastricht.

Sanchez, Pablo (2010). "Migration and Integration at the EU Level: A Rights-based Perspective". *European Social Watch Report 2010: Time for Action, Responding to Poverty, Social Exclusion and Inequality in Europe and Beyond*. Brussels, 2010.
http://www.socialwatch.eu/wcm/migration_a_rights_based_perspective.html (viewed on 16/04/2012)

"The European Integration Fund". European Commission Home Affairs.
http://ec.europa.eu/home-affairs/funding/integration/funding_integration_en.htm (viewed on 18/04/2012)

"Towards Shared Prosperity". Global Migration Group (GMG), Practicioners Symposium, Background Paper. May 2010. http://www.globalmigrationgroup.org/uploads/news/2010-symposium/Background_paper_WGD_UNITAR.pdf (viewed 06/04/2012)

United Nations, Department of Economic and Social Affairs, Population Division (2009). *Trends in International Migrant Stock: The 2008 Revision*.
<http://esa.un.org/migration/index.asp?panel=1>

UNHCR (1993): Protection Guidelines on Voluntary Repatriation, Draft. Division of International Protection. Geneva.

UNHCR (1996): Handbook Voluntary Repatriation: International Protection. Geneva.

"Uruguay Ratifies ILO Convention 189 on Domestic Work" (2012).
<http://connect.bwint.org/?p=494> (viewed on 05/06/2012)

Van Houte, Marieke, de Koning, Mireille (2008): Towards a better embeddedness? Monitoring assistance to involuntary returning migrants from Western countries. *Centre for International Development Issues*, Nijmegen.

Vertovec, Steven (2007). *Circular Migration: the way forward in global policy?*, International Migration Institute – University of Oxford. <http://www.imi.ox.ac.uk/pdfs/imi-working-papers/wp4-circular-migration-policy.pdf> (viewed 1/12/2011)

Von Lersner, Ulrike and Elbert, Thomas, Neuner, Frank (2008), "Mental Health of Refugees Following State-sponsored Repatriation from Germany", *BMC Psychiatry* 8:88.
<http://www.biomedcentral.com/1471-244X/8/88>

Wickramasekara, Piyasiri. (2011). *Circular Migration: a Triple Win or a Dead End?* International Labour Office, Bureau for Workers' Activities (ACTRAV). Geneva: ILO, 2011. (GURN discussion paper No.15)

Wihtol de Wenden, Catherine. (2009). *La globalisation humaine*. (Paris : Presses Universitaires de France).

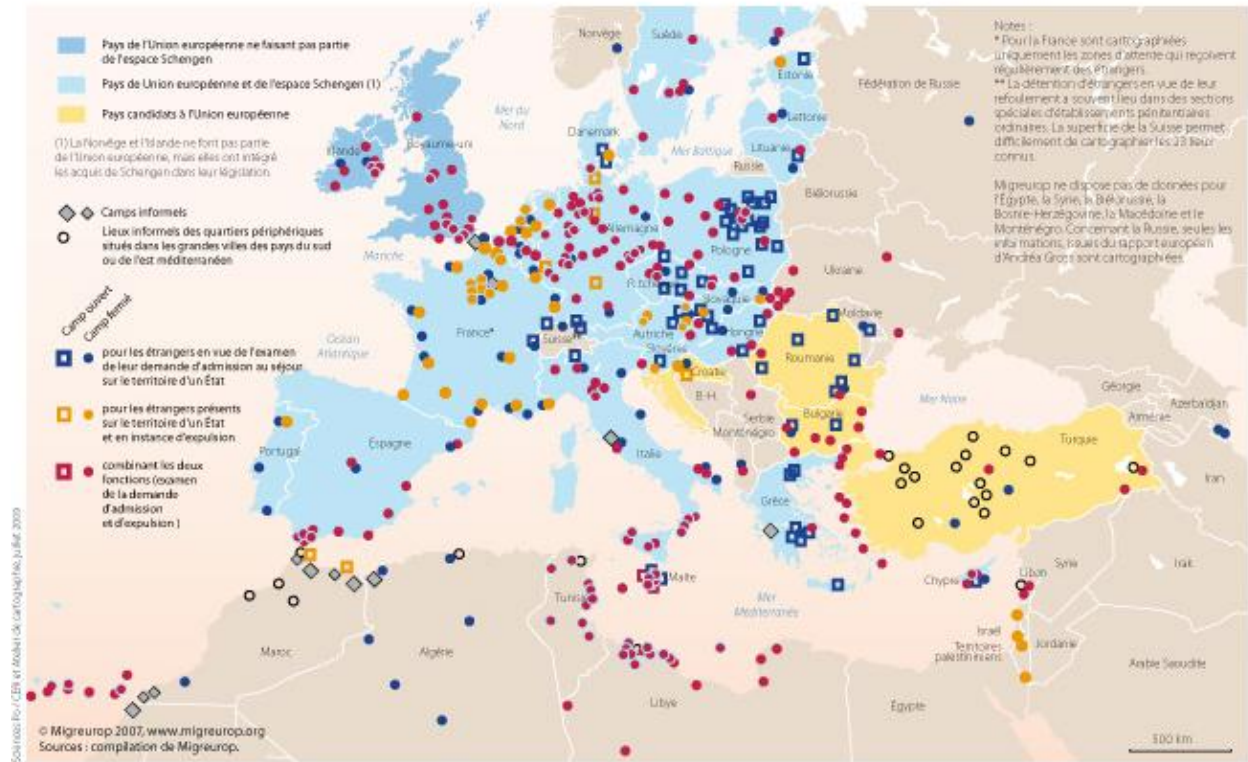
Wihtol de Wenden, Catherine. (2011). *L'europe des migrations*. (Paris : La documentation française)

Annexes

Annex I

Detention Camps in Europe and in Neighbouring Countries, 2007.

Les camps d'étrangers en Europe et dans les pays voisins, 2007



D'après *L'Enjeu mondial, les migrations*, sous la direction de Christophe Jaffrelot, Presses de Sciences Po - L'Express, Paris, 2009.

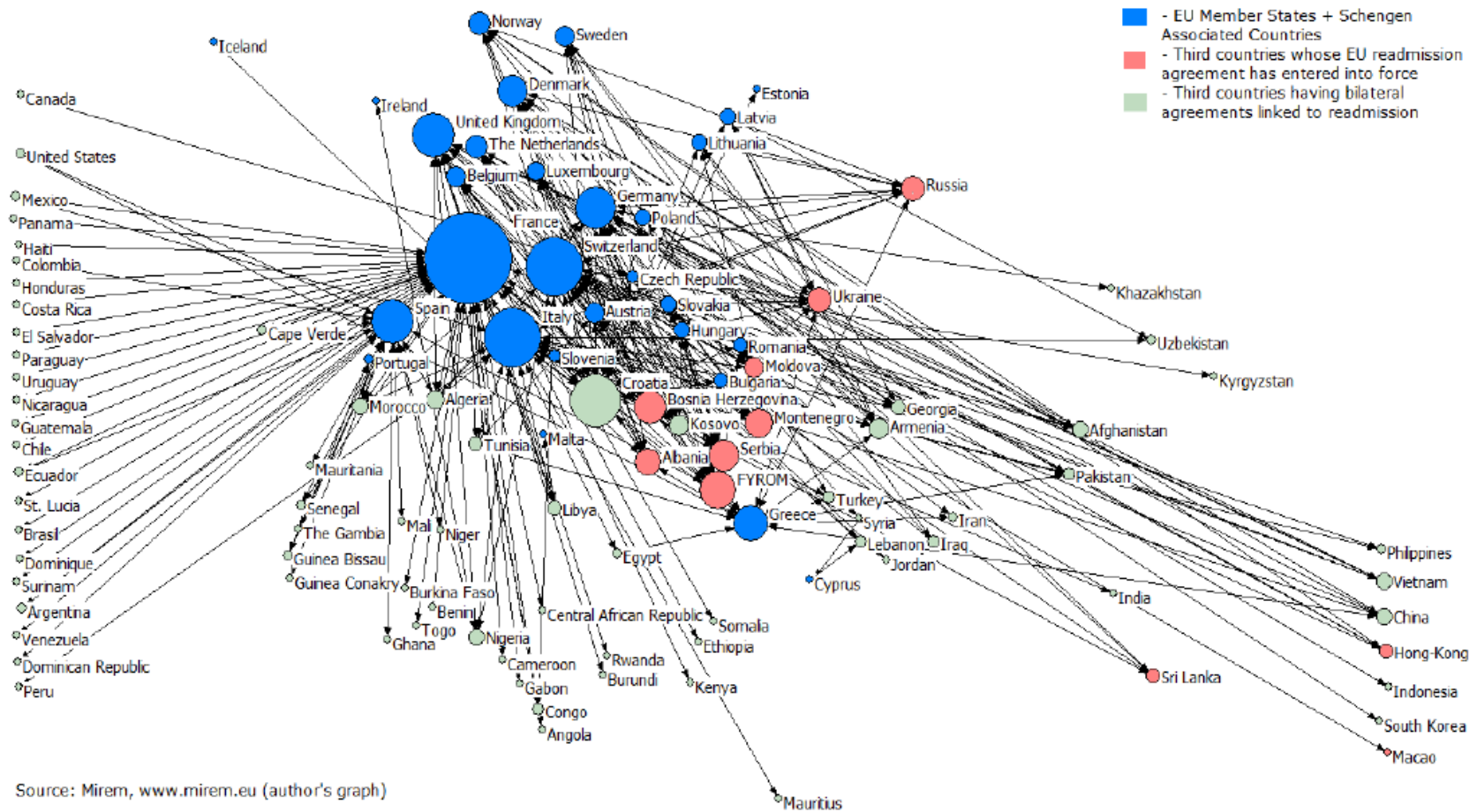


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Atelier de cartographie de Sciences Po, 2009, www.sciences-po.fr/cartographie

Annex 2

The Known bilateral agreements linked to readmission concluded between the Member States and Schengen associated countries, on the one hand, and the world, on the other, August 2010

(Source: Cassarino, Jean-Pierre. (2010). "Readmission Policy in the European Union." *Directorate General for Internal Policies, Policy Department C: Citizens' Rights and Constitutional Affairs, Civil Liberties, Justice and Home Affairs*, Brussels, European Parliament. P.31)



Annex 3

IOM Afghanistan Pamphlet – Assisted Voluntary Return programme to Afghanistan



IOM AFGHANISTAN ASSISTED VOLUNTARY RETURN (AVR)



Overview

Assisted Voluntary Return (AVR) is an area of expertise that IOM has developed over more than 25 years. In the last ten years IOM has assisted more than 1.6 million migrants worldwide through the programme. With its global network of 400 offices in migration countries of origin, transit and destination, IOM is well placed to develop and manage comprehensive approaches to voluntary return.

IOM offers a dignified, safe and cost-effective return option through the AVR programme, in which voluntariness is an important prerequisite. Voluntariness means that the return is based on a decision freely taken by the individual migrant concerned.

IOM's AVR services comprise the following:

- Arrangement of travel, including assistance in transit and reception on arrival.
- Pre-departure and post-arrival provision of information, counselling and referral.
- Arrangement of onward transportation to final in-country destination.
- Provision of immediate and longer-term reintegration assistance.
- Medical assistance.

PRE-DEPARTURE INFORMATION

IOM disseminates information on AVR services through its offices in countries where there is an Afghan Diaspora.

Questions are answered and stories are shared in order to help applicants reach a decision.

RETURN AND RECEPTION

Once an application for return assistance has been approved, the IOM sending mission makes the travel arrangements and IOM Afghanistan provides return and reception assistance through the IOM Airport Coordination Cell (ACC) at Kabul airport. The ACC's services also include transit assistance in Dubai.

On arrival at Kabul airport, ACC personnel identify and guide beneficiaries

through immigration and customs processes. Medical consultation and treatment, if necessary, are provided by IOM's doctor who is present at each planned arrival. In case further assistance is required, patients can be treated at the IOM Medical Clinic at the IOM Kabul office.

Temporary accommodation is provided upon request and returnees are also offered onward transportation assistance to their final destination. The return is coordinated with implementing partners including the Ministry of Refugees and Repatriation, Ministry of Rural

Donors	Governments of Denmark, Norway, Switzerland and United Kingdom
Resources	<ul style="list-style-type: none"> • IOM missions worldwide • Airport Coordination Cell at Kabul Airport • IOM Medical Clinic at IOM Kabul office • IOM main office in Kabul and sub-offices in Herat, Jalalabad, Kunduz, Takhar, Badakhshan, Baghlan, Kandahar, Mazar-i-Sharif, Faizabad, Gardez and Kandahar
Areas of Return	Herat, Farah, Nangarhar, Kunar, Laghman, Kabul, Logar, Wardak, Parwan, Kapisa, Balkh, Sar-i-Pul, Jawzjan, Faryab, Samangan, Kunduz, Takhar, Badakhshan, Baghlan, Kandahar, Helmand, Ghazni, Paktya, Paktika and Khost provinces



IOM AFGHANISTAN
ASSISTED VOLUNTARY RETURN (AVR)

Development, their provincial and district counterparts, UN agencies and NGOs.

INFORMATION, COUNSELING AND REFERRALS

IOM provides returnees with information and referrals relevant to their reintegration needs. IOM maintains a specialized database storing information on available services and local support activities offered by IOM's implementing partners in Afghanistan. The information includes a wide range of reintegration options including employment opportunities, self-employment schemes and skills development training.

REINTEGRATION

Due to the fragile situation in Afghanistan, well-structured reintegration assistance is necessary for sustainable return and reintegration. Following a series of consultations, individually tailored reintegration packages are prepared, based on the returnees' needs and preferences. Throughout the reintegration phase, IOM supports and monitors the process through seven sub-offices covering the whole country.

PROJECTS

IOM Afghanistan works closely with its mission in the UK to implement the Voluntary Assisted Return and Reintegration Programme (VARRP) to assist Afghan nationals returning from the UK. IOM manages the UK-supported Reintegration Fund to provide returnees with reintegration assistance.

The Norwegian-funded Information, Return, Reception and Reintegration of Afghan Nationals to Afghanistan project



targets members of the Afghan Diaspora with asylum seeker status or a residence permit in Norway, and offers assistance to Afghans to ensure their sustainable return and reintegration into Afghan society.

Under the Swiss-funded Information, Return, Reception and Reintegration of Afghan Nationals to Afghanistan project, IOM, in close coordination with the Swiss Federal Office for Migration, assists Afghan nationals with their sustainable return and reintegration.

In addition, the Danish-funded Reception and Reintegration of Afghan Nationals

to Afghanistan project offers reception and reintegration assistance to Afghans returning from Denmark.

IOM also implemented the Return, Reception and Reintegration of Afghan Nationals to Afghanistan project with funding from the European Commission, The Netherlands, Denmark and Germany from June 2003 until 30 April 2007. The project provided over 4,000 Afghans residing in 15 EU member countries with their return assistance, counselling and referral services.

The assistance package also included medical assistance, in-country transportation and temporary accommodation as needed. A total of 1,078 of returnees received longer-term reintegration assistance.

In an effort to contribute to community development, the project also provided livelihood assistance to 7,000 vulnerable community members including orphans and widows.

What is IOM?

The International Organization for Migration (IOM) is an inter-governmental organization with 125 member states, a further 16 observer states and offices in over 100 countries. IOM works to ensure the orderly and humane management of migration, to promote international cooperation on migration issues, to assist in the search for practical solutions to migration problems and to provide humanitarian and other forms of assistance to migrants in need, including refugees and internally displaced persons.

In Afghanistan, IOM programmes are implemented in close coordination with national government counterparts and are designed to support the goals of the Afghan National Development Strategy (ANDS).

BY NUMBERS (SINCE 2002)

7,657	Afghans helped to return to Afghanistan by IOM since 2003
2,505	Afghans provided with reintegration assistance by IOM
7,819	Afghans indirectly assisted through 12 related community projects
37	Countries, from which Afghan beneficiaries have returned

For more information please contact:

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