

## CONFERENCE REPORT

### *Return of irregular and vulnerable migrants: exploring opportunities and challenges*

Conference of the Belgian National Contact Point of the EMN

4 December 2015 – Brussels, Belgium



Co-funded by the European Union

## TABLE OF CONTENTS

|   |    |
|---|----|
| OPENING SPEECH .....  | 3  |
| INTRODUCTORY PRESENTATION: THE EUROPEAN RETURN PROGRAMME AND THE PLACE FOR<br>VULNERABLE RETURNEES.....                   | 3  |
| THE BELGIAN PERSPECTIVE ON RETURN AND VULNERABILITY.....  | 4  |
| DISSEMINATION OF INFORMATION ON VOLUNTARY RETURN: HOW TO REACH IRREGULAR MIGRANTS<br>- CHALLENGES AND OPPORTUNITIES ..... | 4  |
| TESTIMONIES ON VULNERABILITY IN RETURN.....   | 6  |
| DEBATE ON THE RETURN AND REINTEGRATION OF VULNERABLE MIGRANTS: CHALLENGES AND<br>OPPORTUNITIES.....                       | 7  |
| CONCLUSIONS AND CLOSING.....  | 11 |
| ANNEXES.....  | 12 |

## OPENING SPEECH

**Philippe Rosseel, Director International Relations within the Belgian Federal Public Service Interior**, welcomed the participants coming from varied organizations, both in Belgium, in other EU Member States and in Norway, and stressed the importance of the expertise, complementary knowledge and experiences of all those active in the field of return. The theme of the conference is highly relevant in view of the attention paid to return, both at national and EU level. The rising number of refugees and migrants coming to the EU requires that we work on return, as those without the right to remain in Europe, will have to return either voluntarily or forcibly. This is essential for maintaining public trust in the EU's asylum system and support for helping persons in need of international protection. In the context of migratory pressure and need for increased effective returns, it is however important to ensure full respect of key principles and rights, including the preference for voluntary return and rules applicable to vulnerable returnees. On the occasion of this conference, inter alia, the EMN plays a key role in providing up-to-date, objective, reliable and comparable information on migration and asylum to policy makers at EU and member State level and to the general public.

## INTRODUCTORY PRESENTATION: THE EUROPEAN RETURN PROGRAMME AND THE PLACE FOR VULNERABLE RETURNEES

**Fabian Lutz responsible for Irregular Migration and Return Policy at DG Home Affairs in the European Commission**, presented key instruments of the EU return policy, including key features of the Return Directive. However, theory has proved challenging in practice. In 2014, 40% of irregular migrants ordered to leave the EU departed effectively, mainly due to practical problems in the identification of returnees and in obtaining the necessary documentation from non-EU authorities. Given this gap and the current crisis, the need to increase the efficiency of the return policy is in the focus of political attention. In this regard, the Commission has released an “Action Plan on return” and a “Return Handbook”. The latter contains specific rules applicable to vulnerable returnees. Inter alia Member States are requested to (i) pay attention to other situations of vulnerability than those in the return context, (ii) consider vulnerability at all stages of the return procedure, (iii) take the needs of vulnerable persons into account in border procedures, pending postponed return and pending detention and (iv) respect specific safeguards when it comes to the return of minors. The EU return policy should further be developed as a balanced repressive/protective policy. The full presentation is available [here](#).

## THE BELGIAN PERSPECTIVE ON RETURN AND VULNERABILITY

**Lies Verlinden, advisor on Reception and Return of the Belgian Secretary of State for Asylum and Migration**, presented the national policy perspective on return and vulnerability. Belgian authorities face the challenge of implementing a balanced return policy: ensuring compliance with immigration law, including compliance with orders to leave the territory by those who have (no longer) a right to stay in Belgium on the one hand, and finding ways to address the specific needs of certain groups, such as families with children, on the other hand. In the past Belgium has been convicted by the Court of Justice for violating the ECHR because of conditions of administrative detention applicable to families with children pending their removal. Progresses have been made and safeguards for children exist (extension of period for voluntary departure for families with children attending school, no apprehension at or next to the school...). The Holsbeek open return center, which accommodated families that had agreed to return voluntarily to their home country, had however to be shut due to the high number of disappearances from this open center. Closed living units are therefore being created to suit the specific needs of families and ensure effective returns.

## DISSEMINATION OF INFORMATION ON VOLUNTARY RETURN: HOW TO REACH IRREGULAR MIGRANTS - CHALLENGES AND OPPORTUNITIES



**Dobromira Ilkova Tjessem, expert of the Norwegian Contact Point of the EMN**, underlined that focusing on irregular migrants not in contact with the authorities is important to maintain the credibility of the immigration and asylum policy but also to avoid that such migrants become even more vulnerable. Norwegian actors use a variety of tools to inform them on “assisted” return (the preferred term, instead of “voluntary” return), including campaigns in public spaces, webpages, leaflets, face-to-face consultations, etc. Many challenges are encountered when trying to reach this group, in terms of interest, contact, information design, channels and languages used. Gaining and keeping trust is also difficult and crucial, and, in this regard, avoiding “over beautified” messages on “assisted” return helps building confidence. It was also found that it is important to tailor information to the recipient’s situation and needs and to expand the network of partners. The Norwegian authorities now aim at better coordinating information exchange between information providers, at building



capacity of staff and at expanding areas of information spread. The use of social media is also considered. The full presentation is available [here](#).



**Peter Neelen, Head of the Voluntary Return Unit of the Belgian Federal Agency for the Reception of Asylum-Seekers (Fedasil)**, presented the Belgian strategy to disseminate information on voluntary return to migrants in irregular stay. Firstly the content - assistance to migrants in irregular stay - is designed to be meaningful to the target group and (country specific) reintegration support is offered. Secondly different communication channels are combined. In this regard, Belgian authorities communicate directly but also work with consular representations, diaspora associations, municipalities and civil society organizations to integrate voluntary return in social and administrative service delivery in large cities.

Thirdly the accessibility of the assisted voluntary return program is enhanced, mainly thanks to return partners and the return desks. Some challenges are faced, inter alia to ensure that messages are well perceived (adapting the image and style of posters encouraging voluntary return) and well understood (covering a variety of languages). Another key challenge lies in ensuring coherence between all actors, cities, campaigns, desks involved in the dissemination of information on voluntary return and keeping open dialogue. The full presentation is available [here](#).

**Salvatore Sofia, from the EMN Service Provider ICF**, provided additional findings from the EMN study on dissemination of information on voluntary return to irregular migrants not in contact with the authorities in EU Member States and in Norway. There is increasing interest in strengthening rules and practices to promote voluntary return but they mainly concern so far irregular migrants in contact with the authorities. Most common tools of dissemination used include leaflets, posters, websites and helplines while other tools are used to a lesser extent, such as social media pages, online discussion fora, media campaigns and outreach community visits. Information campaigns have been implemented to reach those who are difficult to contact via the common channels of information. Overall there is little robust evidence of the effectiveness of approaches used but potential good practices can be identified, including inter alia the outreach work with diaspora communities, the combination of communication channels, the focus on factual information (rather than emotive communication) and the enhanced accessibility of information (in key places, free of charge and in various languages). The full presentation is available [here](#).



**Nele Bossens, Scientific Researcher at the KU Leuven**, presented preliminary findings of the ongoing research project: “The awareness and the image of voluntary return by irregular migrants in Belgium and their formal and informal representatives”, commissioned by Fedasil. According to frontline workers interviewed, bringing up the subject of voluntary return is challenging, due to migrants’ resistance to this and also due to ethical objections of social workers. Based on their experiences, the “future orientation” approach has been developed which aims at stimulating migrants’ reflection about their future and presenting voluntary return as one of several options. Irregular migrants interviewed show different levels of trust towards partners involved in disseminating information on voluntary return. Their familiarity with the assisted voluntary return program varies, depending for example on whether or not they applied for asylum and on the nationality group they

belong to. Information on voluntary return reach them through different channels (in removal order, reception center, OCMW/CPAS, migrant community, posters, Internet, friends...). This information may be perceived negatively, depending on the image, slogan and language used. Irregular migrants show little interest in returning and raise trust issues. The findings show that it is important to work on different tracks, in particular disseminating easily accessible information at all stages and involving civil society organizations. The full presentation is available [here](#).

## TESTIMONIES ON VULNERABILITY IN RETURN

### Testimony of a returnee from Iraq (video)

#### **Karel Michiels, Assisted Voluntary Return (AVR) counsellor at IOM Brussels Office**,

presented the case of M. Diallo, a medical returnee. He split the return process into 6 intertwined steps: **(1)** M. Diallo, who suffered from partial paralysis following a stroke, applied for voluntary return. IOM's AVRR counselor made a first assessment of the case (e.g. the migrant's ability to make a competent decision); **(2)** the necessary documentation was gathered, including a medical report on a fit-to-fly form; **(3)** M. Diallo's medical needs were evaluated and the necessary measures were taken, such as checks with the airport/airline company on travel requirements ; **(4)** the opportunities in the country of origin were assessed, including the confirmation of availability and accessibility of treatment and the signing of a consent form by the family to support him upon his return; **(5)** the return was organized and carried out; **(6)** M. Diallo benefited from reintegration assistance, including financial support for the family business. Follow-up and monitoring activities were carried out by IOM. Medical cases are often complex, each case having its own particularities. Therefore, there needs to be some flexibility about adapting the reintegration plan to each returnee. A very close follow-up at every stage is needed. The full presentation is available [here](#).



#### **Jozefien Didden - from the Belgian federal agency for the reception of asylum seekers (Fedasil)** -

presented the case of the Khamayev family. The parents and their young children, originally from the Russian region of Ingushetia, had been living in Belgium for about 5 years. The family had some medical problems. Having no prospect of obtaining a legal stay in Belgium, they signed up for voluntary return. Fedasil assisted them during the pre-departure stage by, inter alia, requesting travel documents at the Embassy, translating medical files, creating activity books for the children to help them prepare for the return, and organizing a full medical examination. IOM provided assistance at departure, transit and arrival. The family was granted funds to help them settle in their region of origin, which allowed them, inter alia, to set up a taxi business. IOM Moscow, which followed up on the reintegration process, was in regular contact with the family to answer their questions and concerns and provide support. As for future prospects, the Khamayev family does not wish to emigrate anymore, and is now focusing on keeping the taxi business going and possibly expanding it, in order to meet the family's needs. The full presentation is available [here](#).

## DEBATE ON THE RETURN AND REINTEGRATION OF VULNERABLE MIGRANTS: CHALLENGES AND OPPORTUNITIES

**Moderator:** Arjen Leerkes, Associate Professor at the Sociology Department of the Erasmus University Rotterdam and researcher at the Documentation and Research Centre of the Dutch Ministry of Security and Justice, the Netherlands

### Presentations

**Anne Dussart, Operational Director of Caritas International Belgium & President of ICMC Europe**, provided some details on Caritas' involvement in the Belgian national return and reintegration programme. Among other activities, Caritas provides pre-departure counselling and reintegration support in the countries of origin in collaboration with local partners. Some good practices were highlighted in this regard, including tailoring the return process to the needs of each individual migrant and building strong relations with the local partners in the countries of origin. The local partners also play an important role in defining "vulnerability" as they are usually better



able to assess what it means in relation to the country of origin. Challenges include the rapidly changing contexts, the challenging circumstances in the countries of origin, or the diversity of the returnees' profiles. Besides this return programme, Caritas is also involved in the return of migrants from different EU Member States to Russia in the framework of the European Reintegration Network (ERIN) and is active in a network of European Reintegration Support Organizations (ERSO). Finally, Caritas organizes targeted and region specific information sessions for the different social services involved in return activities, to ensure the dissemination of correct information to the migrants, thereby enabling them to make an informed and independent decision about their future. Factsheets on the above mentioned projects are available [here](#).



**Valon Halimi, Head of the Migrant Assistance Unit at IOM Brussels Office** discussed the Assisted Voluntary Return and Reintegration (AVRR) programmes implemented in Belgium (project factsheets are available [here](#)). IOM -in close collaboration with its partners- provides pre-departure counselling to migrants, organizes their humane and dignified return, and provides post-arrival counselling and reintegration assistance. A specific approach has been developed for vulnerable migrants. Monitoring the reintegration of the returnees is also an important step in the return process. It is carried out through different means, including the drafting of reintegration monitoring reports to measure the impact of AVRR assistance as well as monitoring visits in the countries of return to evaluate the impact of the AVRR programmes (meeting with beneficiaries and local stakeholders). The close follow-up of the AVRR cases is facilitated by the collection of data on returnees in internal databases (such as the MiMOSA database). To ensure efficient and sustainable return processes, it is important to adopt a collaborative approach, among the network's return/reintegration partners, but also with governments and the migrants themselves.

**Paola Chianca, representative of the European Committee for Training and Agriculture (CEFA) in Morocco,**

presented three projects dealing with the return and reintegration of migrants from Italy to different third countries. She focused in particular on the case of Morocco (project factsheets are available [here](#)). The beneficiaries of the projects were Moroccan migrants with an Italian residence permit, who had expressed an interest in returning to their country of origin. Most of them lived in a vulnerable situation in Italy (unemployed, no housing, spoke little Italian...). Through the project, the returnees benefited from different activities, including counselling and assistance in the elaboration of their return project, as well as the provision of an in-kind subsidy to implement the return project. The presence of motivated CEFA operators both in Italy and in the country of return proved essential to create strong ties, deepen the knowledge and understanding of the history of each beneficiary and thus provide custom-made support. Challenges include the relative small amount of the subsidy granted to the returnees, the little cooperation of the Moroccan institutions, the strict limitations on how the amount granted could be spent and administrative issues, and the difficulties associated with the reintegration of minors (e.g. language skills or schooling).



**Stéphanie Goos from the Immigration Office (FPS Home Affairs, Belgium)**

presented two projects dealing with the forced return of irregular migrants (project factsheets are available [here](#)). Regarding the Special needs project, she explained that it is available to vulnerable irregular migrants (e.g. people with specific psychological or physical needs, pregnant women, ...) who are staying in detention centers pending their removal. The Immigration Office and its partners provide them with support before, during and after the return, such as: assistance of a medical/ social escort during the flight, contact with the families in the country of origin, and medical/social support in the country of origin. An essential aspect of the project is the close collaboration with the local partner organisations, who follow up on the reintegration in the country of origin. As for the European Reintegration Network (ERIN) project, it is available to all returnees in detention centers (not just vulnerable ones). Compared to the special needs project, the amount of the financial support granted is more limited, and the assistance is provided over a shorter period of time.

## Debate: main points of discussion



**Defining vulnerability.** It is very difficult to provide a single definition of the term, as it can be interpreted differently in Europe and in the countries of origin. It is therefore important to have a broad approach of the term, as it can take many different forms (e.g. not only migrants with medical or psychological problems but also migrants having stayed for a long time outside of their country of origin, migrants with limited language skills...) and can also manifest itself after the return (e.g. discrimination of returnees, psychological issues linked to the return...). It is thus essential to have tailor-made return assistance to meet the different needs of the migrants, and to closely involve the local partner organisations.

**Ensuring a dignified and sustainable return for vulnerable migrants.** Organizing the return of vulnerable migrants can be challenging, and the necessary steps have to be taken to assist them. This includes making sure that the migrant is able to make an informed and independent decision to return. Furthermore, it is essential to ensure that particular concerns are addressed, and that specific needs can be met before, during and after the return (e.g. in terms of medical treatment). A good preparatory phase, including pre-departure counselling, is extremely important. A strong support network (e.g. families) in the country of origin is also indispensable. A successful return project could be seen as one that is implemented in a correct manner, that is well received by the migrants, and that supports them to (re)build their own lives in the countries of origin. It was pointed out that return/reintegration projects can be real successes, not only helping people getting started in their countries of origin but helping them set up sustainable businesses.

**Monitoring the reintegration of returnees in their countries of origin.** Monitoring is an important aspect of return and reintegration projects. This includes, inter alia, visits by Belgian counsellors/social services to the countries of origin, not only to ensure appropriate and sustainable delivery of reintegration assistance in certain cases but also to meet and build strong ties with the local partner organisations. Furthermore, by gaining first-hand information on the countries of origin, the counsellors are better able to advise potential returnees in Europe. In addition, post-return monitoring can lead to increased motivation among the staff who can observe in the field that such work is worthwhile. Finally post-return monitoring help reflect on reintegration activities and promote (mutual) learning and necessary adjustment to return assistance programmes.

**The link between reintegration programmes and (local) development initiatives.** It was pointed out that, as reintegration packages are often limited in scope and time, they should be more closely connected to development initiatives. Linking reintegration projects to these development initiatives enhance their effectiveness and at the same time avoid duplication of activities. Doing no harm is one of the principles of development cooperation. By connecting reintegration projects to existing local development initiatives, the risk of one group being favored over others – thereby creating conflict between the local community and the returnees – is reduced. The link between migration

and development (M&D) is an important and growing question, and several projects have already been set up in this field (e.g. IOM has implemented various M&D projects around the world, including in areas where there are many returnees). It is however necessary to develop a comprehensive policy and obtain more support on this broad issue.

**The ethical aspect of the return of vulnerable migrants: why should vulnerable people return to their countries of origin if they are considered as vulnerable?** As mentioned above, vulnerability is a relative concept and, although not leading to a status in Belgium, it can emerge as an issue upon return in the country of origin. In addition, some people, even if vulnerable, wish to return home. IOM and Caritas for example provide support in return and reintegration programmes only with the consent of migrants. The reasons for the decision of a migrant to voluntarily return can be different. It is thus important to always assess the opportunities and support available in the country of origin. As for forced returns, they are implemented when the people do not qualify for one of the statuses available in Belgium (asylum/subsidiary protection status, medical regularizations, etc.).

**The forced return of vulnerable migrants.** Providing assistance to vulnerable migrants in the framework of forced return is not a legal obligation for Member States. Such projects are set up on a voluntary basis, such as the Special needs project within the Belgian Immigration Office. It was pointed out that forced return – alongside voluntary return – is an integral part of an efficient migration policy. Regarding the limited amounts of the reintegration assistance, and the limited period of time during which support was provided after return, it was stressed that it was not possible to provide those who returned with much more than those who had not migrated (do no harm principle), and that assistance needed to be limited in time (it has to stop at some point). Countries of origin also have their responsibility in the return and reintegration process. Some good practices were underlined regarding forced returns, including close cooperation with local partners (who often also have experience working with voluntary returnees) and the role of Immigration Liaison Officers.

**The impact of NGOs' and IOs' return and reintegration projects on European and international policies.** It is important to ensure that experiences and lessons learned at operational level feed into the policy-making process. For example it is essential that policies and initiatives developed take into account the perspective and role of all actors concerned: 1) migrants themselves, 2) return and reintegration partners in the destination countries and 3) actors in countries of origin. Another key message and component of successful return/reintegration is that migrants should be given sufficient time for return preparations. Hence the pre-return stage can be used as an opportunity to foment the empowerment of returnees, which increases the likelihood of sustainable return. Both Caritas and IOM are closely involved in political dialogues both at national and EU levels.

**The challenges linked to the return of migrants from different Member States towards a same country of origin** (in the framework of the ERIN project). This task is administratively challenging, but the main issue is the question of the amounts of the reintegration package granted to returnees, which vary greatly between Member States and therefore encourages “return shopping”. The EU could play an important role in harmonizing these amounts on the basis of best practices.



## CONCLUSIONS AND CLOSING



**Bart Brinckman, Senior writer at De Standaard** and moderator of the conference, concluded the day with a few final remarks. He stressed the importance of the topic of migration and asylum during the last decades, qualifying it as “one of the main challenges of the 21<sup>st</sup> century”. Regarding the topic of the conference, he pointed out that effective return policies and projects

(such as the ones presented during the conference) are an essential element of migration policies, and do not contradict an “open” migration policy. However, return remains a challenge, and in particular return of irregular and vulnerable migrants, in terms of reaching the target group, providing factual (non-emotional) and tailored-made information, keeping trust and convincing (illegally staying) persons to return voluntarily, ensuring coherence between all actors and initiatives, financially and logistically supporting the return and reintegration of vulnerable migrants, undertaking efficient monitoring of the initiatives, avoiding adverse side effects such as “return shopping” etc. In this regard, there is a growing need for exchange of information, good practices and cooperation through the EMN and other relevant entities active in this field. Also it is important to recognize the work and commitment of frontline workers involved in return and reintegration programmes who sometimes have to face criticism from the public or the media on these sensitive and complex issues.

## ANNEXES

### NATIONAL EMN CONFERENCE

#### Return of irregular and vulnerable migrants

#### Exploring opportunities and challenges

4 December 2015

Residence Palace

Rue de la Loi 155 – 1040 Brussels

### AGENDA

|             |   |
|-------------|---|
| 09:30—10:00 | <i>Coffee and Registration</i>  |
| 10:00—10:10 | <p>OPENING SPEECH</p> <ul style="list-style-type: none"> <li>Philippe Rosseel, Director International Unit, FPS Home Affairs, Belgium</li> </ul>  |
| 10:10—10:35 | <p>INTRODUCTORY PRESENTATION: THE EUROPEAN RETURN PROGRAMME AND THE PLACE FOR VULNERABLE RETURNEES</p> <ul style="list-style-type: none"> <li>Fabian Lutz, responsible for Irregular Migration and Return Policy at DG Home Affairs in the European Commission</li> </ul>   |
| 10:35—10:50 | <p>THE BELGIAN PERSPECTIVE ON RETURN AND VULNERABILITY</p> <ul style="list-style-type: none"> <li>Lies Verlinden, advisor on Reception and Return of the Secretary of State for Asylum and Migration, Belgium</li> </ul>  |
| 10:50—12:30 | <p>DISSEMINATION OF INFORMATION ON VOLUNTARY RETURN, HOW TO REACH IRREGULAR MIGRANTS : CHALLENGES AND OPPORTUNITIES</p> <ul style="list-style-type: none"> <li>Dobromira Ilkova Tjessem, EMN National Contact Point Norway</li> <li>Peter Neelen, Head of the Voluntary Return Unit of Fedasil, Belgium</li> <li>Salvatore Sofia, EMN Service provider ICF</li> <li>Nele Bossens, University of Leuven, Belgium</li> </ul> <p><i>Questions and discussion</i></p> |
| 12:30—13:30 | <i>Lunch + coffee</i>   |

|             |  |
|-------------|--|
| 13:30—14:00 | <p><b>VULNERABILITY IN RETURN</b></p> <ul style="list-style-type: none"> <li>• Testimony of a returnee (video)</li> <li>• A case of a medically responsible return, Karel Michiels, AVR Reintegration counsellor, IOM Brussels</li> <li>• Testimony of a return counsellor, Jozefien Didden, Fedasil</li> </ul>  |
| 14:00—15:30 | <p><b>DEBATE ON RETURN AND REINTEGRATION OF VULNERABLE MIGRANTS: CHALLENGES AND OPPORTUNITIES</b></p> <ul style="list-style-type: none"> <li>• Anne Dussart, Operational Director of Caritas International Belgium &amp; President ICMC Europe</li> <li>• Valon Halimi, Head of the Migrant Assistance Unit, IOM Brussels Office</li> <li>• Paola Chianca, representative of the European Committee for Training and Agriculture (CEFA) in Morocco</li> <li>• Stéphanie Goos, Immigration Office, FPS Home Affairs, Belgium</li> <li>• Arjen Leerkes, Associate Professor at the Sociology Department of the Erasmus University Rotterdam and researcher at the Documentation and Research Centre of the Dutch Ministry of Security and Justice, The Netherlands</li> </ul> <p><i>Questions and discussion</i></p> |
| 15:30—15:45 | <p><b>CONCLUSIONS and CLOSING</b></p> <ul style="list-style-type: none"> <li>• Bart Brinckman, Senior writer at De Standaard</li> </ul>  |
| 15:45—16:45 | <p><i>Reception</i></p>  |