

# EMN INFORM

## Overview: Incentives to return to a third country and support provided to migrants for their reintegration

### 1. KEY POINTS TO NOTE

★ This EMN Inform presents the results of the review, carried out by the EMN Return Expert Group<sup>1</sup> (EMN REG) of 87 **programmes<sup>2</sup> implemented by 23 Member States<sup>3</sup>**, including **Norway** to assist migrants to return and to support their reintegration<sup>4</sup>. The Inform constitutes an update of the 'Overview: Incentives to return to a third country and support provided to migrants for their reintegration' produced in November 2014. Unless otherwise specified, the main reference period for the data provided is 2015 (calendar year)<sup>5</sup>.

★ On the basis of the data provided by 23 Member States, in 2015 the total budget for the programmes amounted to around **111.8 million Euro for a standardised period of twelve months of implementation<sup>6</sup>**. The majority of the general Assisted Voluntary Return and Reintegration (AVR(R)) programmes were **75%-financed by European funding and 25% by national budgets**. In contrast, a majority of targeted reintegration programmes were funded mainly by national budgets<sup>7</sup>.

★ The **amounts** of the in-cash allowances and of the reintegration packages granted to migrants **varied significantly across Europe**:

- the maximum amount of in-cash assistance varied from 100 Euro in **Bulgaria, Hungary and Latvia** to 3,750 Euro in **Norway** for a minor and 3,300 Euro in **Sweden** for an adult. In 2014, the maximum amount of the in-cash allowance at the point of departure/after arrival varied from 40 Euro in the **Czech Republic** and 50 Euro in **Portugal** to 3,750 Euro in **Norway** for a minor and 3,300 Euro in **Sweden** for an adult.

- the equivalent in Euro of the in-kind assistance in the country of return varied from 500 Euro in **Bulgaria and Poland** and 600 Euro in **Latvia and Ireland** to 5,000 Euro **Germany for an adult** and 5,000 Euro in **Norway for particularly vulnerable cases<sup>8</sup>**. In 2014, the maximum equivalent in Euro of the in-kind assistance in the country of return was 6,000 Euro in **Norway**.

★ Programmes supporting voluntary return and reintegration were a key component of return migration management. In 2015, **175,220 third-country nationals returned** following an order to leave<sup>9</sup>. The ratio between voluntary return and

<sup>1</sup> The EMN REG includes contact points in each Member State (except Denmark). Norway also participates. The EMN Inform is based on information collected via the EMN Ad-Hoc Query tool and other EMN sources.

<sup>2</sup> Programmes include general AVR(R), programmes specific to detention and targeted reintegration programmes.

<sup>3</sup> For the purpose of this document, the term "Member States" means: all 28 Member States except Denmark. Norway is not a Member states but has established an EMN National contact Point and participates in the majority of EMN outputs.

<sup>4</sup> Member States who replied to the request of update of the Tableau de bord are: AT, BE, BG, CY, DE, EE, ES, FI, FR, HU, IE, IT, LT, LV, MT, NL, PL, SE, SI, SK, UK, plus NO. Croatia also replied, but does not have an

AVR(R) programme in place. The Czech Republic reported limited information.

<sup>5</sup> In some cases AVR(R) programmes ran from mid-2014 and continued after 2015. In these cases, the reference period is further specified.

<sup>6</sup> The period of twelve months can be different from the calendar year (2015), depending on the project. Therefore, this is an estimation for a period of twelve months on the basis of the data provided by some Member States. Further clarifications are provided below.

<sup>7</sup> See below for further details and clarifications on EU and national funding.

<sup>8</sup> The ordinary in-kind support is EUR 2,700.

<sup>9</sup> Frontex 2016 Annual Risk Analysis. Please note that within a given period the people ordered to leave and returned will not necessarily be the same people and the figure of people returned in one given year

forced return in the EU was about 41% of forced returns, 47% of voluntary returns and 12% not specified<sup>10</sup>. Compared to the previous year, the percentage of forced returns had decreased by 2 percentage points (43% in 2014)<sup>11</sup>. In addition, the percentage of return on a voluntary basis had increased of 7 percentage points, while the not specified returns had decreased by 5 percentage points<sup>12</sup>.

- ★ A number of EU Member States' **joint return and reintegration projects** have continued to operate, thus facilitating the exchange of expertise and knowledge among Member States. It is expected that these joint projects will improve both the cost-efficiency and the quality of the reintegration support provided to returning migrants.
- ★ More **in-depth monitoring and evaluation** of AVR(R) programmes as well as an investigation into a possible **reconciliation of in-cash allowance and in-kind assistance** across the EU would reinforce the efficiency and the coherence of the EU Return policy. In this regard, the EMN has developed a common methodology to monitor and evaluate AVR(R) programmes which Member States can apply on a voluntary basis<sup>13</sup>. In addition, the REG has developed non-binding common standards for AVR(R)<sup>14</sup>. In this regard, for convergence purposes and to minimise the differences between Member States, it is advised to use a minimum amount for in-kind assistance of 500 euro and a maximum amount of 2500 Euro<sup>15</sup>.

## 2. INTRODUCTION

Member States implement a range of programmes to encourage irregularly staying migrants to return to a third country through fair and transparent procedures that fully respect returnees' fundamental rights.

In accordance with the Return Directive<sup>16</sup>, **return decisions commonly provide for a 30-day period of voluntary return** within which migrants have to leave the European territory at their own expense. However, not all migrants subject to this obligation have

might include people who were ordered to leave in the previous calendar year. Furthermore – some of those ordered to leave could – for a variety of reasons – subsequently no longer be subject to this order.

<sup>10</sup> According to the Frontex 2016 Annual Risk Analysis, latest available data.

<sup>11</sup> Frontex, 'Annual Risk Analysis', April 2015.

<sup>12</sup> At the time of writing data on Eurostat does not allow to draw the conclusion that those who did not return forcefully, did return by making use of the assisted return and reintegration programmes.

<sup>13</sup> EMN, 'Guidelines for Monitoring and Evaluation of AVR(R) Programmes', January 2016, available at: [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european\\_migration\\_network/reports/docs/emn-studies/guidelines\\_for\\_monitoring\\_and\\_evaluation\\_final\\_jan2016.pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/emn-studies/guidelines_for_monitoring_and_evaluation_final_jan2016.pdf) [last accessed on 12 May 2016].

<sup>14</sup> Council of the EU, Non-binding common standards for Assisted Voluntary Return (and Reintegration) Programmes implemented by Member States', Council document 8829/16, 11th May 2016. These standards were endorsed by the Council in its Conclusions on the return and readmission of illegally staying third-country nationals, 9<sup>th</sup> June 2016.

at their disposal either the financial resources or the will to voluntarily depart from the EU and to pay for it themselves, especially not those who have incurred considerable expense in making the journey to Europe.

According to EU Action Plan on Return<sup>17</sup>, **voluntary return is the preferred option**. It is commonly considered as more respectful of the migrants' fundamental rights and more cost-effective than forced return. It can also prove effective in overcoming the reluctance of many third countries to cooperate with the removal and return of their nationals.

Against this background, Member States have developed programmes to encourage voluntary return (including from detention) and to support reintegration in the country of return of migrants removed or who voluntarily departed.

Whilst some Member States have a long history of implementing voluntary return and reintegration schemes (e.g. **Germany** has been implementing such programmes since 1978 and **Belgium** since 1984), others have started developing them more recently. Following the adoption of the Return Directive and with the support of the Return Fund<sup>18</sup>, such programmes have become more widespread across the EU. As a result, only **Croatia** has not yet developed any programme to support the return and reintegration of irregular migrants.

This EMN Inform is based on **the review of 87 programmes implemented by 22 Member States and Norway** to support return and reintegration, which can be sub-divided into:

- ★ **45 Assisted Voluntary Return (AVR) programmes<sup>19</sup>;**
- ★ **6 programmes which target (only) migrants placed in administrative detention** with a view to their return<sup>20</sup>;
- ★ **36 reintegration programmes** to specific third countries or ad hoc programmes for targeted categories of third-country nationals (TCN)<sup>21</sup>.

<sup>15</sup> Both FR and AT consider the amount of 2500 euro to low. FR would like to include the possibility of exceptions up to 5000 euro. AT suggests to increase the maximum amount up to 3000 or 3500 euro.

<sup>16</sup> Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals, OJ L 348, 24.12.2008, p. 98. The United Kingdom and Ireland do not implement the Return Directive.

<sup>17</sup> European Commission, 'Communication from the Commission to the European Parliament and to the Council - EU Action Plan on Return', COM(2015) 453 final, 9.9.2015

<sup>18</sup> Decision No 575/2007/EC of the European Parliament and of the Council of 23 May 2007 establishing the European Return Fund for the period 2008 to 2013 as part of the General Programme 'Solidarity and Management of Migration Flows', OJ L 144, 6.6.2007, p. 45.

<sup>19</sup> AT, BE, BG, CY, CZ, DE, EE, ES, FI, FR, HU, IE, IT, LT, LV, MT, NL, PL, SE, SI, SK, UK, plus NO.

<sup>20</sup> AT, CY, EE, HU, and SI.

<sup>21</sup> AT, BE, DE, FR, HU, NL, SE, SI, UK and Norway.

Unless otherwise specified, the main reference period for the data provided is 2015 (calendar year).

This EMN Inform identifies the actors involved in funding, implementing and receiving return assistance. It draws an overview of the different forms of incentives to return and of reintegration assistance provided across Europe. It finally assesses the impact of these programmes on the overall development of the EU Return Policy and highlights the challenges for the coming years.

### 3. ACTORS

#### 3.1 Who provides funding to support return and reintegration of third-country nationals?

The total budget for a standardised period of twelve months of implementation of the 87 programmes under scrutiny amounted to around **111.8 million Euro**. In the majority of the general AVR(R) programmes, **75%** of the funding came from European funding while **25%** was financed by national budgets. In contrast, the majority of targeted reintegration programmes were funded mainly by national budgets<sup>22</sup>.

##### *a) Assisted Voluntary Return (AVR) programmes*

In 2015, **22 Member States and Norway** implemented 45 AVR programmes for a period of eight to fourteen months<sup>23</sup>.

The total budget of **43 AVR programmes** amounted to around **70.6 million Euro**<sup>24</sup>. The **national budgets**<sup>25</sup> of the whole funding for these programmes varied greatly from 1,200 Euro in **Cyprus** to 11 million Euro in **Germany**.

Twenty-four out of the 45 AVR programmes were 75%-financed through the Return Fund<sup>26</sup>, with the remaining 25% covered under national budgets. Some Member States contributed 50% or more from their national resources to the budget of at least one of their AVR programmes, for example: **Ireland and United Kingdom** (50%); **Germany** (81%), and **Ireland, Finland, Netherlands, Norway, Poland**<sup>27</sup>, **Spain** and **Sweden** (100%).

##### *b) Programmes targeting (only) migrants placed in administrative detention in view of their return*

In 2015, **5 Member States (AT, CY, EE, HU, and SI)** were implementing 6 programmes for a period from

twelve to eighteen months that targeted (only) migrants placed in administrative detention with a view to their return<sup>28</sup>.

The total budget of these **6 programmes** amounted to around **1.1 million Euro**. The total budget<sup>29</sup> allocated to them varied from 1,330 Euro in **Estonia**<sup>30</sup> to 705,000 Euro in **Austria**. Three programmes (**EE, HU, SI**) were 75%-funded by European Funds and 25% by national budgets, one programme (**CY**) was 95%-funded by European Funds, another programme (**AT**) was 27%-funded by the national budget, while the funding scheme of the remaining programme (**CY**) was not available.

##### *c) Reintegration programmes to specific third countries or for targeted categories of TCNs*

**Ten Member States (AT, BE, DE, FR, HU, NL, SE, SI, UK and NO)** had between them 36 reintegration programmes to specific countries or ad hoc projects for targeted categories of TCNs running at some point during 2015. In most cases, these ran for a period of one to three years.

The total budget of these **36 programmes** amounted to around **40 million Euro**. The annual budget varied from 77,000 Euro in **Sweden and Netherlands** to the 18 million available for another programme in the **Netherlands**<sup>31</sup>.

On average, these reintegration programmes were 21%-financed through European Funds, with the remaining 79% covered under national budgets. For example, the **United Kingdom** and **Sweden** financed 100% of the total costs of these programmes under their national budget. **Norway**, as a non-EU Member State, exclusively financed all its programmes under its national budget.

#### 3.2 Who implements these programmes?

The main actors implementing voluntary return and reintegration programmes included: international organisations, non-governmental organisations (NGOs) and the authorities responsible for the enforcement of immigration and return legislation.

★ The **International Organization for Migration (IOM)** implemented 30 out of the 45 AVR programmes, in 21 Member States<sup>32</sup>. In some cases (**BE, FI, IT, MT, PL and UK**), IOM worked

<sup>22</sup> See below for further details and clarifications on EU and national funding.

<sup>23</sup> The information provided by the Member States is not fully comparable. In some cases, the implementation period of the relevant programme was not updated, while new information was provided in relation to other programme features. Therefore, it has been assumed that, since the programme was not deleted from the Tableau de bord, it could be considered as 'still running' throughout 2015 despite previous information indicating that the programme would be closed during or at the end of 2014 (and in some cases, 2013). This is the case for the following Member States: BE, BG, EE, FI, HU, LT, NL, SE and SI.

<sup>24</sup> This is an estimation, which can differ from reality. The budget provided are in some cases referring to the whole implementation period of the programme rather than only to 2015.

<sup>25</sup> The figures reported include only national funding, not EU funding, which in some Member States represented up to 90% of the resources available for return.

<sup>26</sup> Programmes funded under the Return Fund are now funded by the Asylum, Migration and Integration Fund.

<sup>27</sup> Only for two over five AVR programmes.

<sup>28</sup> As for AVR programmes, Hungary and Slovenia did not update the 'period' of their programmes. Therefore, it has been assumed that they were 'still running' throughout 2015.

<sup>29</sup> In this case, 'total budgets' is to be understood as including both national and EU funding for the mentioned programmes.

<sup>30</sup> This is the actual budget spent for assisting 15 beneficiaries from January 2014 to June 2015.

<sup>31</sup> Joint programmes are not included in this paragraph.

<sup>32</sup> AT, BE, BG, CY, DE, EE, FI, FR, HU, IE, IT, LT, LV, MT, NL, PL, SE, SI, SK, UK plus NO. In some cases, for example France, IOM implemented only one of the programmes, while the remaining were implemented by national authorities.

in partnership with other entities, both national authorities (**FI, MT, PL, UK**) and NGOs (**BE, IT**). For example, in the United Kingdom, IOM worked in partnership with the Home Office or the Foreign and Commonwealth Office to deliver the Facilitated Returns Scheme and two reintegration projects. In addition to IOM, national authorities by themselves also implemented AVR programmes in **Cyprus, France, Poland and Spain**.

- ★ In five Member States (**AT, BE, ES, IT and UK**), the **NGO community** was actively involved in the implementation of the programmes. The relevant NGOs included, for example, *Caritas* (**BE**), and *Verein Menschenrechte Österreich* and *Verein Menschen Leben* (**AT**). In the **United Kingdom**, the NGO *Refugee Action* was the main implementing body until December 2015<sup>33</sup>.
- ★ Except in **Austria**, where the programme supporting the return of migrants placed in administrative detention **was** implemented by an NGO, the other five programmes by **Cyprus, Estonia, Hungary and Slovenia** were implemented directly by the **national authorities**.
- ★ IOM was the main service provider implementing 16 out of the 36 **reintegration programmes** targeting specific third countries or ad hoc programmes for targeted categories of TCNs, alone or together with other entities. In **Belgium, the Netherlands, Sweden and United Kingdom**, some projects were also implemented by local NGOs and Foundations such as *Caritas*, *the Danish Refugee Council* or *Weldo*. In particular in the Netherlands, 8 out of 14 targeted reintegration programmes were implemented by NGOs.
- ★ In **France**, all national programmes were implemented by a public entity, the OFII (*Office Français de l'Immigration et de l'Intégration*).

### 3.3 Who are the beneficiaries?

Over the implementation period, **52,281** migrants were assisted to return to a third country under one of the AVR programmes implemented by 12 Member States<sup>34</sup> and **1,124** migrants under one of four programmes for migrants placed in administrative detention<sup>35</sup>. The number of migrants assisted in returning to a specific third country through an ad hoc programmes for targeted categories of TCNs implemented in six Member States amounted to **9,324**<sup>36</sup>.

The eligibility criteria for beneficiaries included:

#### a) The legal status of the migrant

<sup>33</sup> From then onwards, the programme has been run in-house by the Home Office.

<sup>34</sup> Only the figures provided by CY, DE, ES, FI, FR, IT, LV, MT, NO, PL, SK and UK were considered as valid.

<sup>35</sup> HU and SI did not provide data on this; therefore they were not considered for this calculation.

<sup>36</sup> This calculation has been done on the basis of the data provided by six Member States (AT, DE, HU, NL, NO and SE) and only those programmes which were running at some point in 2015.

AVR and reintegration programmes were predominantly open to TCNs who had no legal ground to stay on the EU territory. In all Member States (except for **HU**), asylum seekers, if they withdrew their application, and/or rejected asylum seekers were eligible for return assistance. Applicants for international protection were usually informed about this possibility at an early stage of the asylum procedure. Three Member States (**BG, NL, PL**) had designed specific AVR programmes tailored for this category of migrants.

In 13 Member States<sup>37</sup> plus Norway, refugees and/or subsidiary protection beneficiaries were also eligible for at least one of their programmes. Voluntary return programmes were also accessible to legally staying migrants (**ES, CY**) or to those who had a tolerated status (**DE, SK**) or had been granted a right of temporary residence on humanitarian grounds (**DE, LT**).

#### b) The personal situation of the migrant

Voluntary return programmes were mainly set-up to cater for the need of vulnerable persons. Under many programmes, Member States provided such groups a higher level of in-cash and/or in-kind assistance compared with other categories of migrants to cover for instance their medical needs (see section 4 below). Five Member States (**CY, IT, LT, SE, UK**) and Norway implemented programmes tailored specifically to meet the needs of vulnerable TCNs<sup>38</sup>.

#### c) The fact that migrants are in administrative detention

Five Member States (**AT, CY, EE, HU, SI**) had developed specific programmes to incentivise the voluntary return of migrants placed in administrative detention. In nine Member States<sup>39</sup> and Norway, at least one AVR scheme was also open to this category of migrants.

Seventeen out of the 36 specific reintegration programmes (implemented by **AT, BE, NL, SE, SI and UK**) were open to migrants who were in administrative detention in view of their return.

#### d) The nationality of the migrant

General voluntary programmes and programmes targeting (only) migrants placed in detention were usually open to nationals of all third countries.

However, in **Belgium**, an in-cash allowance was not granted to TCNs originating from Kosovo or to those who were permitted to enter their territory without a visa, with the exception of vulnerable persons. In **Germany**, an in-cash allowance was not granted to TCNs from countries whose citizens could benefit from the visa-free regime for entering the EU. In the

<sup>37</sup> AT, BG, CY, DE, EE, IT, LT, LV, MT, NL, SI, SK, UK.

<sup>38</sup> *Vulnerable persons: "means minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence"* (Article 3(9) of the Return Directive).

<sup>39</sup> BE, BG, FI, HU, LV, MT, NL, SK and UK.

**Netherlands**, TCNs from Macedonia, Belarus, Georgia and Russia (Dublin cases), Kosovo (Dublin cases) and Mongolia (Dublin cases) were also not eligible under for AVR support. In **Italy**, some AVR programmes were tailored to nationals from Tunisia, Ghana, Niger, Ecuador, Columbia, Morocco, Albania, Bolivia, Ecuador, Peru and Senegal.

In **Poland**, victims of trafficking in human beings originating not only from third countries but also from other EU Member States could benefit from AVR support by receiving in-cash assistance fully financed by the state budget. The in-kind reintegration support provided under this scheme was co-financed by the Norwegian grant.

By nature, specific reintegration projects were only open to migrants returning to pre-determined third countries. The top two third countries in which migrants received specific reintegration support were Afghanistan and Pakistan.

#### 4. OVERVIEW OF THE DIFFERENT FORMS OF INCENTIVES INCLUDED IN RETURN AND REINTEGRATION ASSISTANCE

Under their 87 national programmes, Member States offered three types of assistance:

- ★ In-kind assistance prior to departure (4.1);
- ★ In-cash assistance at the point of departure/after arrival (4.2); and
- ★ In-kind assistance in the country of return (4.3).

Moreover, Member States were also implementing a number of joint cooperation projects (4.4).

The type of assistance provided was usually decided on a case-by-case basis depending on the situation of the migrant. The sections below set out the equivalent in Euro of the maximum assistance that could be provided under the different programmes.

##### 4.1 In-kind assistance prior to departure

**AVR programmes** commonly covered the costs for the following type of in-kind assistance prior to departure<sup>40</sup>:

- ★ Information and counselling to migrants;
- ★ Support to obtain travel documents;
- ★ Internal transportation in the Member State (for instance, to go to the airport);

- ★ Transportation to the country of return.

AVR programmes could also cover the costs of accommodation (**AT, BE, BG, EE, LT, NO, PL** and **SK**), food (**BE, EE, LT, PL** and **SK**) or legal counselling (**BG, CY, ES, IT, LT** and **PL**) prior to departure. Other forms of in-kind assistance prior departure included:

- ★ Travel insurance (**BG, EE, HU**);
- ★ Medical check-up/assistance (**BG, CY, EE, LT, PL, SI, SK**) and medical escort for vulnerable cases (**CY, SE**);
- ★ Clothes (**CY, LT, SK**);
- ★ Phone card (**LT**);
- ★ Socio-psychological support (**CY, ES**);
- ★ Interpretation (**EE, SK**);
- ★ Training on business start-up (**IT**).

Specific programmes for TCNs in administrative detention covered the costs of in-kind assistance prior to departure only in **Austria, Cyprus and Slovenia**. Under the 41 **reintegration projects** reviewed, in-kind assistance prior to departure was limited to information and counselling and more narrowly to the provision of support in obtaining travel documents and transportation to the country of return.

##### 4.2 In-cash assistance at the point of departure/after arrival

Out of the 87 programmes under scrutiny, all Member States and Norway except for **Ireland**, provided an in-cash allowance at the point of departure or after arrival under all or at least one of their programmes.

On average, minors could receive a maximum of **658 Euro** while adults could receive a maximum of **727 Euro**<sup>41</sup>.

The maximum amount of the in-cash allowance varied from 100 Euro in **Bulgaria, Hungary and Latvia** to 3,750 Euro in **Norway** for a minor and 3,300 Euro in **Sweden** for an adult.

Eleven<sup>42</sup> over twenty-one Members States provided maximum grants between 100 Euro and 400 Euro to minors under at least one of their programmes and fourteen<sup>43</sup> between 100 Euro and 500 Euro to adults.

**Finland, Norway** and **Germany** provided a fixed allowance for the travel and an additional start-up/reintegration in-cash allowance upon arrival, in

<sup>40</sup> At least under one of the AVR programmes per Member State in those cases where the Member States implemented several programmes in parallel.

<sup>41</sup> This calculation is based on the information displayed in table 1 (taking into account the maximum amount). Average = total of the maximum in cash allowance for minors/adults /21 Member States.

Those who do not differentiate between minors and adults are included. Those who do not provide in-cash assistance are excluded from the calculation of the average.

<sup>42</sup> AT, BE, BG, CY, DE, HU, IT, LT, LV, NL, SK.

<sup>43</sup> AT, BE, BG, CY, DE, ES, HU, IT, LT, LV, MT, NL, SI, SK.

some cases depending on the country of return (see table below).

In cases where Member States had developed a return programme targeting migrants in detention, the amount of the incentives at the point of departure was always lower than under the AVR general schemes. In 2015, **Cyprus** stopped offering in-cash incentives under this scheme.

The highest allowances were granted by **Norway** in the context of the general AVR programme and **Sweden** in the context of reintegration projects to a specific third country. Under only one specific targeted reintegration project (directed to former asylum seekers), the **Netherlands** also provided one of the highest grants.

**Table 1** below provides an overview of the maximum in-cash allowance that could be granted to a returnee per Member State (in Euro).

**Table 1: Overview of the maximum in-cash allowance that may be granted to a returnee per Member State (in Euro)**

MS	All <sup>(1)</sup>	VP <sup>(2)</sup>	Minors	Adults	F/M <sup>(3)</sup>
AT	-	-	200	370 /500 <sup>(4)</sup>	M
BE	-	-	125	250	F
BG	100/150	-	-	-	F
CY	400	-	-	-	M
DE <sup>(5)</sup>	-	-	100	200	F
	300/400/750 <sup>(6)</sup>	-	-	-	M
EE	700	-	-	-	M
ES	450	-	-	-	F
	2,000 <sup>(12)</sup>	-	-	-	M
FI	-	200/1,500 <sup>(6)</sup>	100/600 <sup>(6)</sup>	200/1,000 <sup>(6)</sup>	M <sup>(7)</sup>
FR	300/650 <sup>(6)</sup>	-	-	-	F
HR	-	-	-	-	-
HU	100	500	-	-	F
IE	-	-	-	-	-
IT	150/400 <sup>(8)</sup>	-	-	-	F
LT	-	200	100	200	F
LV	100	-	-	-	F

<sup>44</sup> In the case of **Spain**, data were not available at the time of writing. **Czech Republic** is not included, as data were not provided for in-kind assistance.

<sup>45</sup> AT, BE, DE, FR, HU, NL, SE, SI, UK.

<sup>46</sup> This calculation is based on the information displayed in table 2. The average for minors = total of the maximum in-kind allowance for

MT	-	-	600	200	F
NL <sup>(9)</sup>	-	200/500	40/100	200/500	M
	-	1,750	880	1,750	F
NO <sup>(10)</sup>	-	-	215/3,750	750/2,150	M
PL	950	950	-	-	M
SE <sup>(11)</sup>	-	-	1,700	3,300	M
SI	500	-	-	-	M
SK	140	-	-	-	F
UK	625	-	-	-	F

(1) "All" indicates that the same amount is paid to any returnee irrespective of characteristics such as age or vulnerability.

(2) VP: Vulnerable persons (defined according to Article 3(9) of the Return Directive)

(3) F= the in-cash allowance is fixed across recipients; M = the amount indicated is the maximum amount that can be provided.

(4) EUR 500 per family under programmes tailored for specific third countries.

(5) 1<sup>st</sup> row: Basic allowance/ 2<sup>nd</sup> row: start-up/reintegration allowance

(6) In-cash reintegration assistance depends on country of return. Different groups of countries of return depending on the Member State. Information provided only by Germany: a. China; b. Iran, Kosovo; c. Afghanistan.

(7) EUR 100/200 are given before departure and the rest in the return country.

(8) EUR 150, 200, 300 or 400 depending on the specific programme.

(9) 1<sup>st</sup> row: Basic allowance/ 2<sup>nd</sup> row: top-up only for former asylum seekers.

(10) EUR 70 per children and EUR 90 per adult are given at the gate on departure.

(11) Targeted reintegration: EUR 7,700 per family.

(12) Per family unit.

#### 4.3 In-kind assistance in the country of return

Out of the 45 AVR programmes reviewed, 25 programmes delivered by 21 Member States and Norway provided in-kind assistance either before departure or after arrival<sup>44</sup>. By nature, all 36 reintegration programmes to a specific country or for targeted categories of migrants implemented by nine Member States<sup>45</sup> and Norway also covered the costs for in-kind assistance in the country of return.

The equivalent in Euro of the maximum in-kind reintegration assistance amounted, on average, to **1,909 Euro** for a minor and **2,366 Euro** for an adult<sup>46</sup>.

The equivalent in Euro of this assistance varied from 600 Euro in **Ireland and Latvia** and 500 Euro in **Bulgaria** to 5,700 Euro in **France**.

Alternatively or in addition, some Member States (**AT, BE, CY, IE, FR, SE and SI**) also set a budget per project or family, ranging from **1,000** to **5,100 Euro**.

The aim of reintegration support was to ensure **effective reinsertion into society and a sustainable return**. For AVR programmes or reintegration programmes to specific countries, in-kind assistance was mainly provided for the following activities:

minors/17 Member States (only those who provided special assistance to minors are counted); Average for adults = total of the maximum in-kind allowance for adults/ 19 Member States who provided figures for in-kind assistance for adults.

- ★ Assistance upon arrival;
- ★ Ad-hoc assistance for vulnerable persons including for instance medical assistance, medicines, orientation and information on the health system in the country of origin;
- ★ Education and/or training;
- ★ Business start-up;
- ★ Equipment/furniture (except **LT, NO**);
- ★ On-the job training/support for employment;
- ★ Accommodation (**except for HU, LT, MT, NO, PL**) and administrative and/or legal assistance (**except for EE, IT, LT, MT**).

**Table 2** provides an overview of the equivalent in euros of the maximum in-kind reintegration assistance that migrants participating in these programmes could receive (in Euro):

**Table 2: Overview of the equivalent in euros of the maximum in-kind reintegration assistance that participating migrants may receive (in Euro)**

MS	Per family/ project	Per adult	Per minor
<b>AT</b> <sup>(1)</sup>	2,800	-	-
<b>BE</b>	1,500	700/1,200 <sup>(2)</sup>	350/850 <sup>(3)</sup>
<b>BG</b>	-	500/1,000 <sup>(4)</sup>	500/1,000 <sup>(4)</sup>
<b>CY</b>	1,500	-	-
<b>DE</b>	-	3,000/5,000 <sup>(4)</sup>	3000/5000 <sup>(4)</sup>
<b>EE</b>	-	1,400	1,400
<b>ES</b>	-	-	-
<b>FI</b>	-	1,300	650
<b>FR</b>	-	5,700(M) <sup>(7)</sup>	
<b>HR</b>	-	-	-
<b>HU</b> <sup>(5)</sup>	-	2,000/3,000 <sup>(4)</sup>	2,000/3,000 <sup>(4)</sup>
<b>IE</b>	1,000	600	600
<b>IT</b>	-	1,100/2,000 <sup>(4)</sup>	1,100/2,000 <sup>(4)</sup>
<b>LT</b>	-	1,900/2,500 <sup>(2)</sup>	480
<b>LV</b>	-	600	600
<b>MT</b>	-	3,800	-
<b>NL</b> <sup>(1)</sup>		1,000/1,500 <sup>(6)</sup>	2,500 <sup>(7)</sup>
<b>NO</b> <sup>(1)(6)</sup>		5,000	5,000
<b>PL</b> <sup>(6)</sup>	-	2,400	1,100
<b>SE</b> <sup>(1)(6)</sup>	3,600/5,100	1,500/2,200	1,500/2,200
<b>SI</b> <sup>(1)</sup>	5,000(M)	2,500(M)	2,500(M)

<sup>47</sup> BE, FR, FI, DE, NL, UK and NO.

<b>SK</b>	-	1,400	1,700
<b>UK</b> <sup>(8)</sup>	-	1,250/1,870	1,870

(1) Under specific reintegration project.

(2) Per adult/per vulnerable adult

(3) Per minor/per vulnerable minor

(4) Depending on project or eligibility criteria.

(5) Maximum EUR 650 under specific reintegration project, only for vulnerable persons. An extra of EUR 350 was possible if needed.

(6) Maximum amount for voluntary returnees (in the case of Norway)/forced returnees and depending on project.

(7) Plus € 1,300 for the service provider, totalling a maximum amount of 7,000 €.

(8) Maximum EUR 1,870 for unaccompanied minors or members of family groups comprising at least one adult and at least one child (under 18 years of age) for which the adult had parental or guardian responsibility. Maximum of EUR 1,250 for maximum amount for voluntary returnees/forced returnees and depending on project other adults.

#### 4.4 Joint EU MS co-operative reintegration projects

On top of the national programmes reviewed below, a number of reintegration projects were carried out at the level. The main projects were/are:

★ **The ERIN project (European Reintegration Network)** is a follow-up of the successful ERI project. Together with the participating countries<sup>47</sup>, reintegration projects (both for voluntary and non-voluntary returnees) were implemented. ERIN was operational in 11 third countries/regions including, for example, Afghanistan, Iraq, Pakistan and Somaliland. The Joint Procurement Team, a technical expert team, was responsible for ongoing tender procedures to select service providers in the target countries. These would generally take the form of (local) non-governmental social and humanitarian organisation which would support returnees in their reintegration<sup>48</sup>.

★ The **EURINT Network** was a network of forced return experts, whose ultimate goal was the exchange of information, advice, training, development of best practices and the strengthening of cooperation between authorities and bodies from the Member States active in the field of forced return. The network ran from September 2013 until February 2016. The network was integrated by 11 participating Member States (**AT, BE, DE, EE, FR, HU, LU, NL, RO, SE, UK**).

★ **France and Germany** have also developed one common reintegration project to Armenia (**URA 2**). The focus in this project was on reintegration into the labour market and assistance with business start-ups. Up to 120 returnees were to benefit from this project. The project has been renewed and will be running until the end of December 2016.

★ **Other relevant joint return and reintegration projects were:** SMART Returns (Supported Mediation and Assistance for Returns), MAGNET II (Joint approach in the field of job placement for

<sup>48</sup> For further information, see for example 'ERIN project', available at [http://www.bamf.de/EN/Rueckkehrfoerderung/ProjektERIN/projekt\\_eri\\_n-node.html](http://www.bamf.de/EN/Rueckkehrfoerderung/ProjektERIN/projekt_eri_n-node.html) [last accessed on 6th June 2016].

Iraqi (KRG) returnees), REDIAL (Return Directive Dialogue), VCI (Video Conferencing for Identification), OSS II (Sustainable return and reintegration in LA – promoting voluntary return).

Several of these projects were co-financed as Community actions under the Return Fund and are now supported by the Asylum, Migration and Integration Fund. Member States involved in these projects usually considered that such approaches improve both the cost-efficiency and the coherence of the reintegration support provided to migrants by each Member State.

## 5. IMPACT

**Assessing the impact of programmes supporting the return and reintegration** of TCNs on the EU return policy **constitutes a challenge** for three reasons:

1. **Many factors influence return figures**, including in particular the security situation in the world, influx numbers, court decisions with regard to return decisions, a lack of cooperation from the third country of origin or transit (e.g. problems in obtaining the necessary documentation from non-EU consular authorities) and the lack of cooperation from the TCNs concerned (i.e. he/she conceals his/her identity or absconds).
2. There is currently **no obligation for Member States to collect data on voluntary returns**<sup>49</sup> and there is thus no harmonised procedure for recording the data.
3. **Not all Member States were able to provide statistics** on the type of returns and non-harmonised statistics may give a distorted picture.

Programmes and initiatives to assist return are key **components of return migration management. Voluntary return has become an important option for many Member States.** The data available through Eurostat and Frontex, while inconsistent, seems to indicate that the number of migrants that return voluntarily has increased over the past five years:

- ★ The total number of assisted voluntary returns has increased from 24,730<sup>50</sup> in 2014 to 38,700 in 2015<sup>51</sup>, according to Eurostat. According to

Frontex, voluntary returns increased from 63,896 in 2014 to 81,681 in 2015<sup>52</sup>.

- ★ According to Frontex data, over the period 2012 to 2015 the proportion of assisted voluntary returns out of the number of returns effected has increased from **41% to 47%**<sup>53</sup>.
- ★ Also according to Frontex data, in 2015, the ratio between voluntary return and forced return in the EU was about 41% of forced returns, 47% of voluntary returns and 12% not specified<sup>54</sup>.

Statistics show, however, **a gap between the number of persons issued with a return decision and the number of persons who have left the EU as a consequence of a return decision.** According to Frontex data, in 2015:

- ★ **286,725 TCNs were ordered to leave** the EU, which was a 14% increase compared to 2014;
- ★ **175,220 TCNs returned** following an order to leave in 2015, consistently with the trend shown during 2014;
- ★ Given the data above, the number of the persons returned in 2015 is **61% of the return decisions** in the same year<sup>55</sup>.

AVR and reintegration support projects may encourage cooperation from return countries and play an important role in overcoming return challenges, as illustrated by the EMN Inform on *'Practical approaches and good practices in return and reintegration to Afghanistan and Pakistan'*, two countries to which Member States experience challenges in effecting forced returns. For instance, while in 2008 **Greece** effectively returned only 30 Afghanis and 80 Pakistanis, in 2013 it respectively returned 735 and 4,835 migrants from these third countries mainly through its AVR programme<sup>56</sup>. Other emerging good practices in the area of AVR(R) concern, among others, the involvement of the diaspora communities and/or organisations to reach, inform and convince potential returnees of the advantages of voluntary return, tailoring support to individual needs and cooperating with local organisations to support effective reintegration<sup>57</sup>.

## 6. CHALLENGES

One of the main achievements of the Return Fund is that **programmes encouraging return and supporting**

<sup>49</sup> Starting with 2014 as a first reference year, new statistics on the enforcement of immigration legislation, including on TCNs returning voluntarily to third countries, have been collected by Eurostat on a voluntary basis. The Frontex Risk Analysis Unit also collects return data disaggregated by type of return (forced vs voluntary); however, the geographical coverage of the return data set varies according to the availability of data.

<sup>50</sup> 16 Member States: BE, BG, DK, EE, ES, FR, HR, HU, IT, LV, MT, PT, RO, SI, SK, SE.

<sup>51</sup> Figures extracted from Eurostat. 19 Member States: BE, BG, DK, EE, ES, FR, HR, IE, IT, LV, LU, HU, MT, PL, PT, RO, SI, SK, SE.

<sup>52</sup> Frontex, Annual Risk Analysis for 2016, March 2016.

<sup>53</sup> Ibid.

<sup>55</sup> Source: Frontex Annual Risk Analysis 2016, March 2016. This data may differ significantly from the statistics reported by Eurostat (not available at the time of writing). It should be noted that, within a given period, the people ordered to leave and returned may not necessarily be the same people. Furthermore – some of those ordered to leave could – for a variety of reasons – subsequently no longer be subject to this order. These factors should be borne in mind when interpreting the ratio of the number of persons returned to the number of return decisions.

<sup>56</sup> Source: EUROSTAT and EMN REG directory country factsheet.

<sup>57</sup> EMN Inform *'Challenges and good practices in the return and reintegration of irregular migrants to Western Africa'*, January 2015; EMN Ad-Hoc Query no. 2015.746 on *'Return and reintegration to Eastern Africa'*.



**reintegration are in place in almost all Member States.**

In light of the significant gap between the number of return decisions issued and the number of decisions implemented, the main objective is now to **ensure that AVR(R) programmes better contribute to the effective enforcement of return decisions and to an increase of the share of voluntary return.** In this context, three main challenges were identified:

- 1. AVR(R) could be more an incentive for third countries to cooperate on return than an effective tool to increase returns to the region.** This is why the role of AVR(R) is probably limited in overcoming the embedded difficulties of some third countries from which a high number of irregular migrants or asylum seekers originate. In addition, return highly depends on choice of the individual concerned. Moreover, AVR(R) could be considered as an instrument of social support to make a voluntary return more feasible and credible. On the other hand, the experience of **joint EU Member States' reintegration projects demonstrates that enhanced cooperation at EU-level could improve both the cost-efficiency** (by generating economies of scale on the administrative costs) **and the quality of reintegration** support provided.
- 2. The disparities among the return and reintegration programmes might be a potential source of "return shopping" in Europe.** Evidence is anecdotal but this is an aspect of AVR(R) that the EMN REG is investigating further, in line with the Council mandate<sup>58</sup>. The REG has also developed **non-binding common standards for AVR(R)**<sup>59</sup>. In this regard, for convergence purposes and to minimise the differences between Member States, it is advised to use a minimum amount for in-kind assistance of 500 euro and a maximum amount of 2500 Euro<sup>60</sup>. **In-depth monitoring and evaluation of the programmes** would reinforce the efficiency and the coherence of EU Return policy. The **United Kingdom** has undertaken measures to monitor and evaluate AVR programs and the impact of the in-cash and in-kind assistance granted. To facilitate the assessment of national voluntary return schemes, in January 2016 the EMN REG published **Guidelines for the monitoring and evaluation of AVR(R) programmes.** If applied consistently, the Guidelines' set of core indicators would enable the analysis of EU-level aggregate data on AVR(R) programmes.

## 7. FURTHER INFORMATION

You may obtain further details on this EMN Inform and/or on any other aspect of the EMN, from: [HOME-EMN@ec.europa.eu](mailto:HOME-EMN@ec.europa.eu).

*Done in June 2016*

<sup>58</sup> Council of the EU, Council conclusions on the future of the return policy, 08.10.2015

<sup>59</sup> Council of the EU, Non-binding common standards for Assisted Voluntary Return (and Reintegration) Programmes implemented by Member States', Council document 8829/16, 11th May 2016. These standards were endorsed by the Council in its Conclusions on the return

and readmission of illegally staying third-country nationals, 9<sup>th</sup> June 2016.

<sup>60</sup> Both FR and AT consider the amount of 2500 euro to low. FR would like to include the possibility of exceptions up to 5000 euro. AT suggests to increase the maximum amount up to 3000 or 3500 euro.