

# Study on Return, Readmission and Reintegration Programmes in Africa

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April 2021



Funded by  
the European Union



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### Steering Committee



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# Table of Contents

<b>Acronyms</b>	<b>IX</b>
<b>Glossary of Key Terms</b>	<b>XI</b>
<b>Executive Summary</b>	<b>XIII</b>
<b>Study on Return, Readmission and Readmission Programmes in Africa:</b>	
<b>Introduction</b>	<b>3</b>
Context of the Study	3
Objectives of the Study	5
Methodology	6
Defining Sustainable Reintegration	8
<b>Part A: Legal and Policy Structures on RRR</b>	<b>11</b>
<b>A1 Return, Readmission, and Reintegration (RRR): Legal and Policy Frameworks in Africa</b>	<b>11</b>
A1.1 Legal and Policy Analysis on Return	11
A1.1.1 Who is covered under laws of expulsion?	12
A1.1.2 Applicability of law on expulsion to returns	12
A1.1.3 Procedural Aspects	14
A1.1.4 Logistical Aspects	15
A1.1.5 Specific considerations relating to expulsion of migrants in an irregular situation	16
A1.1.6 Women and Children	17
A1.1.7 Summary on Returns	17
A1.2 Legal and Policy Analysis on Readmission	18
A1.2.1 Obligations of the State on Readmission	19
A1.2.2 Summary on Readmission	20
A1.3 Legal and Policy Analysis on Reintegration	20
A1.3.1 Upholding and guaranteeing human rights in reintegration processes	20
A1.3.2 Women and Children	21
A1.3.3 Regional and International Conventions Pertinent to Reintegration	22
A1.3.4 Duties of the Individual	23
<b>A2 Findings from Country Level National Analysis</b>	<b>24</b>
A2.1 Common Findings in National Legal Frameworks	24
A2.2 Conclusion on Legal and Policy Analysis	25
<b>Part B: Evidence on RRR</b>	<b>26</b>
<b>B1 RRR Programming in Africa: Lessons Learned from Nine Countries, Good Practices, and Recommendations</b>	<b>26</b>
B1.1 Setting the scene: Lessons Learned from the Literature on RRR Programming in Africa	26
B1.2 Implementing RRR Policies and Programmes: Summary of High Level Findings	31

B1.2.1	Defining Effective and Sustainable Reintegration: Member State Perspectives	32
B1.2.2	Coordination and Cooperation at National, Bilateral and Multilateral Levels	34
A	National Coordination Mechanisms on RRR	34
B	Coordinating Returns in Contexts of Crisis	36
C	Bilateral/Multilateral Coordination and Cooperation: Readmission and Other Matters	37
B1.2.3	Understanding Return and Readmission Experience's Impact on Reintegration Processes	39
B1.2.4	Planning Locally with Sub-National and Community Involvement	42
B1.2.5	Enhancing Data, Monitoring and Evaluation for Evidence-Based Programming	43
B1.2.6	Planning for Inclusive Development: Key Gaps and Contextual Considerations	45
B1.2.7	Planning for Sustainability : Financing and Administrative Challenges	46
<b>B2</b>	<b>Overview Analysis – What We Can Learn from Five Programmatic Case Studies</b>	<b>48</b>
<b>Part C:</b>	<b>Conclusions and Recommendations</b>	<b>58</b>
<b>C1</b>	<b>Conclusion: Foundations for Sustainable RRR</b>	<b>58</b>
<b>C2</b>	<b>Recommendations</b>	<b>61</b>
C2.1	Immediate Action Points	61
C2.2	Recommendations to Member States	61
C2.3	Recommendations to RECs	63
C2.4	Recommendations to the AUC	63
<b>Annex 1.</b>	<b>State of Ratification of Relevant International and Continental Frameworks</b>	<b>65</b>
<b>Annex 2.</b>	<b>Synthesis of National Laws and Policies for Study Countries</b>	<b>66</b>
<b>Annex 3.</b>	<b>Bilateral Agreements in Selected Member States</b>	<b>70</b>
<b>Annex 4.</b>	<b>Selected Bibliography</b>	<b>71</b>
<b>Annex 5.</b>	<b>Country Briefs</b>	<b>75</b>





# Acronyms

<b>ACHPR</b>	African Charter on Human and Peoples' Rights
<b>AU</b>	African Union
<b>AUC</b>	African Union Commission
<b>AU FMP</b>	African Union Free Movement Protocol
<b>AVRR</b>	Assisted Voluntary Return and Reintegration
<b>C2CMMD</b>	AU-EU Continent to Continent Migration and Mobility Dialogue
<b>CAT</b>	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
<b>CEDAW</b>	Convention on the Elimination of all Forms of Discrimination against Women
<b>CMW</b>	International Convention on the Rights of Migrant Workers and Members of their Families
<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>CoO</b>	Countries of Origin
<b>COVID-19</b>	Coronavirus Disease 2019
<b>CPR</b>	Civil and Political Rights
<b>CRC</b>	Convention on the Rights of the Child
<b>EAC</b>	East African Community
<b>EEAS</b>	European External Action Service
<b>EDB</b>	Economic Development Board
<b>ECOWAS</b>	Economic Community of West African States
<b>ECtHR</b>	European Court of Human Rights
<b>ECSR</b>	Economic, Social and Cultural Rights
<b>EMN</b>	European Migration Network
<b>ERRIN</b>	The European Return and Reintegration Network
<b>EU</b>	European Union
<b>FAO</b>	Food and Agricultural Organization
<b>FCDO</b>	Foreign, Commonwealth & Development Office
<b>GCM</b>	Global Compact on Safe, Orderly and Regular Migration
<b>GCR</b>	Global Compact on Refugees
<b>GIZ</b>	Deutsche Gesellschaft für Internationale Zusammenarbeit
<b>HRC</b>	Human Rights Committee

<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICESCR</b>	International Covenant on Economic, Social and Cultural Rights
<b>ICGLR</b>	International Conference of the Great Lakes Region
<b>ICMPD</b>	International Centre for Migration Policy Development
<b>IDP</b>	Internally Displaced Person
<b>IGAD</b>	Intergovernmental Authority on Development
<b>ILC</b>	International Law Commission
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>KII</b>	Key Informant Interview
<b>KNOMAD</b>	Knowledge Partnership on Migration and Development
<b>MEASURE</b>	Mediterranean Sustainable Reintegration Project
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MDRMRE</b>	The Delegate Ministry to the Minister of Foreign Affairs, African Cooperation and Moroccans Residing Abroad, in Charge of Moroccans Residing Abroad
<b>MPFA</b>	Migration Policy Framework for Africa
<b>NCRM</b>	National Committee for Refugees, Migrants, and Internally Displaced (Nigeria)
<b>OAU</b>	Organisation of African Unity
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OFII</b>	Office Français de l'Immigration et de l'Intégration
<b>ORION</b>	Operationalise an Integrated Approach to Reintegration
<b>PSM</b>	Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime
<b>PTIP</b>	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime
<b>REC</b>	Regional Economic Community
<b>RIAT</b>	Reintegration Assessment Tool
<b>RRR</b>	Return, Readmission and Reintegration
<b>RSS</b>	Reintegration Sustainability Survey
<b>SADC</b>	Southern Africa Development Community
<b>SMEDAN</b>	Small and Medium Development Enterprise Agency (Nigeria)
<b>SSI</b>	Semi-Structured Interviews
<b>Suppl.</b>	Supplementary
<b>UDHR</b>	Universal Declaration of Human Rights
<b>UN</b>	United Nations
<b>UNCTAD</b>	United Nations Conference on Trade and Development
<b>UNHCR</b>	United Nations High Commissioner for Refugees



# Glossary of Key Terms

<b>Return Country</b>	“Usually, the country of destination of a migrant. In the case of return or repatriation, also the country of origin” (IOM Glossary on Migration 2019)
<b>Return</b>	Refers broadly to the act or process of going back to the point of departure. For migrants, this typically means returning from a host country (either transit or destination) back to their country of origin, i.e. their original point of departure. There are subcategories of return, which can describe the means of return, e.g. voluntary, forced, assisted, and spontaneous return (IOM Glossary on Migration 2019). For the purposes of the present study, the term “return” does not cover (voluntary) repatriation of refugees or return of IDPs.
<b>Spontaneous Return</b>	The “voluntary, independent return of a migrant or a group of migrants to their country of origin, usually without the support of States or other international or national assistance.” (IOM Glossary on Migration 2019)
<b>Assisted Return</b>	“Administrative, logistical or financial support, including reintegration assistance, to migrants unable or unwilling to remain in the host country or country of transit and who decide to return to their country of return. (IOM Glossary on Migration 2019)
<b>Readmission</b>	“Act by a State accepting the re-entry of an individual (own national, third-country national or stateless person).” (IOM Glossary on Migration 2019). The AU MPFA links readmission specifically to forced return: as “Readmission refers to forced return and occurs when an individual has been found to illegally enter or stay in a state.” (AU Migration Policy Framework for Africa 2018)
<b>Forced Return</b>	“Also known as removal is the act of returning an individual, against his or her will, to the country of origin, transit or to a third country that agrees to receive the person, generally carried out on the basis of an administrative or judicial act or decision.” <sup>1</sup>
<b>Readmission Agreement</b>	“A bilateral or multilateral agreement between States that establishes, in a reciprocal manner, the basis and procedures, for one State to promptly and orderly return non-nationals, who do not or no longer fulfil the conditions for entry or stay on its territory, to their home State or a third State, most commonly a State through which they have transited or a State in which they had permanent residence.” (IOM Glossary on Migration 2019)
<b>Reintegration</b>	There is no universally agreed upon definition of reintegration. Concepts and definitions of sustainable reintegration are discussed in more depth on pp. 7-11, where a working definition for this study is established. The most recent definition is the one established by IOM (2017): “Reintegration can be considered sustainable when returnees have reached levels of economic self-sufficiency, social stability within their communities, and psychosocial well-being that allow them to cope with (re)migration drivers. Having achieved sustainable reintegration, returnees are able to make further migration decisions a matter of choice, rather than necessity.

1 Adapted from European Migration Network, European Migration Network Asylum and Migration Glossary 3.0 (2014).





# Executive Summary

## Study Objectives and Methodology

The breadth of RRR has been acknowledged and received special attention in international migration within the 2016 New York Declaration for Refugees and Migrants and the 2018 Global Compact on Refugees (GCR), and the Global Compact for Safe, Orderly and Regular Migration (GCM). This report goes a step further to situate the global discourse within a regional context by analysing Africa's legal frameworks on RRR to determine who should be included in RRR strategies and interventions in accordance with the existing continental frameworks.

The origin and development of the RRR framework in Africa has been largely construed as a response to forced displacement, be it internal or external. As a result, Africa has one of the most, if not the most, historical and comprehensive frameworks on RRR globally. This started with the 1969 Organisation of African Unity (OAU) Convention governing the Specific Aspects of Refugee Problems in Africa ('1969 OAU Convention'), and was further developed in the African Union (AU) Convention for the Protection and Assistance of Internally Displaced Persons (IDPs), the 2009 'Kampala Convention', and other sub-regional instruments.

### Objectives

**This study seeks to answer the following question: "What are key cohesive principles and approaches that can be applied by African Union Member States to ensure migrants' sustainable return, re-admission, and reintegration?"** The research approach was empirically grounded, with a dual focus on these migrants, their hopes, capabilities, and lived experiences of return, readmission, and reintegration (RRR), and governments who aim to improve conditions for sustainable reintegration. The research covered all five sub-regions of Africa, with nine AU Member States represented. The list includes: Morocco and Egypt (North Africa), Sudan (East Africa), Guinea and Nigeria (West Africa), Cameroon and the Democratic Republic of the Congo (DRC) (Central Africa), Mozambique and Mauritius (South Africa).

### Methodology

The research adopted a three-phased approach (Figure 1): (1) An initial desk review and legal and policy analysis frame the findings of the study, and (2) qualitative fieldwork was conducted between August-November 2020, with additional interviews in December 2020-January 2021.

The desk review and fieldwork zoomed in on **concrete RRR initiatives from the past five years** in each of the selected countries. In phase (3), in each country, preliminary analysis was presented at a validation workshop, serving as an opportunity to share findings and encourage feedback, including on the formulation of recommendations.



In total, **229 stakeholders and returnees participated in this study**, either as individual interviewees or in the context of workshop participation. **143 individual interviews were conducted, including 72 interviews with returnees or community members in areas of return.**



## Part A

# Legal and Policy Analysis of RRR: Seven Findings

The legal and policy analysis identifies the existing frameworks and provisions and concludes with a synopsis of identified gaps and suggested ways forward. Given the range of available relevant instruments, **one of the key questions to consider is what legal or policy approaches are most coherent to facilitate effective and sustainable reintegration.**

1. **There is no single legal framework that deals exclusively with RRR**, although aspects of it may be the subject of international, usually bilateral, agreements. Rather, RRR-applicable provisions are included in an array of international, regional, sub-regional and national instruments. The Migration Policy Framework for Africa (MPFA) includes some specific references to all three 'R's, including a definition of readmission and a focus on the community dimensions of reintegration.
2. **Common provisions are shared by most legal frameworks on return** and uphold the rights of returnees, including: the prohibition of mass expulsion, prohibition of return to a place where a person may be tortured, i.e. the principle of *non-refoulement*, the right to statehood, and the right to compensation in the event of unlawful expulsion. The right to appeal and right to adequate notice and preparation are also common to many frameworks.
3. **Most provisions on readmission are laid out in bilateral cooperation agreements**, based largely on informal agreements between states, and are often not legally binding. Nevertheless, obligations extend to the returning and receiving states alike, whereby the latter continues to be legally bound by its obligations to respect human rights, such as the principles of equality and non-discrimination. One of the challenges that many African countries may face with regard to readmission, which is clearly articulated in the MPFA, is in identifying the migrant's state of origin so that they may be readmitted.
4. **Most dimensions relevant to reintegration are not the subject of legislation.** Consequently, the MPFA has proposed for **reintegration programmes to be aligned with national and local development strategies and to be responsive to the needs of the communities to which migrants return.** The community dimension emphasised in the MPFA is considered a determining factor of reintegration.

5. **None of the selected countries has a law or policy that deals exclusively with RRR.** For those countries that may have *relevant* laws and policies, there are a number of challenges: non-domestication of international and regional frameworks, relevant migration policies are in draft form and may lack any reference to RRR, lack of effective and standardised preparation and implementation of RRR, and lack of institutional and operational capacity. There is **no comprehensive data on return migration**.
6. **Legal frameworks related to RRR at the REC levels remain uneven, with gaps in harmonisation of regional legal frameworks.** IGAD and ECOWAS are more developed and have specific frameworks or provisions in place, while other RECs, such as SADC and COMESA, have just begun implementation.
7. **International law as well as regional and sub-regional treaties provide a strong and comprehensive legal basis for RRR interventions that may be adopted at the national level.** Although states have ratified, and in some cases domesticated, some of these treaties and protocols, there are still some key instruments, both at the international and regional level, that have relatively low levels of ratification. These include the Committee on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW), the Statelessness Convention, the Kampala Convention, or a number of regional Protocols on Free Movement, among others. This limits applicability of international frameworks to RRR policies.





## Part B

# Evidence on RRR: Seven Key Findings

Overall, mounting evidence on supporting the reintegration of return migrants in Africa confirms the need for a holistic approach towards reintegration, with a dual local economic development approach and an individual economic approach centred around jobs, while building on social and psychosocial needs essential to sustaining reintegration gains<sup>2</sup>.

### Seven Themes and Lessons Learned from the Perspective of AU Member States

1. **Defining Effective and Sustainable Reintegration: Addressing Member State Perspectives**
2. **Coordinating and Cooperating at National, Bilateral and Multilateral Levels**
3. **Understanding the Impact of the Return and Readmission Experience on Reintegration**
4. **Planning Locally with Sub-National and Community Involvement**
5. **Enhancing Data, Monitoring & Evaluation (M&E) for Evidence-Based Programming**
6. **Planning for Inclusive Development: Key Gaps and Contextual Considerations**
7. **Planning for Sustainability: Addressing Financial and Administrative Challenges**

1. **Defining Sustainable Reintegration from an AU perspective:** The concept of sustainable reintegration was recently introduced into the 2018 Migration Policy Framework for Africa (MPFA). While the MPFA conceptualises reintegration, it falls short of a comprehensive definition. The study proposes a definition practicable for policy, in the context of the AU governance framework, and responding to a key demand from AU Member States and REC representatives. The majority of stakeholders interviewed agreed with the study definition. Five key requirements were met:

- a. *Aspirational:* Given the operational realities of other definitions, this definition provides the AU Member States with a common vision and collective outcomes to work toward.
- b. *Responsibility:* Recognising that governments of the country of origin/return cannot be held solely accountable, responsible or able to respond to the needs of their returnee citizens.

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2 Samuel Hall / University of Sussex (2020)

- c. *Addressing drivers of irregular migration:* Stakeholders pointed to a need to adopt a broader perspective and the need to go beyond remigration to understand the importance of mobility in the African context, confirming the importance of stability and dignity in the reintegration definition.
- d. *Temporality:* A move towards a longer term planning and development exercise that would bring reintegration outcomes closer to a national and local policy agenda, and, as identified by some stakeholders, away from donors' agenda which may prioritise short-term outcomes.
- e. *Harmonisation:* Key to have a common definition of reintegration at the AU-level, for all Member States to be aligned with each other and create a space for learning on policy implications and programming implementation.

The final definition proposed meets this criteria and states the following:

**Sustainable reintegration can be achieved when returnees can rely on expanded capabilities to attain a stable, safe and dignified life of economic self-sufficiency, psychosocial well-being, political, social and civil inclusion, as a result of which they can respond to the drivers of irregular migration.**

2. **Functioning coordination mechanisms for RRR are crucial; however the effectiveness of coordination varied across contexts and was described as a key challenge.** Having national coordination mechanisms in place is a recognised good practice towards effective implementation of RRR support. However, identified best practices on coordination often occur in an ad hoc manner in moments of crisis, whereas mainstreaming these practices in the long term is key. Relatedly, ensuring alignment of sending and receiving country priorities, by identifying and responding to common objectives is necessary to find entry points, to improve communication, and to build ownership for effective programming. Given the differing priorities when it comes to RRR between AU and EU Members States, stakeholders noted the importance of expanding and reinforcing interregional and intercontinental coordination and cooperation. A need for stronger cooperation between RECs was also emphasised.
3. **Ability to prepare for return is a key factor to ensure successful reintegration.** Forced returnees are rarely prepared for their return, and those who return spontaneously are often the best prepared. How return occurs has an impact on the success or failure of longer term reintegration processes. The provision of orientation and counselling prior to return, pre-departure trainings, and strengthened linkages between pre- and post-return support for voluntary returnees is critical for successful reintegration.
4. **Importance of localisation and alignment with locally-led processes.** Integrating RRR programming into longer-term development processes, in particular at sub-national levels, is one way to improve sustainability of reintegration programming and community integration. There remains a gap in partnerships with civil society organisations (CSOs) who are the closest source of support to returnees. While the importance of including communities is

widely recognised, a more critical analysis of what constitutes ‘communities of return’, and what they may or not be able to offer returnees in the reintegration process, is needed to effectively support and build on local partnerships.

5. **Data harmonisation and common standards remain a key gap.** The lack of continental, regional, or national standards and common indicators on RRR, and especially on reintegration, is a barrier to programming. Where M&E mechanisms are in place, they are designed by individual implementers, and are rarely coherent or comprehensive across institutions. Weak data collection capacity, limited human and financial resources are also an impediment to implementing harmonised M&E. Data sharing is a key obstacle to designing evidence based reintegration programming.
6. **Inclusion of Returnees in Development Programmes:** Returnees are first and foremost citizens of their country, with access to the same services and national schemes regardless of their status as returnees. However, returnees are often not included in wider national development strategies, and actors noted the specific needs and vulnerabilities of returnees that national services or development programmes could target. While in some cases, specific national development actors have taken a lead role in targeting programmes for returnees, or developing adapted versions, this needs to be further developed.
7. **Need for Sustainable Funding and Administrative Programme Processes:** Beyond challenges outlined above, two key elements pose common threats to the sustainability of programming: limited funding cycles and sources, and administrative delays in implementing programming. Budget cycles are not always aligned with programme timelines, and programmes that are led by donors often end without a functional funding plan in place for handover to the government. In addition, administrative and bureaucratic delays in deploying programming support have a real impact on returnees’ reintegration processes. Returnees who are eligible for specific return and reintegration support complain of sometimes waiting up to six months without receiving any promised support, impacting both their psychosocial and economic well-being. Implementing partners propose linking the return process with the reintegration process through transitional activities in order to avoid this dip in the reintegration process. The synthesis report provides specific case study examples from programmes on how they address these challenges.

Table 1. Success Factors for Sustainable Reintegration by Category

Theme	Success Factor	Example of a Good Practice from Policy or Programming for Implementing the Success Factor
<b>Coordination and Cooperation</b>	Common Objectives and Harmonised Policy	Nigeria National Migration Policy
	Relationship of trust	Whole of government approach in Cameroon with Technical Working Groups on RRR
<b>Understanding Return and Readmission's Impact on Reintegration</b>	Pre-Departure Preparation	Pre departure counselling and training for Sub-Saharan migrants preparing to leave Morocco; German, Dutch information sharing and pre-departure counselling.
<b>Locally-led Planning</b>	Collective Approaches to Programming	Provision of good value for money. E.g. in Guinea of a banana farm by a group of returnees, which now sustains the whole community.
	Inclusion of Municipal Actors	Municipal actors (mayor) in Guinea provide training space free of charge and have actively interested themselves in returnee well-being, enhancing social inclusion.
<b>Enhancing Data and M&amp;E for Evidence-Based Planning</b>	Harmonisation of Reintegration Assessment Indicators	IOM's MEASURE project set standards for reintegration with harmonised indicators
	M&E tracking over time	IOM's Reintegration Sustainability Survey (RSS) follows up with returnees in a longitudinal manner, over a period of at least one year.
<b>Planning for Inclusive Development</b>	Personalized Support/ Individualized Mentoring	In Morocco, CEFA has adapted programming to be flexible, meeting individual needs and capacities based on personalised discussions. A mentoring approach has been piloted by IOM under its ORION project in Guinea, Senegal, and Morocco. OFII includes a personalised and individual coaching for the development of business plans.
	Targeted and Incentivised Training	OFII includes market assessment and feasibility studies in the development of returnee business plans; in Cameroon employment subsidies for returnees partaking in training
<b>Addressing Sustainability: Financing and Administration</b>	Adequate financing	OFII provides up to EUR 5000/returnee for the development and implementation of a business plan; amounts are flexible depending on the plan's needs.



## Part C

# Conclusions and Recommendations

## A common vision for sustainable reintegration in AU Member States

This study concludes on five messages, which, if applied across AU Member States, would significantly contribute to improving prospects for sustainable reintegration, as defined in this study. These messages set a collective vision and roadmap for the next five years for the AU to take forward:

### 1. Increased ownership and capacity development of countries of origin

By adopting **one continental definition of sustainable reintegration**, the AUC can set a **common standard and vision** for all AU Member States. This vision will require the roll out of functional governance and political commitment for positive and proactive relationships between:

- **Countries of destination and countries of origin** to ensure that demands for country of origin ownership are realistic and feasible, adequately supported by capacity development, institutional and financial support, and joint planning. Capacity building should not only target governmental partners but also civil society organisations in the countries of origin and communities of return.
- **Government and non-government stakeholders at the national level.** This will require collaboration and coordination mechanisms, which meet regularly and provide platforms for streamlined information sharing and coordination. The best coordination mechanisms, based on lessons learned, should not only include government and international actors, but also civil society representatives, donors, and returnees themselves.

### 2. Increased knowledge on reintegration by countries of origin

To benefit from lessons learned on the above efforts, a **common continental platform for coordination and learning** will need to be set up to extract good practices, success factors and learn from failures for adaptive planning and programming, with the participation of international, national and local actors. This will be directly linked to the monitoring and evaluation (M&E)

systems through which countries of origin would have access to broader learning and increase their knowledge. Such a continental platform will require **access to reliable and regularly updated migration and return data**, both nationally, transnationally, regionally and on a continental level. This can start by integrating **monitoring indicators on common reintegration outcomes** across all reintegration programmes on the continent, **under the aegis of the AUC in partnership with the regions from where migrants are returning**.

### 3. Proper linkages between reintegration and development programmes

The available evidence points to the fact that the two worlds of reintegration and development programming remain disconnected. The necessary linkage may happen from the bottom up, through:

- **Locally-led and participatory development processes, inclusive of sub-national actors, civil society organisations, and returnees themselves:** this may take different forms depending on the country, whether that is in the form of a decentralised process, or inclusion of sub-national actors and returnees in top-level conversations. Development planning will need to be inclusive of civil society and returnees to ensure that the specific profiles and needs of returnees are accounted for, to facilitate their reintegration into society. Guidance will be needed for development actors to know how to plan for this, whether in decentralised policy processes or in local development plans and programmes.
- **Individualised and context-specific programming:** within a same area or community of return, different returnees will showcase different capabilities and relationships. There is no “one size fits all” approach – to be effective and sustainable, reintegration programming can learn from development programmes’ area-based approach, to first integrate the context specificities, then go a step further to include the specific needs and skills of returnees in development programmes. This will require a re-conceptualisation of reintegration programming as an area-based approach, and of development programming as an individualised process.

### 4. Greater engagement with the private sector

While broadly recognised as necessary, there are still many questions around **how to engage with the private sector on sustainable reintegration**. The consensus across the AU Member States included in this study was to favour structured a dialogue, involving the private sector upstream in the programming, and linking with civil society organisations, where relevant. **Partnerships with the private sector** may take the form of structural public-private partnerships with private sector entities or agreements with individual private sector employers, which could include subsidies for employment of returnees, as well as inclusion of private sector actors in coordination platforms.

### 5. Need for innovative approaches for reintegration programme implementation – how the reintegration services are delivered

As noted above, individual, flexible and tailored programming is a requirement for sustainable reintegration. Among such approaches, good practices show the positive returns of a mul-

ti-dimensional approach to reintegration that pays equal attention to the economic, social and psychosocial dimensions. To expand returnees' capabilities and facilitate their inclusion in their return communities or ecosystems, additional support beyond economic programming is needed, to mentor and accompany returnees after return, including through social and psychosocial support. Further examples of such innovation are collective approaches, especially when jointly setting up businesses or (agricultural) cooperatives as well as cash interventions.

To be sustainable, **flexible reintegration programming will require flexible and joint funding**: this involves planning for the end of project cycles and transitions in funding, with an awareness of national budget cycles and development planning, and by joining donor contributions into one reintegration fund rather than separate funding streams, or through alternatives that streamline funding sources and programmes.

## Recommendations to Member States

Member States have a responsibility to adhere to ratified conventions and protocols within their countries, and to coordinate and facilitate implementation of programming support. Individual country recommendations can be found in the Country Briefs, and overall member state recommendations, as detailed in the full synthesis report, fall across four key themes:

1. **Institution building**, including expansion of existing structures and coordination with the AUC
2. **Legal and policy coordination and planning**, including enhanced regional and bilateral cooperation, inclusion of returnees in development planning, and cooperation on pre-return support
3. **Locally led approaches**, including clear allocation of responsibilities between national and local government actors, inclusion of civil society and private sector actors, and contextually appropriate community programming
4. **Data M&E and learning**, including strengthening national level monitoring systems and advocating for harmonised tools at continental levels

## Recommendations to RECs

RECs can have an advocacy and coordination role towards their own Member States. In addition, RECs can link to each other more actively. Recommendations along this role include:

1. **Advocate the implementation of humane, rights-based, and safe treatment of intra-African migrants.**
2. **Support Member States on issues such as social protection and social security.**

3. **Implement training and learning mechanisms, events and platforms *between* RECs**, whereby the African Union Commission (also via the Mali Centre) can serve as a platform for RECs to take a more leading role.

## Recommendations to the AUC

The **AU has an advocacy, communications, and coordination** role to play vis-à-vis Member States. Recommendations along this role include:

1. Facilitate the **adoption of common definition of reintegration** applicable across Member States
2. Support Member States in **standardising readmission agreements**
3. Support Member States in **extending social security coverage and portability**
4. Develop **partnerships with RECs to promote and identify strategies to accelerate ratification of the AU Free Movement Protocol** by Member States
5. Facilitate experience and information sharing between RECs on a regular basis
6. Strengthen **monitoring of the implementation of the MPFA** to identify where gaps lie between policy and practice
7. Advocate for **reintegration strategies that adopt an area-based or ecosystems approach**
8. Examine and plan for the **long-term financing of reintegration** with the EU and other partners





# Study on Return, Readmission and Reintegration Programmes in Africa

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# Introduction

## Context of the Study

For the last decade, commentators have called for setting standards for return and readmission in Africa<sup>3</sup>. The 2018 African Union (AU) Migration Policy Framework for Africa (MPFA) has iterated a commitment and recommended a strategy for “creating standards and procedures, based on law and policy, for the return, re-admission and reintegration of excludable migrants in line with relevant international legal instruments”<sup>4</sup>. This happened as:

- **Return figures were globally on the rise.** During 2016 and 2018, the number of assisted voluntary returns increased annually under the International Organization for Migration (IOM)’s Assisted Voluntary Return and Reintegration (AVRR) programme. In 2017, returns increased in all the African regions where IOM operates, the majority of which were intra-African returns. Similarly, between 2017 and 2020, the numbers of Africans returning (voluntarily or by force) from Gulf countries, such as Ethiopian nationals returning from Saudi Arabia, increased significantly.<sup>5</sup> Moreover, in 2017, the removal of African migrants from the United States of America spiked as well.<sup>6</sup>
- **Return, readmission and reintegration are part of global commitments on migration.** In global policy documents, such as the Global Compact for Safe, Orderly, and Regular Migration (GCM), a non-binding document adopted by a majority of the world’s governments, return, readmissions and reintegration are now included. Objective 21 of the GCM clarifies that states will “cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration”. Such commitments stress the importance of supporting reintegration, and put the responsibility on return countries to “commit to ensure that (their) nationals are duly received and readmitted”<sup>7</sup>, while highlighting that cooperation across destination and countries of return need to be improved, and that funding towards such efforts needs to be increased.
- **Funding for reintegration from countries of destination is increasing,** which may lead to opportunities to strengthen support to countries of return, local stakeholders and communities. It may also lead to risks in terms of conflicting agendas and the understanding of the reintegration process by actors in destination and country of origin.

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3 Klavert, H. (2011), African Union Frameworks for migration: current issues and questions for the future, ECDPM Discussion paper

4 AU (2018), Migration Policy Framework for Africa

5 IOM (2020) Return of Ethiopian Migrants from the Kingdom of Saudi Arabia.

6 See: <https://qz.com/africa/1204111/trumps-immigration-ice-kicked-out-more-africans-than-ever-while-reducing-overall-removals/>

7 Global compact for safe, orderly and regular migration (GCM), Objective 21 paragraph 37

- **Coordination of reintegration continues to be a major challenge between countries of destination and return, donors, and service providers.** Despite the number of European Union (EU) return decisions for African migrants increasing by 1.6% between 2017 and 2019, the number of returns recorded decreased by 14.7% in the same period.<sup>8</sup>

**Progress made on return, readmission and reintegration (RRR) programmes on the African continent, through the leadership of the AU, provide a set of lessons learned and good practices.** The AU's *Migration Policy Framework for Africa and Plan of Action (2018 – 2030)* acts as a strategy for AU Member States and Regional Economic Communities (RECs) to achieve the overall aim of “better migration governance to facilitate safe, orderly and dignified migration”. This revised MPFA identifies **eight key pillars**<sup>9</sup>:

1. Migration Governance
2. Labour Migration and Education
3. Diaspora Engagement
4. Border Governance
5. **Irregular Migration**
6. Forced Displacement
7. Internal Migration
8. Migration and Trade.

**Return, Readmission and Reintegration (RRR) of irregular migrants (or “excludable migrants” as the MPFA also calls them) fall under the fifth pillar.** The document recognises that addressing irregular migration and establishing comprehensive migration management systems can only contribute to achieving development objectives and increased security across the continent, if the rights of all migrants, asylum seekers and refugees are protected at all stages of the migration process. Moreover, the MPFA outlines the importance of cooperation and coordination between host countries and countries of origin. While a proportion of returns of African migrants takes place from Europe, an increasing number of African migrants are returning from other regions such as the Gulf countries and North America. However, the vast majority of those moving and returning are doing so intra-regionally from within the African continent.

The breadth of RRR has been acknowledged and received special attention in the realm of international migration, in particular with the adoption of the 2016 New York Declaration for Refugees and Migrants, and the 2018 Global Compact on Refugees (GCR) and Global Compact for Safe, Orderly and Regular Migration (GCM). **This report goes a step further to situate the global discourse within a regional context:** it analyses Africa’s legal frameworks on RRR to determine which stakeholders should be included in RRR strategies and interventions in accordance with the existing continental frameworks.

African regions that have experienced a particular outflow and return of persons have attempted to develop specific RRR legal and policy frameworks. For instance, West African states have legal

8 Obtained from Eurostat database. Comparing figures of: Third country nationals ordered to leave and Third country nationals returned following an order to leave - annual data. Last updated 19/05/2020

9 African Union (2018) Migration Policy Framework for Africa and Plan of Action (2018 – 2030)

provisions on irregular migration, and the Horn of Africa region has also developed policy or draft instruments focused on RRR through the Intergovernmental Authority on Development (IGAD). However, as this study shall illustrate, RRR approaches in Africa often exhibit a disconnect between framework and implementation at regional and national levels.

## Objectives of the Study

As mentioned above, this study focuses on Return, Readmission and Reintegration (RRR) of migrants and does not cover (voluntary) repatriation of refugees or return of internally displaced persons (IDPs).

**Against this background, the study answers the following question: “What are key cohesive principles and (programmatic) approaches that can be applied by AU Member States to ensure irregular migrants’ sustainable return, re-admission, and reintegration?”** This is done from the perspective of the country of return and through an examination of lessons learned from policies and programmes in selected AU Member States. The research approach is empirically grounded, with a dual focus on return migrants, their hopes, capabilities, and lived experiences of RRR, and on governments who aim to improve conditions for sustainable reintegration.

The study contributes to addressing the fragmented approach to reintegration and aims to support AU Member State governments and countries of return to invest attention and resources on a structural or at the community level to support returnees’ reintegration. This takes into account, as per the methodology, the various levels of capacity of respective Member States. The study delivers on four sub-objectives:

1. **Analyse the current legal and policy framework** guiding RRR programmes at international, continental, and regional levels, including opportunities and constraints.
2. **Review RRR initiatives** implemented in nine African Member States and, for each country, analyse:
  - The institutional, programmatic and cooperation frameworks supporting the RRR initiatives as well as the types of returns targeted by these initiatives,
  - The national legal frameworks guiding the design and implementation of RRR initiatives and their coherence with existing international, continental and regional (Regional Economic Communities, hereinafter referred to as RECs) RRR legal frameworks,
  - Experiences of returnees, communities and origin countries.
3. **Identify lessons learned** from countries of return, RRR good practices, standards and procedures.
4. **Formulate recommendations** to the AUC, RECs and AU Member States on sustainable return, readmission and reintegration.

## Methodology

The research covers all five sub-regions of Africa, with **nine AU Member States represented**: Morocco and Egypt (North Africa), Sudan (East Africa), Guinea and Nigeria (West Africa), Cameroon and the Democratic Republic of the Congo (DRC) (Central Africa), Mozambique and Mauritius (South Africa). Four criteria were used for the country selection: geographic balance, typology of returns, typology of countries, and knowledge mapping (Figure 1). In order to select the countries of study, a range of data sources were consulted, including databases from Eurostat, IOM, and US Immigrations and Customs Enforcement (ICE). These complete databases were complemented with anecdotal data on intra-African return numbers as well as returns from Gulf countries, where relevant. To supplement return numbers, economic and development indicators were reviewed from sources such as World Bank reports and the United Nations Conference on Trade and Development (UNCTAD). Such data provide insights into the socio-economic and institutional context of countries of return which plays a role in assessing and comparing the capacity of AU Member States to facilitate sustainable return and reintegration programmes. The research team consolidated the above data to assess return trends and to zoom in on countries with several existing RRR programmes to compare, build knowledge on, and learn from, in order to assess success factors, constraints and lessons learned.

Figure 1. Country Selection Criteria



Once the final country selection was approved by the Steering Committee, the research was launched, with a three-phased approach (Figure 2). An initial desk review and legal and policy analysis framed the findings of the study. Qualitative fieldwork was conducted between August and November 2020, with additional interviews in December 2020 and January 2021. In total, **229 stakeholders and returnees participated in this study**, either as individual interviewees or in the context of workshop participation. **143 individual interviews were conducted, including 72 interviews with returnees or community members in areas of return** (Table 1).



The desk review and fieldwork zoomed in on **concrete RRR initiatives from the past five years** in the selected countries. In each country, preliminary analysis was presented at participatory workshops, serving as an opportunity to share findings and encourage feedback, including on the formulation of recommendations.

**Figure 2. Research Approach**



**Table 1. Total Number of Study Participants Across Countries**

Type of Participant	Total Number
Key Informant Interviews (KIIs) with National Government Actors	20
KIIs with Local Implementers (Civil Society or Local NGO)	15
KIIs with International Implementers (IOM, ILO, OFII, Caritas...)	20
KIIs with EU Representatives (Country Delegations and EEAS)	13
KIIs with REC Representatives	3
Semi Structured Interviews (SSIs) with Returnees (4 per country)	36
SSIs with Non-Migrant Community Members (4 per country)	36
Total Individual Interviews:	143
Number of Workshop participants from Member States across eight countries*	79
Regional Economic Community Workshop Participants	7
<b>TOTAL RESEARCH PARTICIPANTS</b>	<b>229</b>

\*Workshop invitations were based on lists provided by national government focal points. Workshop and KII participant lists are provided by country, as an Annex of each individual Country Brief. It was not possible to hold a workshop in Egypt.

## Defining Sustainable Reintegration

The concept of sustainable reintegration was recently introduced into the 2018 AU Migration Policy Framework. The AU identifies reintegration as the “process of reincorporating a person into their community or State of origin, and may, inter alia, involve socio-economic assistance and cooperation with the community the person is returning to.”<sup>10</sup> The AU conceptualisation also recognises that sustainable reintegration can be an important strategy to prevent further irregular migration,<sup>11</sup> although this is not a core part of it. **As it stands, the AU does not have an institutional definition of sustainable reintegration.**

While there is no universally agreed upon definition of reintegration, a multiplicity of definitions complement, expand, or contradict previous ones. The study therefore began by defining reintegration, in the context of the AU governance framework to respond to a key demand from AU Member States and REC representatives for a definition fit for policy. This was done while bearing in mind the following caveats:

1. Return refers to a person going back to a country of origin; this person does not have to be a long-term migrant.<sup>12</sup> Scholars and practitioners have classified returns along a spectrum ranging from those of a voluntary nature to forcible ones,<sup>13</sup> both of which will be taken into account.
2. This study builds on lessons learned from the initial conceptualisation and evolution of reintegration definitions as presented in Table 2.

The cursory examination of 16 years of reintegration definitions highlights two factors.<sup>14</sup> **First, the definition has grown more complex over time:** from a basic understanding of reintegration as reinsertion into economic, political, cultural and social life, definitions have expanded to include more nuanced understandings of these facets of life, including subjective indicators (e.g., ‘feelings of the returnee’). The recognition of ‘communities’ has also been underlined – and at times questioned – in their ability to support or constitute an obstacle to reintegration.<sup>15</sup> **Second, with expansion comes divergence:** a rift can begin to be seen between the agendas of the actors that put forward the definitions. This is most clearly evident as the question of re-migration – and different approaches to it – emerges within the definitions from 2015.

10 Ibid

11 Ibid

12 IOM (2019), *Glossary on Migration*, 186.

13 See for instance, M Haase and P Honerath, *Return Migration and Reintegration Policies: A Primer* (GIZ & German Marshall Fund of the United States 2016) 6-7; K Newland & B Salant (Migration Policy Institute Series, October 2018) No. 6, 3-4.

14 For a thorough literature review on reintegration, see Annex 1 of the Samuel Hall/University of Sussex (2020) *Mentoring Returnees: Study on Reintegration Outcomes Through a Comparative Lens*.

15 Majidi, N. (2020) Assuming Reintegration, Experiencing Dislocation: Returns from Europe to Afghanistan, *International Migration*.



**Table 2. Evolution of Reintegration Definitions (Since 2004):  
Towards Sustainable Reintegration**<sup>161718192021</sup>

Source	Definition of Reintegration
<b>Cassarino (2008)</b>	"[Reintegration is the] process through which a return migrant participates in the social cultural, economic and political life of the country of origin." <sup>16</sup>
<b>Koser and Kuschminder (2015)</b>	"[Sustainable reintegration occurs when] the individual has reintegrated into the economic, social and cultural processes of the country of origin and feels that they are in an environment of safety and security upon return." <sup>17</sup>
<b>European Migration Network (2016)</b>	"Sustainable return is return which deters new irregular migration of the returnee and – where possible – of other third-country nationals in the Country of Return by consolidating the position of returnees in their home countries and – where possible – enabling the returnee to consolidate the position of other people in his / her community or country of return." <sup>18</sup>
<b>Kuschminder (2017)</b>	"Sustainable return is achieved by: economic reintegration whereby an individual can sustain a livelihood and is not in a situation of economic vulnerability; social and cultural reintegration whereby the returnee is actively incorporated into the receiving society, for example at the local community level; and political-security reintegration whereby the returnee feels they have access to safety and justice upon return." <sup>19</sup>
<b>IOM (2017)</b>	"Reintegration can be considered sustainable when returnees have reached levels of economic self-sufficiency, social stability within their communities, and psychosocial well-being that allow them to cope with (re)migration drivers. Having achieved sustainable reintegration, returnees are able to make further migration decisions a matter of choice, rather than necessity." <sup>20</sup>
<b>African Union (2018)</b>	"Reintegration refers to the process of reincorporating a person into their community or State of origin, and may, inter alia, involve socio-economic assistance and cooperation with the community the person is returning to. Engaging the community in the reintegration process is highly recommended and may be essential to ensure successful reintegration. The reintegration process should be tailored to the unique circumstances of the individual and the community the person will be reintegrated into. Reintegration can be important strategy to prevent further irregular migration." <sup>21</sup>
<b>ILO (2019)</b>	"The question remains whether the total absence of mobility across borders can be used as an indicator of sustainable return and reintegration. The concept of sustainable return is misleading if it suggests the closure of the migration cycle." <sup>22</sup>

16 Koser, K. & Kuschminder, K. (2015)

17 European Migration Network (2016). *Guidelines for Monitoring and Evaluation of AVR(R) Programmes*

18 Kuschminder, K. 2017. "Interrogating the relationship between remigration and sustainable return", *International Migration*, Vol. 55 No 6

19 IOM (2017) *Towards an Integrated Approach to Reintegration in the Context of Return*

20 African Union (2018) *Migration Policy Framework for Africa and Plan of Action (2018 – 2030)*

21 ILO (2019) *Effective Return and Reintegration of Migrant Workers (with special focus of ASEAN members)*

In spite of academic reservations in the literature on the value of re-migration as an effective indicator of sustainable reintegration, re-migration (specifically, irregular re-migration) is highlighted as a defining factor of sustainability in the 2016 European Migration Network (EMN) definition. The European perspective explicitly places the lack of re-migration as the defining factor of sustainable reintegration – “sustainable return is return which deters new irregular migration of the returnee.”<sup>22</sup>

Other perspectives have answered to this, continuing to include the question of re-migration in more recent definitions, while providing a more nuanced view of the role and (un)importance of re-migration in defining sustainable reintegration. IOM’s 2017 definition puts forth the ability to freely make migration decisions as a core outcome of sustainable reintegration (“having achieved sustainable reintegration, returnees are able to make further migration decisions a matter of choice, rather than necessity”). The AU *Migration Policy Framework for Africa* (MPFA) presents a more diplomatic view of the role of re-migration in sustainable reintegration, noting simply that “reintegration *can* be an important strategy to prevent further irregular migration”.

More recent reflections on labour migration from the International Labour Organization (ILO) have returned to the questionable nature of re-migration as both an indicator and a defining factor of any sort in the framing of the concept: “the question remains whether the total absence of mobility across borders can be used as an indicator of sustainable return and reintegration.” Discussions with stakeholders further highlighted the potential “irrelevance” of re-migration (whether encouraged or discouraged) in definitions of reintegration, in particular from the country of origin perspective. **During these discussions, the research team was encouraged to critically assess definitions from past research to propose a new definition adapted to the study and which takes into account the development and contradictions in past definitions.**

### *Defining Sustainable Reintegration For the Purposes of This Study*

Building on past definitions, the study adopts the following working definition for sustainable reintegration, namely that :

*Sustainable reintegration can be achieved when returnees rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.*

This definition was tested and examined with AU Member State representatives and through fieldwork, with findings from these discussions leading to a revised definition presented in Part B of this report.



# Part A

## Legal and Policy Structures on RRR

### A1. Return, Readmission, and Reintegration (RRR): Legal and Policy Frameworks in Africa

This section maps and analyses the laws and policies relevant to RRR in Africa, including international instruments. There is no international legal framework that deals exclusively and specifically with RRR, although aspects of it may be the subject of international, usually bilateral, agreements. Rather, provisions applicable to RRR are included in an array of international, regional, sub-regional and national instruments. This analysis identifies the existing frameworks and provisions and concludes with a synopsis of identified gaps and suggested ways forward. Given the range of available relevant instruments, **one of the key questions to consider is what legal or policy approaches are most coherent with implementing effective and sustainable reintegration.**

#### A1.1 Legal and Policy Analysis on Return

There is no internationally recognised legal definition for ‘return’ in the context of migration. Rather laws focus on acts of a State that result in a person’s return. It can be argued here that the recent increased use of this term in the context of irregular migration goes back to the implementation within the EU, and international emulation thereof, of the EU’s Return Directive which defines return as an umbrella term for the process of irregular migrants going back (to the countries of origin, transit or elsewhere possible), either in voluntary compliance with an obligation to return, or by force.<sup>23</sup>

In comparison, the UN International Law Commission (ILC) uses the term “expulsion” in this regard. In its Draft Articles on Expulsion of Aliens (‘ILC Draft Articles’), which though not binding, are instructive and may qualify as soft law, the ILC defines expulsion as ‘a formal act or conduct attributable to a state by which an alien is compelled to leave the territory of that state; it does

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23 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. 98–107.

not include extradition to another state, surrender to an international criminal court or tribunal, or the non-admission of an alien to a state.<sup>24</sup> Deportation, on the other hand is not defined. The two terms tend to be used interchangeably in most laws although some make a distinction, which in most cases is not clear-cut. For instance, under East African Community (EAC) laws, a person who has been legally resident in a partner state will be subject to expulsion on grounds that are clearly specified in the law. Most international and regional laws use the term ‘expulsion’.

### A1.1.1 Who is covered under laws of expulsion?

The ILC definition uses the term ‘alien’, i.e. ‘an individual who does not have the nationality of the State in whose territory that individual is present’<sup>25</sup>. Any alien may be subject to expulsion, and only ‘aliens’ – not citizens or nationals of a state – may be expelled from the state.

Secondly, the definition of ‘expulsion’ contains an element of compulsion. The decision to leave the state is not of one’s own volition, but rather imposed by the state. In fact, the ILC Draft Articles explain that expulsion is not an act to which one consents. Laws on expulsion do not apply to migrants that return voluntarily without any legal and/or physical compulsion by the host state.

The ILC and the European Court of Human Rights have rendered judgements or decisions noting that expulsion decisions must be made at the individual level and in accordance with the law; mass expulsions are prohibited in international law.<sup>26</sup>

### A1.1.2 Applicability of law on expulsion to returns

Laws on expulsion recognise the primacy of state sovereignty.<sup>27</sup> However, international law has evolved in such ways that states cannot exercise this sovereignty in an unchecked manner. **In order for an expulsion order to be lawful, it must comply with specific international and legal criteria.** Substantive common aspects are described below:

- a. The **decision should be made in accordance with the law**. This is not only stipulated in the ILC Draft Articles that are generally non-binding<sup>28</sup>, but is a legally binding obligation provided for in a number of instruments. These include: the International Covenant on Civil and Political Rights (ICCPR), art. 13; the 1951 Convention relating to the Status of Refugees (1951 Convention), art. 32; the Convention relating to the Status of Stateless Persons (Convention on Statelessness), art. 32; the African Charter on Human and Peoples Rights (ACHPR), art. 12 (4); the AU Protocol on Free Movement of Persons (AU FMP), art. 21(1), and REC instruments, as we shall expound in the next point.

24 ILC Draft Articles, art. 2 (a).

25 ILC Draft Articles, art. 2 (b).

26 Art. 12(4)-(5) of the African Union Charter of Fundamental Rights.

27 *Nishimura v United States* 142 US 651 (1891), 659. See also ILC Draft Articles, art 3 and commentary.

28 ILC Draft Articles, art 4 and commentary.

- b. Unlike international and regional human rights instruments which do not detail the grounds of expulsion, some **REC instruments lay out the grounds upon which a national of a member state may be expelled from another member state (in addition to the aforementioned requirement being in pursuance of a decision made in accordance with the law)**. Table 3 summarises the relevant provisions in each instrument.

**Table 3. REC Legal Provisions on Expulsion**

REC Treaty/Protocol	Grounds for expulsion
Common Market for Eastern and Southern Africa (COMESA) Protocol on the Free Movement of Persons, Labour and Services, Rights of Establishment and Residence (art.6 (1)).	If one's presence is detrimental to national security or public health. Public health reasons should relate to a situation where one carried a disease categorised as contagious and for which the laws of the state require such person to be quarantined.
Economic Community of West African States (ECOWAS) Supplementary Protocol A/SP.1/7/86 on the second phase (Right of Residence) of the Protocol on Free Movement, Right of Residence and Establishment (art. 14 (1)).	<ul style="list-style-type: none"> <li>i. National security, public order or morality</li> <li>ii. Failure to comply with orders given to them by a public medical authority for the purpose of protecting public health</li> <li>iii. Failure to fulfil an essential condition for the issuance or validity of their residence or work permit.</li> </ul>
East African Community (EAC) Common Market (Right of Residence) Regulations, reg. 11(1).	<ul style="list-style-type: none"> <li>i. Public policy, public security and public health</li> <li>ii. Failure or breach of a condition of one's resident permit.</li> </ul>
Southern Africa Development Community (SADC) Protocol on the Facilitation of the Free Movement of Persons, art. 22.	<ul style="list-style-type: none"> <li>i. National security, public order or public health</li> <li>ii. An essential condition of one's person has ceased to exist, cannot be fulfilled or complied with any longer</li> <li>iii. Failure to comply with or contravention of any conditions subject to which the permit was issued</li> <li>iv. Refusal to comply with a lawful order of an appropriate public health institute.</li> </ul>

Of these REC instruments, only the EAC and ECOWAS protocols are in force. The other two are yet to come into force, while other RECs do not have similar laws. Nonetheless, these provisions are meant to guard against arbitrary expulsions and uphold the rights of nationals of member states in a REC. Several common prohibitions bind these provisions:

- i. **Prohibition of mass expulsion:** International law prohibits the mass or collective expulsion of non-nationals. Each individual case is to be decided on its own merits. This is an obligation on states enunciated in a number of instruments: ACHPR, art. 12(5), AU FMP, art.20; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), art. 22(1); ECOWAS Supplementary Protocol (Right of Resi-

dence), art. 13; SADC Protocol on the Facilitation of the Free Movement of Persons (SADC FMP), art. 24; ILC Draft Articles, art. 9. This is a point that has been stressed time and again by the African Commission on Human and Peoples' Rights, where it has found countries to be in violation of the same.<sup>29</sup>

- ii. **Prohibition on expulsion or return of a person to a place where they may be subjected to torture.** This prohibition is most explicitly enunciated in the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (CAT), art. 3. It is one on which jurisprudence abounds, including from the Human Rights Committee established under the ICCPR, the Committee against Torture established under the CAT, the European Court of Human Rights, and the African Commission on Human and Peoples' Rights, not to mention domestic courts.
- iii. **Non-Refoulement:** A person cannot be returned to a place where they face the risk of persecution or threat to their lives. This is a cardinal principle of refugee law enshrined in both the 1951 UN Convention, art. 33, and the 1969 OAU Convention, art. II (3).
- iv. Prior to expulsion, states should ensure that they take necessary **measures to prevent an individual from becoming stateless**<sup>30</sup>.
- v. **Right to compensation in the event of an unlawful expulsion,** or where one's rights, including property rights are infringed upon in the course of the expulsion – UDHR, art. 8, ICCPR, art. 2(3), CMW, art. 22 (5), AU FMP, art. 30, COMESA FMP, art. 6 (3), ECOWAS Supp. Protocol (right of residence), art. 14 (4), ILC Draft Articles, art. 30 (commentary).

### A1.1.3 Procedural Aspects

The laws on expulsion contain procedural safeguards to prevent arbitrariness and ensure legitimacy, transparency, and fairness of the process. These are:

- i. **Recourse to domestic courts to challenge the expulsion decision or order:** This is explicitly provided for in the CMW, art. 22 (4). The ICCPR obliges states to allow the affected individual to challenge the expulsion before a competent authority save for where compelling reasons of national security require otherwise<sup>31</sup>. Similar provisions are contained in the ACHPR<sup>32</sup>, the

29 Institute for Human Rights and Development in Africa (on behalf of Sierra Leonean refugees in Guinea) v Guinea, ACHPR Communication No. 249/02; Institute for Human Rights and Development in Africa (IHRDA) v Angola, ACHPR Communication no. 292/04; Union InterAfricaine des droits de l'homme and others v Angola, ACHPR Communication no. 159/96; Rencontre Africaine pour la Défense des Droits de l'Homme (RADDHO) v Zambia, ACHPR Communication no. 71/92.

30 *Anudo case* (n7), para. 102.

31 ICCPR, art. 13.

32 Rencontre africaine pour la défense des droits de l'Homme (RADDHO) v Zambia, Communication no. 71/92; Organisation mondiale contre la torture, Association Internationale des juristes démocrates, Commission internationale des juristes, Union interafricaine des droits de l'Homme v Rwanda, Communication no. 27/89-46/91-49/91-99/93; IHRDA (on behalf of Esmaila Connateh & 13 others) v Republic of Angola, Communication no. 292/04; Union interafricaine des droits de l'Homme, Fédération internationale des ligues des droits de l'Homme, Rencontre africaine des droits de l'Homme, Organisation nationale des droits de l'Homme au Sénégal and Association malienne des droits de l'Homme v Angola, Communication no. 159/96.

AU FMP<sup>33</sup> and some of the REC instruments<sup>34</sup>.

- ii. The **person to be expelled should be given adequate notice of the expulsion**. Although this is implied under the human rights instruments which oblige states to ensure fairness of administrative proceedings<sup>35</sup>, this is a condition more explicitly stipulated under the respective REC treaties<sup>36</sup>.
- iii. The **expelled person(s) shall be given reasonable time to settle their personal affairs before they depart from the host state** - ACHPR, art. 14, CMW, art. 22(6), AU FMP, art. 22 (2) & (4), COMESA FMP, art. 6(3); ECOWAS Suppl. Protocol (right of residence), art. 14 (5), SADC FMP, art. 25(d), ILC Draft Articles, art. 20.
- iv. **Notification of country of origin or consulate of the expulsion once the order has been made**. This would, *inter alia*, enable the country of origin to challenge the expulsion if it is of the view that the host state is acting in breach of its international obligations. It also enables states to make any necessary and appropriate arrangements to facilitate the person's return. This obligation is mainly captured in REC instruments, some of which prescribe member states to notify the REC secretariat of such decision: ECOWAS FMP, art. 11 (1), ECOWAS Suppl. Protocol (right of residence), art. 14 (3), SADC FMP, art. 23 (2). The CMW, art. 23 only instructs host states to inform the expellee of their right to have recourse to the protection and assistance of the consular or diplomatic authorities of their state of origin.

### A1.1.4 Logistical Aspects

Some international and regional instruments apportion **the responsibility of the costs of deportation or return**. Under international instruments, the issue of who bears costs varies depending on the category of returning migrants.

The International Convention on the Rights of Migrant Workers and Members of their Families (CMW) and relevant ILO Conventions stipulate that the costs for the expulsion should not be borne by the migrant worker or their family members<sup>37</sup>, although they may be required to pay for their travel costs.<sup>38</sup> The question of who then should bear the costs is left to the concerned states to agree on.

Regional agreements are more specific on who is responsible for which costs, although there is a distinct variation in each of the treaties. The AU FMP notes that the expelling state bears the

33 AU FMP, art. 30.

34 See for instance, ECOWAS Supplementary Protocol (Right of Residence), art. 14 (4); SADC FMP, art. 25 (b).

35 See for instance, CMW, art. 22 (3).

36 ECOWAS Supplementary Protocol A/SP.1/7/85 on the Code of Conduct for the implementation of the Protocol on Free Movement, Right of Residence and Establishment (ECOWAS Suppl. Protocol Code of Conduct), art 3 (3), ECOWAS Suppl. Protocol (Right of Residence), art. 14 (3); SADC FMP, art. 25 (a); ECOWAS Protocol relating to the Free Movement of Persons, Residence and Establishment (ECOWAS FMP), art. 11(1).

37 It should be noted that while the CMW only applies to migrant workers, the term has been defined broadly, and can include former migrant workers as well as those in an irregular situation.

38 CMW, art. 22 (8); ILO Convention C143, Migrant Workers (Supplementary Provisions) Convention, art. 9(3).



costs of the expulsion or deportation, while in the case of repatriation the costs shall be borne by the person being repatriated or by the state of origin<sup>39</sup>. Under the SADC Protocol, the costs of repatriation or expulsion may be shared between the returning state and the receiving state<sup>40</sup>. The ECOWAS law stipulates that the costs of expulsion shall be borne by the expelling state, while the costs of repatriation shall be borne by the affected individual, or if they are unable to, the state of origin or nationality<sup>41</sup>. The EAC laws are silent on the issue.

Except the ECOWAS laws, all the other laws are yet to enter into force. If and when they do, there is likely to be a clear conflict in the provisions especially as relating to the AU Free Movement Protocol (FMP), to which all REC laws should conform. **It is therefore crucial that the regional laws are harmonised to rule out any such inconsistencies and conflicts.**

### A1.1.5 Specific considerations relating to expulsion of migrants in an irregular situation

Most laws on expulsion and the procedures for expulsion refer to persons that have been legally resident in the territory of a state. **There is hardly any substantive provision on the procedures regarding migrants in an irregular situation or those who have illegally entered the territory of a state, save for the victims of human trafficking and smuggled migrants.** Regarding migrant workers, the CMW merely calls upon states to cooperate in the adoption of measures regarding the orderly return of migrant workers, including those in an irregular situation, and reinforces the prohibitions and procedures described above.<sup>42</sup>

ECOWAS is the only REC to have exceptional provisions in place: it is the only regional entity that has provided for irregular migrants in relatively more elaborate detail. It **emphasises that the rights of 'clandestine or illegal immigrants' should be respected and protected, and that their repatriation should take place under legal and properly controlled procedures.**<sup>43</sup>

Beyond the act or state's right of expulsion of migrants in an irregular situation, the ECOWAS Supplementary Protocol to the Code of Conduct obliges party states to take all reasonable steps to facilitate migrants to acquire correct documents or regularise their status.<sup>44</sup> The opportunity for regularising one's status is based on:

- a. the **existence of a political consensus** making regularisation of stay desirable or necessary
- b. the **acceptability of the migrants** by a large section of society
- c. **deadline of admissibility**

39 AU FMP, art. 21 (3).

40 SADC FMP, art 25 (f).

41 ECOWAS FMP, art. 11 (2) & (5), and ECOWAS Suppl. Protocol (Right of Residence), art. 14 (7).

42 CMW, art 22; art. 67 (1).

43 ECOWAS Suppl. Protocol Code of Conduct, art.3 (1-6).

44 Ibid, art. 5.



- d. a **well-conceived information campaign directed at the entire population** and designed to ensure their support and understanding
- e. the **absence of legal punitive measures** against persons wishing to regularise their stay.

Overall, there is no reason why the procedural safeguards for persons that are or have been legally resident in a state should not be extended to those in an irregular situation. As the ECOWAS law confirms, the fundamental rights and freedoms of migrants in irregular situations are guaranteed under international law, and where expulsion is legally warranted, it is to be done in humane conditions and with respect to fundamental rights.<sup>45</sup> This is in conformity with the human rights principles of non-discrimination and equality before the law.<sup>46</sup>

### A1.1.6 Women and Children

Returns, in addition to the generally applicable substantive and procedural safeguards, are recommended to be gender-responsive and child-sensitive under the Global Compact on Migration (GCM)<sup>47</sup>. Of particular relevance are the provisions of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the Convention on the Rights of the Child (CRC), and their regional counterparts, such as the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (AU Protocol on the Rights of Women), and the African Charter on the Rights and Welfare of the Child (ACERWC). Key provisions of these instruments may be relevant and applicable in ensuring that expulsion, repatriation and return processes are not only safe, orderly, dignified and humane, but that they respect and uphold the rights of women and children.

### A1.1.7 Summary on Returns

**All persons that are subject to expulsion and deportation, all of which trigger a return process, are legally entitled to have their fundamental human rights respected and protected** (as laid down in the various international and regional instruments). It is crucial that the process does not only comply with the substantive and procedural rights, but that it takes the additional protections and provisions that apply to various and special categories of migrants into consideration. Observance of human rights by all parties involved should permeate the entire process.

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<sup>45</sup> Ibid.

<sup>46</sup> UDHR, arts 2 & 7; ICCPR, art. 2 (1) & 3; ACHPR, arts. 2 & 3; NY Declaration, para. 5; GCM, para. 15.

<sup>47</sup> GCM, para 15; NY Declaration paras 22, 32, 58 & 60.

## A1.2 Legal and Policy Analysis on Readmission

There is no international legal definition of readmission. However, institutional definitions exist: IOM defines readmission as an 'act by a State accepting the re-entry of an individual (own national, national of another State – most commonly a person who had previously transited through the country or a permanent resident – or a stateless person).'<sup>48</sup> This definition is in line with the EU's and its Member States' use of the said term, defining it as the **transfer by the Requesting State and admission by the Requested State** of persons (nationals of the Requested State, third country nationals or stateless persons) who have been found illegally entering, being present in or residing in the Requesting State. Without reference to the process of transfer and admission, the AU MPFA simply equates readmission with forced return, stating that 'readmission refers to forced return and occurs when an individual has been found to illegally enter or stay in a state.'<sup>49</sup>

The nature and definitions of readmission are often outlined in readmission agreements that may be of a bilateral or multilateral nature. Most of the conditions and modalities of readmission are contained in these specific readmission agreements.

Human rights law remains directly relevant to readmission, specifically with regard to freedom of movement. The Universal Declaration of Human Rights (UDHR) establishes a universal human right for any citizen to return to their country.<sup>50</sup> The ICCPR sets the qualification that one may not be arbitrarily deprived of this right. In its interpretation of this provision, the Human Rights Committee (HRC) has explained that 'there are few, if any, circumstances in which deprivation of the right to enter one's own country could be reasonable.'<sup>51</sup> The ACHPR provides that this right may 'only be subject to restrictions provided for by law for the protection of national security, law and order, public health or morality'<sup>52</sup>. The stance of the African Commission moreover is the same as that of the HRC.<sup>53</sup>

**What qualifies as 'one's own country', may not be straightforward in all cases.** This includes the situation of separated or unaccompanied children who might not know their nationality. The HRC further includes guidance that the phrase does not necessarily mean the country of one's nationality, but can be broadly interpreted to also refer to a country in which one enjoys permanent residence.<sup>54</sup> This position has been endorsed in the protocols on trafficking in persons and on smuggled migrants.<sup>55</sup> Furthermore, 'one's own country' also includes a country that has arbitrarily deprived one of its nationality for the sole reason of expelling them. Such a country is legally bound to readmit its nationals.<sup>56</sup>

48 IOM, n(1), 169.

49 African Union, *Migration Policy Framework for Africa and Plan of Action 2018-2030*, p.54.

50 UDHR, art. 13 (2); ICCPR, art. 12 (4); ACHPR, art. 12 (2).

51 Human Rights Committee, *General Comment No. 27: Freedom of Movement (article 12)*: CCPR/C/21/Rev.1/Add.9 (1999), para. 21.

52 Ibid.

53 See for instance its decision in *John K Modise v. Botswana*, ACHPR Communication No. 97/93 (6 November 2000).

54 HRC (n37) para 20.

55 PTIP, art. 8 (1); PSM, art. 18 (1).

56 Ibid, para 21; *Anudo case* (n7) paras 89-106.

Regional integration laws provide a more expansive option. The AU FMP extends the obligation to admit to the state or 'point of embarkment'<sup>57</sup>, a position similar to that in ILC Draft Articles<sup>58</sup>. The EAC law does not expressly provide for readmission as such but it imposes an obligation on a state of exit to accept back a person who has been denied entry in another state.<sup>59</sup> Technically though, acceptance may not necessarily amount to readmission in the strict sense of the term.

### A1.2.1 Obligations of the State on Readmission

The law may vary in some aspects depending on the category of migrants being readmitted and the relevant applicable instrument. Nevertheless, there are some obligations of a readmitting state that are underscored in the various instruments.

- i. The state should verify whether the person is its **national or permanent resident**.<sup>60</sup>
- ii. The state shall **issue the necessary travel documents or authorisation** to enable the person to return and to re-enter its territory.<sup>61</sup>
- iii. The state shall **accept the return of its national** without undue or unreasonable delay.<sup>62</sup>

**One of the challenges that many African countries may face with regard to readmission is in identifying the migrant's state of origin so that they may be readmitted.** This challenge has been clearly articulated in the MPFA.<sup>63</sup> The challenge is more evident in those countries which are yet to develop effective national identification and registry systems. Accordingly, states should, on their own initiative but also with international assistance if necessary, update their population registers and establish proper and effective national identification systems.

The problem is further aggravated in the case of migrants that depart their countries irregularly, as the state will not be aware of their departure. This may be a problem that could be more effectively addressed within the border cooperation agreements among RECs. Similarly, RECs should consider a concerted approach on readmission, especially those that have embraced the concept of community citizenship, specifically ECOWAS and the EAC. REC laws have not really addressed the issue of readmissions of community citizens that are returning to the community – this remains a matter left to each state. Yet, if it was addressed at that level, it would perhaps partly alleviate the problem of readmission of individuals to countries other than their home country, or to transit states.<sup>64</sup>

57 AU FMP, art. 21 (4).

58 ILC Draft Articles, art. 21 (1) provides that 'An alien subject to expulsion shall be expelled to his or her State of nationality or any other State that has the obligation to receive the alien under international law, or to any State willing to accept him or her at the request of the expelling State or, where appropriate, of the alien in question. (2) Where the State of nationality or any other State that has the obligation to receive the alien under international law has not been identified and no other State is willing to accept the alien, that alien may be expelled to any State where he or she has a right of entry or stay or, where applicable, to the State from where he or she has entered the expelling State.'

59 EAC One Stop Border Posts Act, 2016, section 15 (1).; International Civil Aviation Convention, Chapter 5, Annex 9.

60 TIP, art.8 (3); PSM, art. 18 (1).

61 TIP, art. 8 (4); PSM, art. 18 (4); Comprehensive Refugee Response Framework (CRRF), Annex 1 to the NY Declaration, para. 12.

62 TIP, art. 8 (1); PSM, art. 18 (1).

63 MPFA, (n37) 54-55. See also IOM, 'Readmission', *Global Compact Thematic Paper 3*.

64 IOM, *ibid*.

## A1.2.2 Summary on Readmission

The law on readmission is not quite as elaborately spelled out as the law on expulsions and returns. Most of the details on readmission are contained in specific bilateral readmission agreements, which are based largely on international cooperation and which states have frequently been called upon to implement<sup>65</sup>. **Nevertheless, in terms of how migrants should be treated and dealt with, the obligations of the returning state extend to the receiving state as well.** The receiving state continues to be bound by its human rights obligations, ensuring adherence to the principles of equality and non-discrimination in receiving back its nationals or permanent residents.

## A1.3 Legal and Policy Analysis on Reintegration

Reintegration is perhaps the more complex aspect in the entire RRR process to legislate on, largely because it has less to do with processes and procedures, and more with substantive rights and livelihood issues. **Many of the dimensions that reintegration is concerned with are not the subject of legislation, and a one-size-fits-all approach may not satisfy the needs of all returned migrants.**

The community dimension emphasised in the MPFA is also a determining factor of reintegration. This is more pertinent in situations where the circumstances of the community are still quite the same as when the returnee departed from it, which usually tends to be the case with returns of migrants in irregular situations, particularly those whose journeys are aborted *en route*.<sup>66</sup> Reintegration approaches that focus on the individual and not the community may risk privileging returnees over those who have stayed and could thus become counterproductive. Accordingly, the MPFA has proposed for reintegration programmes to be aligned with national and local development strategies and responsive to the needs of the communities to which migrants return<sup>67</sup>. The question of alignment with national development plans is commonly acknowledged in research and practice, notably on the importance of locally-led, and area-based, approaches to reintegration.<sup>68</sup>

### A1.3.1 Upholding and guaranteeing human rights in reintegration processes

The African Charter on Human and People's Rights (ACHPR) is unique in its provision for the rights of peoples as a collective, in addition to their individual rights. These include **the equal rights of people to existence, to freely dispose of their wealth and natural resources, to their economic, social and cultural development, to national and international peace and security,**

<sup>65</sup> ILC Draft Articles, art. 22 commentary, para 4; NY Declaration, para. 58.

<sup>66</sup> See for instance, ethnographic studies done among returnees to Dakar, Senegal: A Rodriguez, 'Exploring Assumptions behind 'Voluntary Returns' from North Africa' *RSC Research in Brief 13* (August 2019) available at <https://www.rsc.ox.ac.uk/publications/research-in-brief-exploring-assumptions-behind-voluntary-returns-from-north-africa> accessed on 28 September 2020; A Rodriguez, 'Three Stories about Living without Migration in Dakar: Coming to Terms with the Contradictions of the Moral Economy' (2015) 85 *International African Institute* 333-355; A Rodriguez, 'European Attempts to Govern African Youths by Raising Awareness of the Risks of Migration: Ethnography of an Encounter' (2019) 45, *Journal of Ethnic and Migration Studies* 735-751.

<sup>67</sup> MPFA (n37) 56.

<sup>68</sup> See Annex 1, Samuel Hall/University of Sussex (2020)

**and to a general satisfactory environment favourable to their development**<sup>69</sup>. This provides an initial legal framework for dealing with the more material/economic dimensions of reintegration, including in terms of access to social services and political and social incorporation.

In the course of return and readmission, there is an underlying obligation on states to protect the family. This right of individuals is provided for in a number of human rights instruments<sup>70</sup>. This calls for states to uphold family reunification where necessary and appropriate, especially with regard to children. States, both returning and receiving, should therefore ensure that families are not unjustly and deliberately separated, unless there is a legitimate and justifiable reason, such as it being in the best interest of the child. This, however, will depend on the circumstances of each individual case.

### A1.3.2 Women and Children

International law provides for particular protections for women and children; in order to ensure conformity with these, reintegration planning should take into account the particularities of women and children<sup>71</sup>, as provided for under the respective international and regional instruments<sup>72</sup>. In this regard, the obligation falls on states to ensure that they implement legislative and other measures to ensure the elimination of harmful social and cultural practices against women and children<sup>73</sup>, as well as protection from sexual exploitation. Such practices have contributed in no small measure to emigration of women and children. Under international law on trafficked persons, especially with regard to women and children, states are obliged to adopt measures to prevent their re-victimisation<sup>74</sup>.

Both the CRC and the ACERWC provide for the right of the child to survival and development<sup>75</sup>. Taking into account the human rights obligations of states towards individuals and peoples, the terms 'survival and development' could also be applied to returnees. In other words, all African states need to ensure the survival and development of all their nationals, an obligation that conforms to the objectives and principles of the AU, namely respect for democratic principles, human rights, the rule of law and good governance; and the promotion of social justice to ensure economic development<sup>76</sup>.

The AU and some RECs have adopted key instruments which, although concerned with refugees and IDPs, contain relatively elaborate provisions that can inform and guide states on various aspects of reintegration of all returning migrants, including returning irregular migrants.

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69 ACHPR, arts. 19-24.

70 UDHR, art. 16(3), ICCPR, art. 23(1), International Covenant on Economic, Social and Cultural Rights (ICESCR), art. 10 (1); CMW, art. 44; CRC, art. 9; ACHPR, art. 18; ACERWC, arts. 18 & 19.

71 See for instance, CRC, art.39.

72 CEDAW, arts. 2-16; AU Protocol on Rights of Women, arts. III-XXV; CRC, arts. 2-40; ACERWC, arts.4-29.

73 ACERWC, art. 21, AU Protocol on the Rights of Women, art. V.

74 TIP, art. 9(1) & (4).

75 CRC, art. 6; ACERWC, art. 5. This right is also implied in the TIP, art. 9 (4).

76 AU Constitutive Act, art. 4 (m-n).

### A1.3.3 Regional and International Conventions Pertinent to Reintegration

The 1969 OAU Convention includes some provisions on the reintegration of refugees upon their return to their countries of origin.

- i. States are **prohibited from penalising returnees for having left the country** (art. V (4)). This provision could likewise apply to migrants, such as those that used the services of smugglers and if the state failed to put in place adequate measures against people smuggling.
- ii. States should **facilitate the reintegration of returnees** including returning irregular migrants and grant them full rights and privileges of nationals and subject them to the same obligations (art. V (3)). This obligation refers to the duty of states to respect and protect the human rights of all persons without discrimination.

The Convention on Migrant Workers (CMW) which also covers migrant workers in irregular situations also contains some significant and adaptable provisions, most notably Article 67 which emphasises cooperation on orderly return.<sup>77</sup> It obliges states parties to exempt migrant workers from 'import and export duties and taxes in respect of their personal and household effects'<sup>78</sup>. Although this is perhaps more an element of return and readmission, it also dovetails with the property rights of returned migrants. As most RECs provide for the right of a national to be given the opportunity to settle their personal businesses and affairs in the event of expulsion, they should similarly expound upon exemptions and incentives for returning migrants, whether or not they have been subject to expulsion or deportation.

Furthermore, as reintegration is also about civil and political inclusion, upholding the guarantees embodied in the ICCPR, esp. arts. 16 et seq. is crucial for the process of reintegration.

Finally, the International Covenant on Economic, Social and Cultural Rights (ICESCR) highlights the right to work, rights at work, right to form and join a trade union, right of everyone to social security, right to an adequate standard of living, right to the highest attainable standard of health, right to education, cultural rights including intellectual property rights<sup>79</sup>. Although most of these rights are subject to progressive realisation depending on a state's available resources, they are all pertinent for sustainable reintegration.

However, one of the rights that deserves special attention is the right to social security,<sup>80</sup> a challenge in almost all African states. Most states are yet to develop extensive social security systems that encompass everyone regardless of work status. Most of the prevailing social security schemes are limited to persons in formal employment who comprise only a small percentage of the entire population. **The right to social security is an area that needs adequate consideration as states**

77 CMW, art 67

78 CMW, art. 46.

79 ICESCR, arts. 6-15.

80 This right is also provided for in the UDHR, art 22: 'Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality'.

**develop their reintegration interventions.** States also need to provide for portability of savings and social security especially within RECs.

#### A1.3.4 Duties of the Individual

The notion of duties of an individual under human rights instruments is introduced in the UDHR<sup>81</sup>. The AU instruments tend to be more elaborate on this aspect. The ACHPR (arts. 27-29) lays out the duties of an individual towards other individuals, towards the family, towards one's society and towards the state. The ACERWC similarly spells out responsibilities of the child. The emphasis on duties in the African human rights regime is based on the idea that, in African societies, 'the individual and his rights are wrapped in the protection the family and other communities ensure everyone'<sup>82</sup>.

Furthermore, there is the argument that the concept of duties 'could forge and instil a national consciousness and act as the glue to reunite individuals and different nations within the modern state, and at the same time set the proper limits of conduct by state officials'<sup>83</sup>. Therefore, the awareness of one's duties towards their society and country would inspire a sense of patriotism and encourage involvement in the affairs of the state. Yet, it is for the state to instil these duties in its citizens<sup>84</sup>, and respecting and protecting the rights of its citizen can facilitate achieving this. **This once again underscores the importance of upholding human rights in efforts towards sustainable reintegration.**

The next section addresses lessons learned on RRR drawn from efforts undertaken at the national level.

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81 UDHR, art. 29(1).

82 Frans Viljoen, *International Human Rights Law in Africa* (Oxford University Press 2012) 239.

83 Makau wa Mutua, 'The Banjul Charter and the African Cultural Fingerprint: An Evaluation of the Language of Duties' (1995) 35 *Virginia Journal of International Law* 339 at 368.

84 UO Umozurike, 'The African Charter on Human and Peoples' Rights' (Martinus Nijhoff, 1997) 65.



## A2. Findings From Country-Level National Analysis

### A2.1 Common Findings in National Legal Frameworks

An analysis of the laws of the nine case study countries reveals that most of the countries are signatory to the main human rights instruments, both international and regional (Annex 1). With regard to the key regional instruments that focus on specific categories of persons, some countries which are a focus of this study have not ratified the AU Protocol on the Rights of Women (Egypt, Morocco, Sudan), the ACERWC (DRC, Morocco), the 1969 OAU Convention (Morocco, Mauritius). Most countries examined in this study have constitutions which guarantee not only civil and political rights, but also economic, social and cultural rights (ESCR). One of the recurring concerns in almost all countries was that most of the ESCR are non-justiciable: i.e. they are not directly enforceable or subject to litigation, but are mainly left within the remit of government policy and its development priorities.

**None of the selected countries has a law or policy that deals exclusively with RRR.** However, most of the countries' legal and policy frameworks contain relevant provisions and opportunities that can be applied or extended to RRR situations<sup>85</sup>. For those countries that may have *relevant* laws and policies, there are a number of challenges highlighted in an initial desk review and in subsequent discussions with stakeholders:

- **Lack of effective implementation and monitoring of relevant laws, policies,** and interventions. This problem was highlighted in examination of legal frameworks in Nigeria and Malawi, but faced by most African countries.
  - a. **Non-domestication or lack of compliance with some of the international and regional instruments.** In general, the legal analysis reveals a lack of permeation of international laws into state practice regarding RRR.
  - b. **Most of the relevant policies are either in draft form and even then, they may lack any articulation on RRR.** Accordingly, in some countries, the lack of law or legally enforceable obligations that are characteristic of policy frameworks has been a setback to effective implementation of RRR initiatives.
  - c. **Employment laws focus on persons in formal employment** and thus fail to protect a significant number of persons that work within the informal sector. Most returnees will fall into this category. Similarly, social security and social- and or health insurance policies only target the relatively small number of persons in formal employment.

<sup>85</sup> This is with the exception of Guinea which does not have any relevant applicable law.



- **Lack of common standards on RRR**
  - a. **Some countries have laws that deal with returnees and they provide some incentives,** mainly in the case of tax exemptions. They also aim to facilitate reintegration by providing returnees with relevant documentation and or recognising civic documents issued to them abroad. This is the case in Morocco and Mauritius. The challenge is that these laws are aimed at voluntarily returning diaspora nationals or retirees and not to the disadvantaged or vulnerable returnees including migrants in irregular situations, and victims of human trafficking.
  - b. **A general lack of an effective and standardised preparation and implementation of returns and reintegration,** except in the case of Egypt among the studied countries, particularly with returnees from Germany.
- **Lack of institutional and operational capacity**
  - a. **Among states and state institutions to effectively execute their mandate, or coordinate effectively.** A number of states have an appointed ministry or established institutions under whose remit RRR can easily be managed. However, these may be lacking a specific mandate on RRR, or they may lack adequate resources to deal with RRR amidst their other functions and portfolio. Lack of proper coordination among these institutions also forms a key barrier to effective capacity for implementation.
  - b. **Domestication of regional frameworks on RRR, and harmonisation of legal frameworks across RECs.** This is still very much an area that is dealt with by individual states at the national level, despite the fact that all countries belong to one or more RECs.
  - c. There is **no comprehensive data on return migration.**

## A2.2 Conclusion on Legal and Policy Analysis

The international law as well as regional and sub-regional treaties provide a strong and comprehensive legal basis for RRR interventions that may be adopted at the national level. Although states have ratified, and in some cases domesticated some of these treaties and protocols, there are still key instruments, both at the international and regional levels, that have relatively low ratifications. These include the CMW, the Statelessness Convention, the Kampala Convention, a number of regional FMPs, among others.

Other relevant instruments are only in draft form and are yet to be adopted by states. The significance of some of these is in no way undermined, such as the ILC Draft Articles which are frequently relied upon in judicial decisions and they are for all intents and purposes part of international 'soft law'. Yet even at the national level, some states may have some frameworks that could be strengthened and/or consolidated and expanded to provide for comprehensive RRR strategies and interventions. The table in **Annex 2** synthesises the national frameworks in the selected country studies.



## Part B

# Evidence on RRR

## B1. RRR Programming in Africa: Lessons Learned from Nine Countries, Good Practices, and Recommendations

This section reviews existing assessments on RRR in Africa, delving into the key lessons learned from the nine countries under study. As a result, the recommendations are highly influenced by the content of the separate country briefs.

### B1.1 Setting the scene: Lessons Learned from the Literature on RRR Programming in Africa

In the fall of 2018, two key workshops on reintegration were held at the AU level. The first of these was the *AU Member States Workshop on Returning Migrants into the Labour Market*, held in Dakar, Senegal. Aiming to “provide a platform for open exchange and dialogue on reintegration of returning migrants into the labour market,” and to discuss and identify stakeholder needs,<sup>86</sup> conclusions from the workshop highlighted, amongst other things, the need for inclusive reintegration platforms, national ownership, domestication of national policies and inclusion of reintegration in development planning, as well as increased leadership on learning on the part of RECs.<sup>87</sup>

This initial event served as a prelude to the *AU-EU Technical Workshop on Sustainable Reintegration*, held a month later in Addis Ababa. Key outcomes highlighted the need to build the existing evidence base, recommendations to inform the context for RRR Guidelines, and establishment of a network to form a virtual community of practice.<sup>88</sup> While the workshop highlighted initial good practices – such as the development of a technical working group in Cameroon, as well as support

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86 AU (2018) Outcome Statement: *The AU Member States Workshop On Reintegration of Returning Migrants Into the Labour Market*

87 Ibid.

88 AU/EU/IOM (2018) *AU-EU Technical Workshop on Sustainable Reintegration : Within the Framework of the AU-EU-UN Taskforce to Address the Situation of Migrants in Libya*

for linkages with national job placement agencies in Tunisia<sup>89</sup> – discussions also highlighted key challenges, including the absence of legal frameworks, capacity and development challenges in Countries of Origin (CoO), limited financial and human resources, limited cooperation and a need for enhanced local ownership.<sup>90</sup> While limited progress in some contexts has been made – such as the establishment of a National Migration Policy in Nigeria – findings from this study and discussions with key stakeholders confirm that many of these dynamics remain largely the same in 2021.

The EU Trust Fund for Africa (EUTF) launched the *EU-IOM Joint Initiative for migrant protection* in 2016<sup>91</sup>. A key objective of this process was to increase the capacities of partner countries and stakeholders on return and reintegration policies and processes, and to operationalise reintegration interventions through economic, social and psychosocial interventions. These policy and funding commitments were contextualised on the basis of **previous efforts to place reintegration efforts at regional or sub-regional levels within Africa**. Regional handbooks are intended as a reference for best practice and provide a repository of the history and progress on RRR programming in Africa. Such efforts led for example, in 2013, to the development of a specific AVRRI Reintegration Handbook for the North African Region<sup>92</sup>. Within the North Africa handbook, for example, best practices showcased highlight the necessity to:

- **Prepare returns**, allowing for sufficient time and preparedness, removing administrative and financial obstacles and barriers to return, so that migrants and future returnees could plan better, and mobilise tangible and intangible resources to return. One good practice featured was the ability to provide returnees with videos and lived experiences of past returnees. A second good practice was on the removal of fees associated with return paperwork and visas.
- **Remain flexible and driven by returnees' profiles**, tailoring assistance to individual needs. The 2013 Handbook states that tailoring is a greater priority, when confronted with migrants who have experienced trauma and higher levels of vulnerability. The Handbook zooms in on the considerations for cases of victims of trafficking, and for the necessity to ascertain both the best interest of the victim, his/her safety, alongside a reintegration needs assessment.
- **Be realistic and development oriented**, with plans and goals that can be suited to the profile of the migrant, their skills and qualifications, but also the contexts of the return community, to turn return into a potential for local development and labour migration.

Beyond regional handbooks (including for North Africa and other regions), IOM's overall *Reintegration Handbook*, published in 2019, presents similar good practices on a global level.<sup>93</sup> Learnings from other sources have also increasingly been published on RRR in Africa, amounting to a core set of lessons learned. Publications include those by the European Migration Network (EMN) specific to Western Africa, which highlight a gap in contextualising RRR for the range of

89 Ibid.

90 Ibid.

91 [https://ec.europa.eu/trustfundforafrica/region/horn-africa/regional/facility-sustainable-and-dignified-return-and-reintegration-support\\_en](https://ec.europa.eu/trustfundforafrica/region/horn-africa/regional/facility-sustainable-and-dignified-return-and-reintegration-support_en)

92 IOM (2013) Assisted Voluntary Return and Reintegration Handbook for the North African region.

93 IOM (2019) *Reintegration Handbook: Practical Guidance on the Design, Implementation, and Monitoring of Reintegration Assistance*

contexts in the African continent: “the assistance provided under such programmes does not differ according to the country of origin and is thus not tailored to the specific circumstances in Western African countries”<sup>94</sup>. EMN speaks of the critical need to localise both discourse and practice on RRR in Africa. This has led to greater efforts on RRR through a community lens, as seen, for instance, through IOM/Samuel Hall’s 11-country series on community-based analysis of reintegration, in West and Central Africa. Such publications have drawn attention to the many obstacles to effective reintegration, including **relatively high cost of living and housing, the lack of infrastructure to support reintegration process, and the lack of local partners** with the capacity and mandate to assist, monitor and follow-up post-return.

Overall, mounting evidence on supporting the reintegration of return migrants in Africa – from Northern<sup>95</sup> to Western Africa – confirms the necessity to approach reintegration needs holistically, with efforts centralised around a dual local economic development approach and an individual economic approach centred on jobs, in tandem with building on social and psychosocial needs essential to sustaining reintegration gains. A recent study and comparative analysis of reintegration outcomes across Senegal, Guinea and Morocco confirms the **multiplier effect of psychosocial assistance and mentoring on reintegration**<sup>96</sup>.

Such lessons learned are growing with additional involvement of development actors on the question of RRR, both globally and specifically including African countries. Two recent initiatives led by development partners include the World Bank’s Global Knowledge Partnership on Migration and Development (KNOMAD) project<sup>97</sup>, as well as the Organisation for Economic Co-operation and Development (OECD)’s research and workshops examining return and reintegration dynamics across Africa, Asia and the Middle East (2020). These convened government and non-governmental stakeholders to reflect around common lessons learned on RRR.<sup>98</sup> These were preceded by a 2007 OECD analysis of return migration and development in Western Africa,<sup>99</sup> with an experts’ meeting held in Paris in November of the same year. The 2020 OECD initiative specifically studied the return and reintegration contexts in Senegal and Nigeria and collated learnings from other country of return settings. The EU-funded IOM Knowledge Management Hub also supports research and the production of new knowledge on migrant protection and reintegration, including on coherence, harmonisation of M&E, and knowledge management tools. The findings and challenges to reintegration presented in these initiatives, and in AU-EU workshops on return and reintegration held in 2018, informed the following key themes and lessons learned, from the national to the local.

94 EMN Inform (2015) *Challenges and good practices in the return and reintegration of irregular migrants to Western Africa*

95 ITC/ILO (2019) [https://sure.itcilo.org/wp-content/uploads/2019/07/Report\\_Comparaison\\_Maroc\\_et\\_Tunisie\\_Rev\\_1.pdf](https://sure.itcilo.org/wp-content/uploads/2019/07/Report_Comparaison_Maroc_et_Tunisie_Rev_1.pdf)

96 Samuel Hall / University of Sussex (2020)

97 KNOMAD (2020) Call for Interest to Develop a Methodology for a Longitudinal Study on Reintegration Outcomes of Returnees

98 OECD Workshop Agenda: “Reintegration in Different Origin Countries: Challenges in Implementing recommendations and good practices.” Agenda for Workshop on June 9th, 2020.

99 Gubert et al (2007)

## Policy/Legal Lessons Learned from Previous Initiatives

**Alignment between sending and receiving country priorities** – in particular between the EU and countries of origin – is a crucial aspect to developing effective reintegration programming, and often missing from existing conversations. Listening to and finding shared objectives between sending and receiving countries is necessary, both for finding entry points, improving communication, and building ownership for effective programming. This question of partnership between countries is at the top of the agenda for the AU-EU dialogue.

**Refocusing the RRR discourse around the importance of regulatory frameworks:** The absence of legal frameworks and instruments related to return and reintegration can create a legal vacuum and uncertainty among stakeholders. Reintegration is highly dependent on the regulatory environment of the origin country. On this specific point, countries in Africa have, as reviewed in the previous section, a strong legal basis to build upon.

**Aligning reintegration with development plans:** Contributions by representatives of African governments during OECD and IOM learning workshops in 2020 have highlighted the need to fit reintegration programming not only within national migration policies, but ensuring their coherence and consistency with national development plans and local economic strategies.<sup>100</sup> Framing the issue around a development agenda can broaden the conversation to include development actors (UNDP, World Bank, African Development Bank) to fill gaps in terms of infrastructure, access to basic services, as well as quality of services.

## Operational Lessons Learned from Previous Initiatives

**Holistic models for reintegration:** The OECD corridor reports did not identify comprehensive models for reintegration that went beyond reintegration assistance. The reports consequently identified a programming gap: that of policy coherence and a shared vision of what reintegration involves. Coordination between different organisations and institutions, as well as greater inclusion of local actors, was identified as being needed in order to ensure holistic and functional reintegration *frameworks* – and not only projects - over time.

**Localisation, and alignment with local priorities and locally-led processes:** There is a heavy gap in partnerships with CSOs and other local or community groups and organisations who are the closest source of support to returnees. While the importance of including communities is widely recognised and given lip service, a more critical analysis of ‘communities of return’ and what they may or may not be – and what they may or not be able to offer to returnees in the reintegration phase - is needed in order to effectively support and build on local resources and partnerships. Communities may play a marginal role in the sustainable reintegration of returnees – or they may be essential.<sup>101</sup> Across this spectrum, more nuanced analysis is needed to identify when communities of return can become communities *for* returnees.

100 Le Coz, C and Newland, K. (2021) *Rewiring Migrant Returns and Reintegration after the Covid-19 Shock*

101 Samuel Hall/University of Sussex (2020); OECD (2020) *Corridor Reports on Senegal, Afghanistan, Tunisia, Nigeria*.

**An Ecosystem Approach:** OECD reports emphasised that reintegration both impacts and affects an existing *ecosystem* – that is, reintegration support and programming does not and cannot exist in a void, and it is crucial to recognise the new dynamics, adaptation and changes in resources within an entire context: at individual, community, and wider government levels. This is similar to the approach adopted by Samuel Hall/IOM (2017) which laid out an ecosystem model to operationalising reintegration.

**Private Sector Engagement:** The 2018 AU-EU Workshop on sustainable reintegration found that a low level of private sector engagement can increase the pressure on government services. High levels of private sector engagement can increase the ability of returnees to attain employment and can decrease the risk of diminishing trust in state capacities. To complement such reflections, the Samuel Hall/ IOM (2018) series in West and Central Africa showed the unique possibility to build on the agribusiness sector and value chains to promote reintegration, while promoting an entrepreneurial approach focused on small-scale initiatives and collective approaches to economic reintegration, through joint ventures among returnees, as well as between returnees and non-migrants/host populations.

### Strategic Lessons Learned from Previous Initiatives

**Leveraging and Expanding on Returnee Capabilities:** In West Africa, previous research found that “returnees from OECD countries were more inclined to start their own enterprises compared with those who never emigrated.”<sup>102</sup> Such findings are highly context-dependent, however literature also infers that there are specific characteristics in the returnee group that can allow them to take decisions. A key lesson from Africa has been to create an environment in which returnee capabilities can be leveraged and expanded upon. The strategic aim of reintegration policy and programming is then to contribute to the expansion of these capabilities.

**Partnership strategies:** Reintegration programming has until recently mostly relied on short-term interventions which address post-arrival needs of returnees through package-based assistance. Broader partnerships at the national level are needed – and are in many cases currently in the process of being developed – to improve processes for long-term sustainable reintegration. Initial key informant interviews (KIIs) for this study reiterated the importance of national partnerships, and noted Tunisia’s recent development of a national reintegration mechanism as a positive practice.

**Eligibility for assistance:** Eligibility requirements for programmes funded by certain countries of destination restrict access to reintegration assistance not to those who are most in need or best suited to the programme being offered, but based on the status in the destination country. Forced returnees – or those returning under readmissions - are often not eligible for the same levels of reintegration assistance as voluntary returnees, although some countries such as Nigeria may benefit from smaller levels of reintegration support for some forced returns and some programmes, such as the EU-IOM Joint Initiative, do not distinguish between voluntary and forced returnees after arrival.<sup>103</sup>

<sup>102</sup> Debnath, P. (2016) *Leveraging Return Migration for Development: The Role of Countries of Origin*

<sup>103</sup> For an in-depth discussion of eligibility criteria: OECD (2020) *Sustainable reintegration of returning migrants: a better homecoming*.



**Standards for Measurement, Monitoring, and Evaluation:** The OECD workshop highlighted the lack of comprehensive and comparative post return data, and emphasised the value of monitoring over time to effectively identify programming successes and failures and best meet returnee and community needs. Measuring sustainability of reintegration requires a consensus on indicators. While some monitoring tools exist which may provide examples for future harmonisation of standards, such as IOM's Reintegration Sustainability Survey (RSS), and case management tools, such as the EU Reintegration Assistance Tool (RIAT), an AU-led and designed tool common across programming and implementers providing a common foundation for evidence building is lacking. A mapping and identification of success factors within existing tools may support the development of an AU-led harmonised M&E tool.

## B1.2 Implementing RRR Policies and Programmes: Summary of High Level Findings

Findings from the nine AU case study countries echo the literature's key take-aways, providing more nuance and highlighting challenges and opportunities from the point of view of member states. **While the existing literature focuses on operationalising reintegration into programme design, the point of view of policy makers and member states is often lacking.** This section presents high-level findings from the fieldwork<sup>104</sup>, organised alongside seven themes which emerged as the key issues to be considered for moving towards sustainable and effective reintegration:

### Seven Themes and Lessons Learned from the Perspective of AU Member States

1. **Defining Effective and Sustainable Reintegration: Addressing Member State Perspectives**
2. **Coordinating and Cooperating at National, Bilateral and Multilateral Levels**
3. **Understanding the Return and Readmission Experience's Impact on Reintegration**
4. **Planning Locally with Sub-National and Community Involvement**
5. **Enhancing Data, Monitoring & Evaluation (M&E) for Evidence-Based Programming**
6. **Planning for Inclusive Development: Key Gaps and Contextual Considerations**
7. **Planning for Sustainability: Addressing Financial and Administrative Challenges**

Discussion of each of these key issues highlights specific examples of potential good practices and lessons learned, and will inform the next section on continental recommendations.

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104 Fieldwork was conducted in 10 countries by Samuel Hall – one, Ethiopia has been removed as requested by the AU.



### B1.2.1 Defining Effective and Sustainable Reintegration: Member State Perspectives

*"We are failing to provide adequate support -- there are limits we face in terms of our capacity to bring this definition to life. Which may be the only criticism: does a definition need to be realistic, or should it provide an ideal? Should it be idealistic or practical?"*

- Government Stakeholder, Malawi

While many actors adopt IOM's (2017) definition of reintegration, stakeholders spoken to for this study – both governmental and non-governmental – **broadly agreed with the present study's working definition of reintegration<sup>105</sup>, while sharing their own contextual adaptations.** Discussions of this definition and of perceptions of sustainable reintegration revealed four key tensions:

- First, the question of how **operational a definition should be**: particularly in contexts where member states and partners have faced challenges implementing policy and programming due to capacity constraints (whether financial or technical), the question of how far a definition should go was a source of concern. A definition may present an ideal, but concerns about how this could translate into practice varied across member state discussions. To balance out the overall operational focus present in the existing literature and definitions, this points to an opportunity for the AU Member States to set a more common vision and collective outcomes approach. Stakeholders in Mauritius noted the need for a definition to be **broad enough** to encompass a variety of contexts, while those in Morocco called for a definition that could **maximise the impact on individual reintegration processes**. *The definition has to respond to this tension between generalisation and individual approach; the inclusion of expanded capabilities in the definition brings this together.*
- Second, stakeholders in several countries called on the need to recognise that **governments of the country of origin/return may not be held solely accountable**, responsible or able to respond to the needs of their returning citizens. Stakeholders from Sudan, the DRC and Guinea spoke of the need to **expand the source of support available, both after return and in the monitoring and follow-up** on the assistance provided. *The definition has to respond to this tension between national ownership and shared responsibility to support reintegration; the inclusion of expanded capabilities in the definition brings this together.*
- Third, the importance of **including drivers of irregular migration and re-migration**: a common perception held across the majority of stakeholders and member states presents coping with drivers of irregular migration as a factor in defining effective and sustainable reintegration. Other stakeholders pointed to a wider view and need to go beyond re-migration to understanding the importance of mobility in the African context. This included:

<sup>105</sup> This definition is introduced and outlined in the introductory section of this report.

- Removal of the distinction between returnee/community member/citizen
- Ability to fulfil individual and family needs in ways that are stable and not precarious

*These exchanges confirmed the importance of **stability and dignity** in the reintegration definition.*

*"A sustainable reintegration is [when] a returnee has achieved the satisfaction of being able to conduct activities in his country in the same way as his fellow citizens, without marginalisation or discrimination. [The sustainably reintegrated returnee] must reach a point where he is indistinguishable from those who never left, who is not judged by his inner failures and who can take control of his own life."*

- KII Government Actor, Cameroon

- Fourth, elements of **temporality** were introduced, tying in return decisions and reintegration interventions, all occurring at points in time, to a longer term planning and development exercise that would bring reintegration outcomes closer to national and local policy agendas, and, as identified by some stakeholders, further away from donors' agenda which may emphasise short term outcomes. *These exchanges reinforced the necessary reference to **inclusion** in the definition.*
- Fifth, defining sustainable reintegration is not merely a theoretical exercise, but a practical one as programming adheres most often to the definitions of those who are designing policies or providing the financial foundation for implementation. **It is key to have a common definition of reintegration, at the AU-level for all member states to be aligned with each other and create space for learning on policy implications and programming implementation.**

From the feedback received during the nine consultative workshops held for this research, the proposed definition was therefore reinforced in two ways:

**First** through an emphasis of the temporal dimension (adding the term "**stable**").

**Second**, through a societal, bottom-up process of inclusion rather than what risks to be seen as a more forceful, top-down process of incorporation (adding the term "**inclusion**").

**The result is the following updated definition of sustainable reintegration for the AU and its Member States, setting a continental definition:**

**Sustainable reintegration can be achieved when returnees can rely on expanded capabilities to attain a stable, safe and dignified life of economic self-sufficiency, psychosocial well-being, political, social and civil inclusion, as a result of which they can respond to the drivers of irregular migration.**

## B1.2.2 Coordination and Cooperation at National, Bilateral and Multilateral Levels

All actors spoken to for this study highlighted the **importance of functioning coordination mechanisms for effective RRR policies and programmes; however the realities and effectiveness of coordination varied across countries and contexts and was frequently described as a key challenge**. Coordination can be examined through three key lenses:

1. National Coordination Mechanisms on RRR
2. Coordinating Returns in Contexts of Crisis
3. Bilateral/Multilateral Coordination and Cooperation

### A. National Coordination Mechanisms on RRR

Most of the Member States examined in this study have some form of coordination mechanism on RRR in place, whether in the form of a Technical Working Group (TWG), a committee, or a ministerial lead in charge of bringing together and communicating with relevant actors. Furthermore, most countries spoken to are in the process of drafting national migration policies, including sections on return and reintegration. Stakeholders recognized and emphasized the importance of maintaining effective national coordination mechanisms as a fundamental first step to effective implementation of RRR.

Interviews with IOM further noted the advantages and good practices that these TWGs can form. In Cameroon for instance, the establishment of a whole of government dialogue to foster ownership and sustainability of reintegration mechanisms in the country has been highlighted by IOM as a good practice.<sup>106</sup> Within the framework of the EU-IOM Joint Initiative, a Project Steering Committee as well as various TWGs were established, bringing together both government and non-governmental stakeholders to meet and coordinate. As per IOM documentation, this has ensured that the government is an “active partner” in the initiative.<sup>107</sup> Interviews with government stakeholders confirm the effectiveness of this approach; however civil society and other implementing actors expressed wider frustrations concerning coordination, noting that this did not function as effectively as hoped for.

On a practical level, this partnership ensures that the government is involved in key operational roles, including the facilitation of authorizations, registration of returnees, providing information and basic necessities to returnees at the airport upon arrival, and the development of an effective referral mechanism. While not without its limitations (e.g. budget constraints, administrative delays, and political concerns that may negatively impact the efficiency of the mechanism), on the whole, IOM’s own evaluation of this coordination initiative was deemed effective.<sup>108</sup>

<sup>106</sup> IOM (2020) *Establishing a permanent whole-of-government dialogue to foster ownership and sustainability of reintegration mechanisms in Cameroon*

<sup>107</sup> Ibid

<sup>108</sup> Ibid.

In other contexts however, **the effectiveness of coordination mechanisms are often dependent on wider country and political contexts**. In Sudan, for instance, the creation of an entirely new government, including the replacement all of cabinet members in the past two years, suggests that efforts at coordination on migration (including on RRR) are essentially being built from scratch, and new leadership has only recently been instated to manage this. The development of national migration policies in several other countries is also a key component of improving coordination mechanisms, even as coordination cannot wait for the finalisation of a policy.

*“Ideally, the migration policy framework will be a lever towards establishing programmes -- but it may take a while to have it finalized. So for now we need to approach the government with its current structures, and then once the policy is in place, then we can seek to provide funding through national budgets. But for now the most important is that we have a coordination structure in place and funding from external donors.”*

- KII Government, Malawi

While the **development of a national migration policy is key to clarifying common objectives, coordination mechanisms need to be able to react to real return phenomena within existing structures, even while longer processes of policy development are ongoing**. Stakeholders across other countries spoke of challenges in the implementation of national coordination mechanisms, due to the following common obstacles:

- Minimal prioritisation on the question of RRR, and in some cases limited political will to actively implement policies and discussions
- Limited funding and technical capacity to maintain formal and regular coordination mechanisms
- Lack of national guidance on what coordination mechanisms should be aiming for on national objectives on RRR
- Overall governance challenges affecting coordination mechanisms more broadly; in order for coordination mechanisms on RRR to function, coordination mechanisms (whether RRR related or no) in general need to benefit from functioning relationships between government actors and from political goodwill
- Lack of centralised national referral mechanisms in some contexts, which can better support programmatic and inter-institutional support for reintegration

Beyond limitations of national mechanisms, relationships with other implementing actors were also described as precarious, impacting possibilities for effective coordination. This was particularly true when examining **coordination between civil society actors and the wider international institutions they partner with (most frequently IOM)**; local implementing civil society actors in Guinea, for instance, noted that they did not coordinate with other IOM implementing partners (“*we don’t even ask who else is working with IOM*”), and a civil society representative in

Cameroon highlighted the lack of coherence in the distribution of roles for implementing partners, noting that civil society was best placed to conduct effective monitoring with local populations, but was rarely asked to do so or involved in high level discussions.

Structured cooperation with private sector actors overall remains lacking, although KIs highlighted the potential that these actors may offer, noting the need for improved learning on return and reintegration and incentives to encourage private actors to engage effectively in supporting reintegration processes.

## B. Coordinating Returns in Contexts of Crisis

While permanent national coordination mechanisms on RRR can be impacted by institutional or technical barriers and political prioritisation, countries displayed **effective levels of mobilisation and coordination when confronted with the immediate need to manage or respond to returns in times of crisis.**

In the DRC, for instance, while stakeholders highlighted the lack of effective structural coordination mechanisms on return as a key gap to be filled, they also highlighted the successes of ad hoc *cellule de gestion* (coordination platforms) set up individually to respond to specific return crises, such as the 2014 mass expulsions of DRC nationals from Congo-Brazzaville. The crisis committee set up to respond to this – and similar crisis committees set up to respond to similar crises – is activated to evaluate and address the needs of those at the border, to identify their needs and provide basic support where possible. While this **coordination was deemed effective in its ability to rapidly deploy relevant actors to the border and identify initial needs, the ad hoc nature of its set up as well as limited resources meant that coordination successes focused largely on initial emergency needs and data collection, and were limited in the capacity to address longer term reintegration needs.**

In spite of challenges transforming emergency coordination mechanisms into permanent coordination platforms and providing long-term support, the **ability of actors to mobilise in the face of emergency returns highlights both the importance of coordination as well as best practices which may be applied and linked to longer term contexts with relevant funding and support.**

Most recently, countries have also established coordination mechanisms and drawn on existing platforms to manage returns linked to the Covid-19 pandemic. This has had various degrees of success, and these levels of success can be linked to the effectiveness of pre-existing relationships between ministries and already functional coordination platforms and ability to mobilise resources. In Mauritius, for instance, the country was able to rapidly return a significant number of Mauritians on a phased basis (including both those who were temporarily abroad, such as students or tourists, as well as those who had been working abroad and wishing to return), while maintaining health and safety measures (including provision of quarantine facilities) in order to avoid negatively impacting the health of communities of return. As of writing of this report, Mauritius is one of few countries in the world to remain completely Covid-safe. A few factors contributed to the success of this emergency return coordination and management in Mauritius:

- Pre-existing **relationships and linkages to consulates and embassies** in all representations who can rapidly communicate and coordinate with Mauritians abroad.
- Pre-existing **relationships of trust and a history of successful governance cooperation between ministries**, allowing for effective information sharing and rapid coordination in times of crisis
- **Availability of technical, material, and financial resources**
- **Geographic advantage:** As a small island, entries and returns to the country are mostly concentrated on a single point – the airport – allowing for a high degree of controlled management and identification of all returns in a structured manner.

In Malawi, government stakeholders also implemented a coordinated response for returnees, mainly irregular migrants coming back from South Africa due to job losses related to Covid-19.<sup>109</sup> This was led by the Ministry of Foreign Affairs with the Ministries of Health and Immigration in cooperation with UNICEF and the Red Cross, and supported by the EU. While the ability to coordinate across ministries is a positive sign and lays an effective foundation for future collaboration, resource constraints as well as the emergency nature of the returns resulted in a response that was a good effort but not as effective in practice. This highlights the contextual nature of ability to respond and coordinate to returns in emergency settings, and the importance of resources as well as pre-existing coordination mechanisms.

## C. Bilateral/Multilateral Coordination and Cooperation: Readmission and Other Matters

*“A migration policy cannot come from only one country: people leave from a country that has certain laws in place, and go to another country that has other laws in place – these are the stakes [“l’enjeu”] of migration policy: politics and policies [between countries] are what manage and define the effects of migration and return.”*

- KII Government, Cameroon

Stakeholders note the **importance of and gaps in interregional and international coordination on return**: there often exists a disconnect between policies on paper and the realities of bilateral or multilateral cooperation and coordination. Most countries in this study maintain bilateral agreements on readmission with a variety of destination countries, largely from the EU – France, Belgium, Italy, Switzerland, Spain, and Germany among the most common, as outlined in specific Country Briefs.

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109 Pensulo, C (2020). “Dreams Dashed: Malawi migrants return empty handed from South Africa.” *Reuters*. Published October 19<sup>th</sup>, 2020.

This was reinforced in perceptions of stakeholders on both sides, who noted that **by and large bilateral readmission agreements do not often prioritize linkages to support reintegration, although they do serve as important coordination tools**. There are some exceptions: the French government supports reintegration packages for a small number of returnees in several countries of this study (i.e. Cameroon, Guinea, Morocco); returnees from Germany and France are supported in Morocco; Spain has signed a number of cooperation agreements specifying reintegration as an area for cooperation; and Switzerland has supported reintegration on a small scale in several AU Member States, including in Guinea, where support has taken the form of funding packages and livelihood trainings for a small number of returnees<sup>110</sup>. However, on the whole, this support was largely uncoordinated with national programmes and policies on migration (*“we did not even know that the French government was supporting returnees until recently”* noted one official in Cameroon).

Interviews with donors and EU representatives in various country delegations acknowledged that the benefits and importance of reintegration are recognised, although it is not an obligation of sending countries. Some stakeholders interviewed recognised that coordination with other return and reintegration actors is minimal, even as donors acknowledge the practical opportunities which can be provided by supporting this, evidenced by an evolving context for including reintegration or return support in newer agreements.

Other donors and stakeholders highlighted the discrepancies between various EU Member States when it comes to coordinating return and readmission, and the impact that EU policies have on the ability to implement and advocate for stronger reintegration programming in countries of return. At regional levels, actors spoke of the importance of politics and the practical impact of global frameworks such as the GCM. Some European donors also highlighted the importance of supporting return and reintegration for South-South movements as a means of prevention; civil society actors in other countries expressed concerns about people being sent back in group [*“en masse”*] and the practical challenges as well as human rights violations of these actions.

Other European officials emphasised the **importance of respecting human rights in return, and clarified the fact that from the EU side, robust legislation and policies are in place to frame return and readmission procedures and ensure respect for human rights**.

Given differing priorities when it comes to RRR between AU and EU Member States, stakeholders noted instead the importance of expanding and reinforcing **interregional and intercontinental coordination and cooperation**.

A key issue here is the cooperation on freedom of movement. Stakeholders highlight the linkages between continental and regional freedom of movement agreements and the impact these may have on who does or does not receive reintegration support; key REC actors, for instance, wondered if someone moving freely within a region that enjoyed freedom of movement privileges – including right to live/work – needed a more robust framework or support for reintegration if they chose to return. On a practical level, stakeholders – both from RECs and Member States – also recognised the gaps between existence of freedom of movement policies and implementation of these policies, which may leave migrants more vulnerable and in need of special support upon return.

110 Kesser (2013). *Return and Reintegration Assistance External Evaluation: Country Study Guinea*



**Regional cooperation between RECs** is required to support and manage intra-African returns. This is especially true between RECs that are at both ends of migration corridors – between ECOWAS, AMU, and CENSAD – as well as between RECs, which share countries where cross border movements are common – between COMESA, SADC, and ECCAS for example.

Finally, stakeholders called for **stronger coordination and cooperation on advocacy** for the maintenance of human rights and return in safety and dignity, especially when it comes to intra-African returns. This is not just a question of advocating for adherence to continental human rights frameworks on a legal level. On a practical level, experiencing (or not) respect for human rights has an impact on the long-term reintegration process.

### B1.2.3 Understanding Return and Readmission Experience's Impact on Reintegration Processes

*“Those who return spontaneously succeed much better in their reintegration [from our experience]. But for so called ‘voluntary returns’ – because there is always a question on this -, reintegration for them is much more difficult. And for those who are deported or forced to return, this is often catastrophic. There are those who return under difficult conditions and manage to find success, but this is rare. In a migration policy, it is crucial to take into account what happened at the level of the return process, and what happened before return as well. We are neglecting this currently, but this is primordial.”*

- KII Local CSO, Guinea

Existing research describes the impact of the return (and readmission) experience on longer-term reintegration processes, laying forth the fact that *how* returns occur can have an impact on the success or failure of longer term reintegration processes.<sup>111</sup> Key discussions with stakeholders (especially implementing stakeholders on the ground) as well as returnees and community members further supported this; modalities of return – including whether returns are spontaneous, assisted, or forced – have an impact on a returnees’ ability to effectively reintegrate in ways that are sustainable and successful.

On the one hand, **those who return spontaneously** (i.e. purely by their own decision, without direct influence or support from external actors) often display higher levels of preparedness<sup>112</sup>: anecdotally, spontaneous returnees share that they often make the decision to return weeks in advance before they actually depart, giving them the time to acquire necessary resources, contact families back home, and be mentally ready. Being better prepared before departure often means that spontaneous returnees have more positive reintegration outcomes, despite lacking access to formal support. This is not to say that common challenges associated with reintegration (employment, housing, stigma etc.) are absent amongst spontaneous returnees. However, these returnees are less likely to perceive their migration journey as ‘disrupted’ and more likely to feel more in control of their return process and henceforth their decisions.

111 See Erdal and Oeppen (2017) ; Gmelch (1980); Schuster and Majidi (2013); Schuster and Majidi (2014); van Houte (2014); Ruben et al. (2009); Scalettari and Gubert (2019)

112 OECD (2020) *Sustainable Reintegration of Returning Migrants*

*“Overall, I have been able to make decisions for myself. Way back before I left the country, I was always fond of making wrong decisions. However, since my return I observed that I make better decisions, I feel like my experience and exposure has helped me.”*

- Female Returnee, Nigeria

On the other hand, **those who return in an assisted voluntary manner** may have varying levels of needs depending on the specific context of their return experience. In particular, those who returned from difficult and often traumatic contexts in Libya and Niger – including those who had been detained in Libyan prisons or otherwise subject to torture – need greater levels of support, which makes the implementation of reintegration initiatives more challenging.

Returnees often need reintegration support in the economic, social and psychosocial realm. Although they may have more access to formal support, they nonetheless often return worse off than when they left. Not only are they materially more vulnerable but they have to contend with the social stigma, such as perceived preferential treatment by international organisations and NGOs, and family rejection due to unfulfilled expectations, which can exacerbate personal feelings of failure. However, the support received from international organisations and NGOs helps to mitigate the myriad of challenges returnees face, even as levels of success vary between beneficiaries.

The ability to prepare return is seen as a key element to success after return, both in the academic literature and as a key point to emerge from stakeholder discussions. This preparation begins in the country of departure prior to return; some countries such as France and Germany include support and pre-departure counselling for those choosing to return. A key good practice highlighted by IOM in terms of pre-departure support is FORAS (meaning “opportunities” in Arabic) project in Morocco, which seeks to support Sub-Saharan migrants returning from Morocco to their countries of origin. The project includes the following elements, which have ensured success:

- *Orientation and counselling services* “to provide AVRR beneficiaries with accurate and up to date information about opportunities and challenges associated with the reintegration process” and pre-departure resources available in Morocco.<sup>113</sup>
- *Pre-departure trainings* to strengthen “technical and motivational skills in view of their sustainable reintegration upon return.”<sup>114</sup>

Evaluation of the programme found that FORAS beneficiaries declared themselves to be better prepared than their non-beneficiary counterparts and was an overall successful practice, although lessons learned from the programme highlighted the need to:

- Ensure coherence between pre-departure support and reintegration programming upon arrival

113 IOM (2018). *Factsheet: Practice #7 – Pre-Departure Reintegration Assistance in Morocco: Orientation, Counselling, Training*

114 Ibid

- Regularly update information on country of origin and reintegration challenges and opportunities – information must be updated accurately and on an ongoing basis
- Ensure pre-departure training is flexible and adapted to individual and contextual needs

Similar pre-departure preparation programmes exist in the Netherlands and Germany as well. For instance, in Germany, a “virtual counselling” pre-departure support, launched in 2019, can provide more targeted information relevant to a variety of country contexts. Under Covid-19 virtual counselling was also expanded by IOM in relevant partner countries, funded by the EU.

The lack of pre-departure assistance for those who are deported or otherwise forced to return results in them receiving the lowest level of assistance and seem to struggle the most according to key stakeholders on the ground. Interviews with forced returnees highlighted the protection needs that are neglected. Forced returnees are often neither provided with information regarding their return, nor are they able to return with the assets they held before being detained. Moreover, forced returnees are provided with limited formal support upon return, often having to sell the remaining assets they had to secure transportation to their homes which are usually located outside the nation’s capital. Therefore, forced returnees are less able to prepare, less likely to receive formal support and the discretion surrounding their return often leads to greater levels of social stigma and mistrust. As a result, the combination of these factors mean that forced returnees are more likely to experience prolonged periods of hardship during their reintegration.

*“The difference between someone who has been deported... someone who came back [assisted] from Libya, even if he was in prison, he has someone accompanying him and following up, he is not completely abandoned. But the one who is deported, he is completely abandoned. There is a clear difference – it’s like a child being adopted by a family who can’t fulfil all his needs, and one who is never adopted at all.”*

- KII Local CSO, Guinea

Modalities of return have a powerful impact on reintegration outcomes. Anecdotally, spontaneous and assisted voluntary returnees are more likely to have positive reintegration outcomes than forced returnees, although the literature on spontaneous returns remains limited. This is due to the higher levels of preparedness and support that accompanies each respective mode of return. Moreover, all returnees face common challenges of reintegration in the economic, social and psychosocial realm. Ensuring that the right form of support is received early can make a significant impact on the success of reintegration. In the absence of support community ties become even more important for returnees; thinking of methods to enhance community cohesion and trust are essential to RRR policies and programmes.

### B1.2.4 Planning Locally with Sub-National and Community Involvement

Returnee connections to the communities they return to are not straightforward, often depending on specific contextual dynamics and on individual returnee relationships and histories. Country approaches to support RRR in communities of return also vary; where returnee specific programmes or support mechanisms exist at all, they often take either an individual or a collective approach.

Perceptions of **collective approaches to reintegration as a best practice** are mixed. In some countries, such as in Guinea, high-level stakeholders have highlighted the positive nature of collective approaches, which allow returnees to mutually work together in a cooperative model towards a common goal (for instance, supporting a group of returnees to engage in soap-making production together, or farming the same plot of land, and splitting proceeds).

While these types of collective programmes were highlighted by government stakeholders as a best practice and a key way forward to supporting large numbers of returnees, implementing partners and returnees themselves tell a more nuanced story, highlighting practical challenges in the implementation of collective approaches. These include challenges relating to:

- *Applicability of collective programmes to different contexts:* While top level enthusiasm for collective approaches has been applied to conceptions of programmes across different sectors, implementing stakeholders in the field noted that **collective approaches are more applicable to the agriculture sector** (due to the ability to share land and split tasks across land) and are more likely to fail when applied to other forms of entrepreneurship or livelihoods support.
- *Trust issues and challenges working together between 'group' members:* Collective approaches most often rely on grouping returnees together within on livelihoods project, with the objective to mutually share the proceeds. However, KIs with returnees in Guinea described tensions and trust issues between group members surrounding management and sharing of profits of the project assigned to them which undermined the potential for success of such approaches.

**Community-based programmes** try to address these issues, constructing support systems that, while perhaps remaining individual, draw clear linkages and present an apparent value added to the community. In Malawi, for instance, government and EU stakeholders highlighted the EU funded *Pilot Action on Voluntary Return and Sustainable Community Based Reintegration*, implemented by IOM, as having the potential to present a good practice allowing for returnees and community members to work together and bringing a visible added value to the community through the employment and support of community members as well as returnees within the programme. However, sustainability of the programme, which was finalised in 2020, is at risk with struggles to revive it due to budget alignment challenges, despite strong ownership from the government. This remains a key issue, impeding a potential good practice in programming.

Community approaches may be impactful because they adopt an area-based approach, aligned with good practices and development planning, as well as humanitarian principles, without decreasing social cohesion and they can more strongly link reintegration initiatives with national development plans in order to enable communities in return areas to cope with the drivers of irregular migration.

However, community approaches are often difficult to implement and they require a time commitment that programmes often lack. Contexts change from one area to another and levels of intervention are dependent on financial and technical capacity; stigma against returnees can also be a challenge in some contexts. Forming greater synergies between existing community services and the needs of returnees can overcome the bottlenecks that are associated with community approaches to reintegration.

In addition to identifying returnee needs and wants, **individualised approaches should take the technical and personal hard and soft skills and capabilities of each returnee into account.** This requires both an effective **skills assessment** – which is often lacking, and may take into account social and psychosocial soft skills as well as technical hard skills –, and an individualised level of tailoring support and long-term follow up, which can be difficult to implement in practice given the resources required, but which **was highlighted as a good practice to be put in place.**

*“I would say that what we are trying to do, which we had not understood at first, is that ongoing support [accompagnement] has to be tailored to the individual for every single returnee. We cannot have a general guideline which is applicable for everyone, we are trying to adapt and to be flexible for each individual case. We try not to have a fixed framework [dispositive], that’s what can bring about difficult results.”*

- KII Non-Government Local Actor Morocco

Because capabilities – both soft and hard – are different from one returnee to the next, and because these are also affected by contextual dynamics, **programming that takes an individualised approach while also finding ways to include and link with communities was highlighted.** However, designing highly contextualised approaches and implementing them requires, among other things, both significant levels of human resources and access to contextually accurate and available data; the latter remains a challenge across countries.

### B1.2.5 Enhancing Data, Monitoring and Evaluation for Evidence-Based Programming

All actors pointed to **issues with data availability and data collection, as well as a lack of the capacity for conducting effective long term monitoring and evaluation needed in order to both identify policy objectives and design reintegration programmes that can be effective and sustainable.**

**The lack of continental, regional, or even national standards and common indicators on RRR, and especially on reintegration,** is a barrier to effective and adaptive programming. Where M&E mechanisms are in place, they are on the whole designed by programme implementers, and rarely coherent or comprehensive across institutions. They are also most often outsourced, limiting their capacity to lead to improvements and changes in programming. There is a need for both:

- Common standards and indicators at higher levels (beyond individual institutions)
- Integration of these indicators in all RRR programming to ensure a level of comparability and identification of good practices that have an actual impact.

In addition, **weak capacity** on practical data collection limit the ability to effectively collect evidence, even if common standards were in place. Coordination challenges explored above impact data sharing between ministries or other actors in some countries. Actors in some countries recognise and have taken steps to address this: in Nigeria, for instance, the development of a data management working group has been a good practice in streamlining data management and information sharing, and in Guinea and Cameroon, hope centres around **national migration observatories which may fulfil similar roles may be considered a good practice in coordinating national learning on migration – however, these national observatories have yet to begin implementation.** These were highlighted as being a key area where AU and RECs could support, in particular in terms of establishing cross-regional or cross-continental centres on migration data. Interviews with at least one REC representative recognised this, highlighting the forthcoming creation of a regional database on migration, although this also is yet to be implemented.

*“There is a data management working group. There is consensus on the role of data and data management in the design of migration initiatives which formed the motivation for creating the working group. But data is not enough, it’s the quality of data. It boils down to the capacity of stakeholders to really engage and design evaluation tools that are applicable in different national contexts.”*

- KII Non-Government International Actor, Nigeria

*“To improve migration data, we are going to establish a regional database on migration. With the assistance of ICMPD, we carried out a survey among our member states on what information on migration they would like to share and they gave us areas in which they can. So we are now at the stage where we are starting the project. We recruited a migration statistician to build our database. And in the context of the AU labour migration programme, we have received support from the Swedish Government to build migration statistics across the board. In the small scale cross border trader project we also cover statistics. For us migration statistics is crucial so policy is well informed, to make policy that is evidence based.”*

- KII COMESA



**Data sharing was highlighted as a key obstacle to designing effective reintegration programming across stakeholders.** At least one KII with an international stakeholder implementing reintegration programming across several countries noted the “extreme resistance” of programme implementers to share data with one another, highlighting that this resulted in frequent duplication of data collection efforts and impacting individual stakeholder abilities to establish effective referral systems and relevant training programmes, for instance.

Discussions with IOM have noted that **fostering better data and improved monitoring and evaluation of return and reintegration programming remains an ongoing process, and interest and funding for evidence based programming is a relatively recent phenomena, in spite of ongoing advocacy.** However, positive progress has been made on this in the past few years. While the challenges of collecting migration data in general are reflected in the data on return and reintegration, in part because of scarce resources, the harmonisation of indicators – **through the Mediterranean Sustainable Reintegration (MEASURE) project<sup>115</sup> – and the rollout of tools or platforms, such as the Reintegration Sustainability Survey (RSS) and the IOM EU funded Knowledge Management Hub, are positive steps across IOM programming** in improving data availability. IOM has emphasised that as data collection and management systems continue to improve, analysis and knowledge is being shared.

Beyond improving national, regional, and continental data collection and coordination in order to build a strengthened evidence base, **practical implementation of M&E at programme levels remains challenging.** This is especially true when it comes to consistent and regular follow up of returnees over time. In part due to frequent mobility of returnees, and in part due to the high amount of time and human resources needed to conduct this monitoring effectively.

### B1.2.6 Planning for Inclusive Development: Key Gaps and Contextual Considerations

Explicit inclusion of vulnerable returnees and other local stakeholders – such as the private sector – in development planning for reintegration has been minimal across case study countries. Fieldwork in case study countries highlighted two prevailing attitudes:

On the one hand, **returnees are first and foremost citizens of their country, and have access to the services provided to them as citizens regardless of their status as a returnee,** and on an equal footing with any other national, without needing special programming or discrimination according to status. This perception was especially the case in Mauritius and Morocco.

This may also be context-dependent –Mauritius, for instance, is a relatively well developed economy with robust governance and state support mechanisms in place and accessible to the general population. This highlights the need for contextual considerations when considering good practices, as what may be needed in one country may be redundant in another.

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115 IOM/Samuel Hall 2018. *Setting Standards for an Integrated Approach to Reintegration*



On the other hand, a more nuanced perspective was recorded, recognising that **some returnees might have specific needs beyond those of the average citizen**, and that national services or development programmes could target those. This was the case in most other study countries.

In spite of this recognition however, returnees are mostly not included in wider national development strategies – instead, in some cases, specific national development actors have taken a lead role in targeting existing programmes to returnees, or developing adapted versions.

This is the case, for instance, in Nigeria, where the Small and Medium Enterprise Development Agency (SMEDAN), focused on employment for Nigerians, has instated returnee specific support for development of small business projects, with the added element for returnees of psychosocial support and building active steps towards social inclusion, including a big community graduation ceremony for returnees once they finish training, in partnership with community leaders and representatives. Youth support is also included in this programming. This approach of adapting pre-existing national support services to targeted needs of returnees, in partnership with community actors, has been largely successful according to SMEDAN, and may serve as an example of a good practice, although detailed studies and M&E on the impact of this programming remains lacking.

In Cameroon, development actors such as the Ministry of Agriculture noted that, while they do not have any specific considerations for returnees in place to date, they recognise the interest their programmes may have for returnees, and welcomed partnerships with the key migration focused ministries. They flagged, however, that specific inclusion of returnees in existing programmes will also require specific and targeted funding to cover these quotas.

### B1.2.7 Planning for Sustainability: Financing and Administrative Challenges

Virtually all country stakeholders, with the exception of Mauritius, highlighted **limited funding as a key barrier to effective policy operationalisation**. Budget cycles are not always aligned with programme timelines, and programmes that are led by external donors, often ending without a functional funding plan in place for handover to the government. A particularly striking example of this was in Malawi, where the activities of the EU-funded *Pilot Action on Voluntary Return and Sustainable Community Based Reintegration*, implemented by IOM – largely considered successful by top-level stakeholders – were finalised by the end of 2020. With no continuation of EU funding at the end of the programme, the government took over ownership of coordination mechanisms and has kept the taskforce running, however, the programme stopped providing support to returnees and funding mechanisms were unaligned with national budget planning, effectively putting implementation on the ground on hold.

Some government stakeholders spoken to for this study highlighted that **lack of planning for handover of a project during the initial project cycle, including the establishment of transitional funding mechanisms, may negatively affect the sustainability of a project**, which may have already exhibited the potential for longer-term positive impact on community reintegration, had funding been or sustainability beyond the project been ensured. This highlights the importance of synergy between higher-level coordination mechanisms and partnerships and implementation on the ground.

In addition to financial constraints, **administrative and bureaucratic delays in deploying programming support have a real impact on returnees' reintegration processes**. Returnees who are eligible for specific return and reintegration support complain of waiting up to six months without receiving any of support that they had been promised, impacting both their psychosocial and economic well-being. Implementing partners who witness this on the ground also highlight this as a key frustration, and propose linking the return process with the reintegration process through transitional activities in order to avoid this dip in the reintegration process.

Ultimately, there is the opportunity for policy at the top to fill and address these programming gaps. As it currently stands, administrative and financial bureaucracies from the top level direct the possibility of an effective and sustainable return process at the bottom. However, these need to be bridged and bottom level consequences brought to the attention of the top in order to identify contextually relevant ways of linking the two.

## B2. Overview Analysis – What We Can Learn From Six Programmatic Case Studies

**A total of 48 RRR programmes across the nine selected countries were identified.** A comprehensive list of programmes per country are outlined in each respective Country Brief.

While it is possible to identify specific programmes and basic services provided by each, detailed information on and evaluation of programme impacts remains a key data gap. It is outside the scope of this study to perform an in-depth evaluation of identified programmes, as this study confirms the minimal amount of publicly available evaluations. These are either non-existent or do not avail of data beyond beneficiary numbers and/or geographic coverage; in some cases, such as the Joint Initiative, these are ongoing and findings may be available in the future. In general, there is a dearth of evaluation data on reintegration outcomes, pointing to the lack of accountability to the reintegration process.

To address this gap, this section provides a case study approach to programmatic learning, zooming in on six selected initiatives for which data was available, to identify good practices and lessons learned, and compare this against the main definition of reintegration initially put forth in this study.

A brief profile of each initiative is presented below, before providing a rating of their effectiveness against the definition of sustainable reintegration provided for this study and diving further into details of what lessons these programmes offer.

**Initiative 1: *The EU-IOM Joint Initiative for Migrant Protection and Reintegration.*** Funded by the EUTF, the programme has been operational since 2016 in 26 countries and aims to provide voluntary return assistance and reintegration support as an integrated approach to reintegration. The programme goes a step further by including additional elements to its programming such as: partnering with local actors in order to increase ownership, providing community and structural support in the countries of operation and the building of synergies with existing initiatives.

**Initiative 2: *PARI-JEDI, Cameroon, Ministry of Youth and Civic Education.*** The ‘Programme to Support Return and Reintegration of Diaspora’ (PARI-JED) Youth is one of the few State-funded and -run reintegration programmes among the countries selected for this study. Operational since 2017, the program aims to provide financial and technical assistance to youth of the Cameroonian diaspora as well as to raise awareness of irregular migration among communities of return through education.

**Initiative 3: *Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration, Malawi.*** <sup>116</sup>The EU-funded IOM project was operational between 2017 and 2020, and aimed to

<sup>116</sup> The main objective of the project was to contribute to the development of voluntary return and sustainable community-based reintegration approaches in Malawi, Mozambique, South Africa and Zambia.

provide support to Malawian migrants voluntarily returning from South Africa as well as to their communities of return, through individually tailored reintegration support upon return that covered the economic, social and psychosocial dimensions. Moreover, the programme aimed to pilot community-based interventions while building the capacity of national stakeholders to take over and build on the community based interventions implemented during the three-year timeline.

**Initiative 4: *South-South Cooperation on Migration, Morocco, GIZ.*** The programme is funded by the EUTF and aims to assist cooperation between the Delegate Ministry to the Minister of Foreign Affairs, African Cooperation and Moroccans Residing Abroad, in Charge of Moroccans Residing Abroad (MDCMRE) and partner ministries in Côte d'Ivoire, Mali and Senegal to improve regional migration governance. One of the aspects of the programme is to establish common initiatives that provide return and reintegration support to migrants, as well as the sharing of lessons learned and good practices derived from the implementation of such initiatives in the four countries.

**Initiative 5: *Assisted Voluntary Return and Reintegration (AVRR). Global. IOM.*** An overall approach encompassing a myriad of projects worldwide, AVRR aims to provide return and reintegration assistance to migrants who would like to return to their country of origin. The global approach operates in over 100 countries. Returnees are offered return assistance at three stages: pre-departure, during travel, and post-arrival and reintegration assistance. Moreover, returnees may be assisted with individual reintegration packages based on their needs. The approach has been expanded to include collective reintegration support and community-based interventions. Different programmes which fall under the AVRR umbrella worldwide have different eligibility criteria and levels of support, dependent on such factors as host country, country of origin, levels of funding etc. A common approach and key values link these programmes together, including the principle of voluntariness, and dignity and respect for human rights.

**Initiative 6: *European Return and Reintegration Network (ERRIN). Global. EU Members States and Service Providers.*** In Africa, Caritas and OFII are the key implementing partners for ERRIN reintegration programming, often working in partnership with local actors. While each actor structures their programmes slightly differently, the overall approach remains the same across implementers. This follows a three-stage process: 1) Returnees receive pre-departure support, 2) Returnees are linked with a service partner to receive post-arrival support/receive immediate support, and 3) Reintegration plan is approved and implemented with support of the service partner. The aim is to provide support for dignified, humane, and sustainable return and reintegration. ERRIN also supports cooperation between migration authorities, and contributes by investing in knowledge to improve understanding of return and reintegration dynamics.

### RRR Programming Rating against the Study's Definition of Sustainable Reintegration

**Table 4** provides an overview of how the six selected programmes link to the study's definition of sustainable reintegration and their ability to contribute thereto. Each programme has been provided with a colour or traffic light rating based on three key sets of criteria. These are:

1. **Sectoral coverage**
  - a. Economic interventions
  - b. Social interventions
  - c. Psychosocial interventions
  - d. Political and civic incorporation
2. **Inclusion of cross-cutting factors**
  - a. Temporality and Stability
  - b. Safety
  - c. Dignity
  - d. Stability
3. **Measurement of outcomes**
  - a. Expanded capabilities
  - b. Ability to respond to the drivers of irregular migration

**Table 4. Six Case Study RRR Programmes: Alignment with definition of sustainable reintegration?**

RRR Programme (Country)	Relevant Sectoral Criteria	Relevant Cross Cutting Criteria	Outcomes	Rating (Red = does not contribute to definition; Yellow = partially contributes; Green = fully contributes)
EU-IOM Joint initiative (Multiple Countries, including Nigeria, Morocco, Guinea, Egypt, Sudan)	Economic; Social; Psychosocial	Safety; Dignity; Stability	40,307 returnees benefited from reintegration assistance in 8 study countries since 2017.	Yellow
PARI-JEDI (Programme to support return and reintegration of diaspora youth) (Cameroon)	Economic; Social	Safety; Dignity; Stability	Since 2017, 1514 returnees have benefited from the programme.	Yellow
Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration (Malawi)	Economic; Social; Psychosocial	Safety; Dignity; Stability	486 returnees received return assistance and 446 returnees received in-kind reintegration support.	Yellow
South-South Cooperation on Migration (Multiple Countries, including Morocco)	Economic	Dignity	Multiple incubation centres set up in partner countries to assist in the development of returnee business projects.	Yellow

IOM AVRR (all study countries, with the complementary ORION pilot mentoring programme in Guinea, Senegal, and Morocco)	Economic; Social; Psychosocial	Safety; Dignity	40,715 have benefitted from return assistance in the 8 countries of study since 2013. An additional mentoring programme was piloted in Guinea, Senegal, and Morocco in 2018-2020	Yellow - Green/ Green*
ERRIN	Economic; Psychosocial	Safety; Dignity; Stability	In AU Member States represented in this study, 852 beneficiaries since 2016, including under the former ERRIN programme (ERIN).	Yellow

*\*The dual rating highlights how the AVRR+ORION programmes together fully contribute to the definition. ORION is a pilot programme implemented in three countries, it has not been applied to all AVRR programmes. Should donors contribute to making it a permanent feature of AVRR programming, it would result in a full green rating.*

Most of the six case study programmes contribute to the study definition, albeit in partial terms. This is explored for each programme in more depth below.

The **EU-IOM Joint Initiative for Migrant Protection and Reintegration** is operational in seven of the nine countries selected for this study. The unique features of the programme are the additional components beyond individual reintegration assistance. The programme strives to implement community and structural support through community-based initiatives. For example, in Sudan a youth centre was rehabilitated in order to serve as a business training centre for migrant returnees and community members, including women returnees.

Attempts to link reintegration support to existing programmes is a sustainable way of building synergies between local actors. The Joint Initiative aims to promote this approach. The EU-IOM Joint Initiative is one of the major reintegration programmes supported across the continent, and covers both operational elements of returnee protection, reintegration support, community stabilisation and awareness raising, as well as more structural or policy elements on capacity building and data management. Initiatives and specific EU-IOM Joint Initiative programming vary depending on country needs and contexts. Some specific examples include:

- A youth centre in Sudan rehabilitated in order to serve as business training centre for migrant women returnees<sup>117</sup>
- Direct cash assistance to returnees in Cameroon and Sudan
- Capacity building with government and whole of government approach in Cameroon
- Partnership with national health insurance structures in Sudan

<sup>117</sup> IOM (2020) EU-IOM Joint Initiative: Flash Report – Compiled Results for the Sahel and Lake Chad, Horn of Africa, and North Africa

- Vocational training support in nearly all countries of the programme
- Linking health workers to returnees in Nigeria in support of mental health counselling
- Establishing and strengthening state-level coordination structures; Reintegration Committee (RC) and Case Management Expert Team (CMET) in 5 states to support the provision of reintegration assistance in Nigeria
- Under the EU-IOM Joint Initiative, pineapple and cassava processing factories were established in Nigeria to provide means of livelihood to returned migrants and youth in the community. This initiative was successfully implemented in partnership with the government of Edo State and the private sector.

Collective and community-level interventions are burgeoning in countries in which the Joint Initiative operates. In Nigeria, IOM successfully implemented a community-based intervention in Edo State. Launching a pineapple juice processing plant in 2020, that was projected to employ 42 returnees and further benefit 250 community members. The pertinence of this type of intervention is in **the use of existing resources and local knowledge to scale up traditional livelihoods. Leveraging off the existing skills and historical know-how increased the buy-in from beneficiaries and other stakeholders.** Such community interventions add temporality to the programme by creating an initiative that has lasting impact and community-buy in. The programmes lack a political and civil incorporation element, but the majority of returnees interviewed noted their increased ability to cope with the drivers of migration. The comprehensively designed programme and the shift to community-based interventions closely matches the study's definition of sustainable reintegration.

Within the EU-IOM Joint Initiative, government actors have engaged in mechanisms dealing with a range of questions, from the design to the implementation of reintegration assistance: Project Steering Committees to discuss and decide on eligibility criteria along with issues pertaining to implementation; Technical Working Groups for nationalization of the standard operating procedures or, more broadly, discuss synergies and reintegration projects and approaches; Reintegration or Case Management Committees to review and endorse reintegration plans and projects, contribute to referrals, and, where relevant, be involved in the design, support, follow-up and monitoring of community-based reintegration projects, etc.

These forms of inclusion can contribute to the development of national migration policies and the improvement of technical skills to collect, store and analyse data for monitoring and evaluation purposes; however, administrative, bureaucratic, and practical challenges often slow down reintegration planning, although innovative approaches such as cash based initiatives may serve to mitigate this in the future. For these reasons, the Joint Initiative scores 'yellow', mainly due to the lack of information to determine effectiveness of programmes and capacity building among government actors and the absence of initiatives that increase political or civil incorporation.

**PARI-JEDI** is one of the few State-funded and -run reintegration programmes among the countries of study, and is run by the Ministry of Youth and Civic Education of Cameroon. The programme



provides economic and social support to young Cameroonian returnees in order to foster their inclusion in the country's development plans. The programme does not assist returns, nor does it provide psychosocial support. The economic interventions have benefitted a large number of returnees but the programme lacked financial and material resources to directly support returnee projects after the training period, as well as limited capacity among implementing actors to comprehensively monitor and evaluate the programmes impact. The heavy focus on economic reintegration, as opposed to incorporating other dimensions such the psychosocial, political, and civil incorporation paired with the limited capacity among key actors limit the sustainability of the programme.<sup>118</sup> Reforms are needed to ensure longer term support for returnees and the inclusion of other reintegration dimensions either through internal design or the linkage with existing programmes that touch on these areas. These limitations amount to a ranking of 'yellow' on our traffic light system, but the programme can offer important lessons for existing or burgeoning state funded and reintegration programmes.

In Malawi, the **Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration** was an important step in introducing community-based interventions in communities of high return. The programme covered economic, social, and psychosocial dimensions during implementation. The community-based interventions were economic interventions in the form of a goat-rearing scheme in Chikwawa, Mangochi, Mzimba, Nkhonkhotakota, and Nsanje districts and an irrigation project in Salima.<sup>119</sup> A high degree of participation from individuals and community members as well as leadership from government meant that interventions were based on the needs and wants of the communities of return. This explains why the programme was so successful with 91% of beneficiaries - both returnees and community members - satisfied with the interventions.<sup>120</sup> Due to the high satisfaction rate during the three-year pilot period, returnees felt better able to cope with the drivers of migration. Moreover, the integrated approach meant that most dimensions associated with sustainable reintegration were covered. A central feature of the programme was the capacity building of various government actors to take over the programme at the end of the pilot period and the linkages with burgeoning programmes such as the EU co-funded IOM project on Humanitarian Response to Vulnerable and Stranded Migrants in Southern Africa Region: COVID 19.<sup>121</sup>

However, limited government funding and unlikely takeover of the programme by government actors create an implementation gap and uncertainty about the future of these community programmes. Consistent support and capacity building throughout the three-year period contributed to temporality and increased the likelihood of positive reintegration outcomes and government ownership. Moreover, effective monitoring and evaluation reporting allowed for the accurate measurement of impact as well as identification of lessons learned. The lack of political or civil inclusion in programming is the only notable shortfall, therefore the programme ranks as 'yellow' on our traffic light system.

118 MINREX. (2020) *Realisation De L'étude Sur Les Programmes De Retour, De Readmission Et De Reintegration Des Migrants En Afrique*. Summary document of policy and programming shared by MINREX for this study.

119 From Minutes of the Meeting of the TWG of the Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration' (2017-2020) shared by Ministry of Homeland Security

120 Ibid

121 From internal Project Presentation shared by the Ministry of Homeland Security Malawi

The **South-South Cooperation on Migration Programme** is a promising initiative to improve regional migration governance between AU Member States. The Delegate Ministry to the Minister of Foreign Affairs, African Cooperation and Moroccans Residing Abroad, in Charge of Moroccans Residing Abroad (MDCMRE) collaborates with partner ministries in Côte d'Ivoire, Mali and Senegal to design and implement interventions that support the reintegration of migrant returnees.

For example, GIZ and the MDCMRE have launched incubators in Morocco, Mali, Côte d'Ivoire and Senegal to promote the development of entrepreneurial projects created by returnees. The programme is focused on economic interventions, but it is unclear how successful these interventions have been. However, the cross-national component allows for replicable programmes in Morocco and partner countries and for good practices and lessons learned to be derived. This innovative approach is welcomed but the prioritisation of economic interventions is a draw-back for alignment with the study's definition of sustainable reintegration. As a result, the programme ranks as 'yellow' in our traffic light system.

**IOM's AVRR programmes** are the lead return and reintegration programmes in all of the countries of study. Collectively, these programmes, which vary globally, are rooted in an integrated approach that ensures that each individual reintegration package is tailored to the needs of the returnee through a two-tier screening process<sup>122</sup> and that packages are designed to cover the economic, social, and psycho-social dimensions of sustainable reintegration, depending on contextual factors. The approach has evolved in recent years to include innovative and robust monitoring and evaluation tools such as the reintegration sustainability survey (RSS) that allow for the cross-country comparisons of reintegration outcomes and set a model for other implementing partners to align themselves on and a tool that can be used across all reintegration programmes.<sup>123</sup>

Furthermore, recent research by Samuel Hall/University of Sussex (2020) revealed the positive impact of an additional mentoring approach paired with the AVRR programme. The results confirm that, while economic programming is foundational to reintegration, social and psychosocial support are essential to consolidate, sustain and scale reintegration outcomes. The results of the pilot programme, called *Operationalise an Integrated Approach to Reintegration (ORION)* and funded by the Foreign, Commonwealth & Development Office (FCDO), confirm existing opportunities to reinforce AVRR programming globally, with an emphasis on mentoring and multi-dimensional programming. They require, however, additional funding and donor commitment to transition such pilot efforts into mainstream reintegration programming, and make such approaches a permanent feature of AVRR programming.

Finally, the **ERRIN programme, mainly implemented by OFIL and CARITAS** in the countries covered by this study, provides targeted support to returnees at departure, return, and during the reintegration process. Because ERRIN programme beneficiaries are typically fewer in number than those of other programmes, the programme can adopt a more targeted and individual approach, as well as allocate more resources per returnee. While stakeholder feedback from EUD actors as well as implementing partners highlighted the benefits of this value added, the replicability

122 KII. IOM. Nigeria. October 2020

123 Samuel Hall/University of Sussex (2020)

at a larger scale remains to be questioned. Under ERRIN, RIAT, an EU tool that simplifies and standardises information exchange around pre-departure, post-arrival, and reintegration programming has been supported during its development and was launched in Ukraine and Iraq in November 2020, and will be deployed in other ERRIN programme countries in 2021. While the tool is still being tested, it may provide an opportunity to address questions of harmonisation, coordination, and data sharing across ERRIN implementing partners.

### Success Factors for Sustainable Reintegration across Six Themes

Ultimately, the above case studies and wider findings from the country briefs highlight the presence of success factors which can determine whether reintegration is effective and sustainable or not, but which themselves can be affected by contextual, policy, and operational elements.

The main success factors are outlined in **Table 5**, as per the key categories outlined in this report. The majority of return and reintegration programmes in the countries of study are heavily focused on economic reintegration. While lack of employment and low economic opportunities are a significant driver of migration, other dimensions such as social and psychosocial support should not be excluded when designing reintegration programming. Recent research from Senegal, Guinea and Morocco shows the added value of social and psychosocial programming to support gains made under economic reintegration programming.<sup>124</sup>

Many return and reintegration programmes in the countries of study also lacked elements to promote civil or political incorporation of returnees. In addition, the majority of programmes lack the structures that can enable government agencies to take over from international organisations as the lead implementer. This becomes essential against the context increasingly focused on ownership of reintegration planning and programming by the country of origin.

Finally, programmes lack harmonised M&E tools across actors or were reluctant to provide data on outputs, limiting the research team's ability to deepen appraisal of different programmes. These limitations on data sharing on the part of all reintegration actors are an impediment to effectively building evidence-based programmes across actors. One solution to this is the implementation of a singular reintegration programme evaluation tool, which sets common standards. Such a tool can be rolled out based on lessons learned and experiences of the existing tools mentioned above.

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124 Samuel Hall/University of Sussex (2020)

Table 5. Summary of Top Success Factors for Sustainable Reintegration by Category

Theme	Success Factor	Example of a Good Practice from Policy or Programming for Implementing the Success Factor	Obstacles/Caveats to Implementing the Success Factors
<b>Coordination and Cooperation</b>	Common Objectives and Harmonised Policy	<b>Nigeria</b> National Migration Policy	Administrative delays; political concerns
	Relationships of trust between stakeholders (inter and intra governmental)	Whole of government approach in <b>Cameroon</b> : includes government and non-government actors in Technical Working Groups focused on return and reintegration under different themes (facilitated under IOM-EU Joint Initiative)	Political contexts and other priorities; foundations of trust between actors/ need for relationship building over time; resource and time constraints
<b>Understanding Return and Readmission's Impact on Reintegration</b>	Pre-Departure Preparation	Pre-departure counselling and training for Sub-Saharan migrants preparing to leave <b>Morocco</b> ; German, Dutch information sharing and pre-departure counselling (all implemented by IOM).  ERRIN programming includes a pre-departure counselling, information sharing and training component which holistically covers reintegration dimensions and links to actors after return.	Pre-departure training and counselling requires resources to be targeted to needs of the individual; information shared must be constantly updates; need for stronger linkages between pre-departure support and reintegration support once returned, including with private sector needs or training linked to relevant market assessments.
	Collective Approaches to Programming	Provision of good value for money. Example in <b>Guinea</b> of a banana farm worked on by a group of returnees, which now sustains the whole community (IOM supported programme).	Collective approaches not relevant to all contexts; less relevant to urban business plans. Trust must be present between group beneficiaries; this can be difficult to establish.
<b>Locally-led Planning with Sub-national/Community involvement</b>	Inclusion of Municipal Actors	Municipal actors (mayor) in <b>Guinea</b> provided training space free of charge, and have actively taken an interest in returnees' well-being, enhancing social inclusion (IOM supported programme).	Trust between municipal actors/ implementing agencies needed; requires relationship building in the longer term. Material municipal support dependent on capacity.
	Harmonisation of Reintegration Assessment Indicators	<b>Mediterranean Sustainable Reintegration (MEASURE)</b> project: <i>Setting Standards for an Integrated Approach to Reintegration</i> , establishing harmonised indicators to measure reintegration outcomes	Data collection conditions not always ideal due to resource capacity/constraints
<b>Enhancing Data and M&amp;E for Evidence-Based Planning</b>	Tracking and Learning from Reintegration Outcomes over time	IOM's <b>Reintegration Sustainability Survey (RSS)</b> follows up with returnees in a longitudinal manner, over a period of at least one year.	Data collection conditions not always ideal due to resource capacity/constraints

Theme	Success Factor	Example of a Good Practice from Policy or Programming for Implementing the Success Factor	Obstacles/Caveats to Implementing the Success Factors
<b>Planning for Inclusive Development</b>	Personalised Support/ Individualised Mentoring	In <b>Morocco</b> , CEFA has adapted programming to be flexible, meeting individual returnee needs and capacities based on one on one personalised discussions. A similar approach has been piloted by <b>IOM ORION</b> , complementing its AVRR programme, in <b>Guinea, Senegal, and Morocco</b> , where returnees mentored on an individual level report relatively higher levels of reintegration. OFII programming has also highlighted the benefits of a personalised and individual coaching for the development of business plans.	Requires significant financial and human resources to effectively mentor, accompany, or adapt individual programming and support to each individual returnee.
	Targeted and Incentivised Training	OFII programmes, including under ERRIN, include market assessment and feasibility studies in the development of returnee business plans; in <b>Cameroon</b> employment subsidies for returnees partaking in training.	Resource constraints, requires training to be adapted to different contexts and returnee capacities; requires building stronger relationships with employers
<b>Addressing Sustainability: Financing and Administrative Challenges</b>	Adequate financing	<b>OFII programme, including under ERRIN</b> provides between EUR 3,000 and 5,000/returnee for the development and implementation of a business plan; amounts are flexible depending on the plan's needs. Implementers have noted that lower amounts would have a negative impact on project sustainability	Requires financial resources



# Part C

## Conclusions and Recommendations

### C1. A Common Vision for Sustainable Reintegration in AU Member States

This study concludes on five messages which, if applied across AU member states, would significantly contribute to improving prospects for sustainable reintegration, as defined in this study. These messages set a collective vision and roadmap for the next five years for the AU to take forward.

The five messages are:

#### 1. Increased ownership and capacity development of countries of origin

By adopting **one continental definition of sustainable reintegration**, the AUC can set a **common standard and vision** for all AU Member States. This vision will require the roll-out of functional governance and political commitment for positive and proactive relationships between

- **Countries of destination and countries of origin**, to ensure that demands for ownership by countries of origin are realistic and feasible, adequately supported by capacity development, institutional and financial support, and joint planning. Capacity building should not only be focused on governmental partners but also on civil society organisations in the countries of origin and communities of return.
- **Government and non-government stakeholders at the national level**. This will require collaboration and coordination mechanisms, which meet regularly and provide platforms for streamlined information sharing and coordination. The best coordination mechanisms, based on lessons learned, may include not only government and international actors, but also civil society representatives, donors, and returnees themselves.

#### 2. Increased knowledge on reintegration by countries of origin

To benefit from lessons learned on the above efforts, a **common continental platform for coordination and learning** will need to be set up to extract good practices, success factors and learn from failures for adaptive planning and programming, with the participation of

international, national and local actors. This will be directly linked to the monitoring and evaluation (M&E) systems through which countries of origin would have access to broader learning and increase their knowledge.

Such a continental platform will require **access to reliable and regularly updated migration and return data**, both nationally, transnationally, regionally and on a continent-wide level. This can start by integrating **common reintegration outcomes monitoring indicators under the aegis of the AUC in partnership with the regions from where migrants return** across all reintegration programmes on the continent.

### 3. Proper linkages between reintegration and development programmes

The available evidence points to the fact that the two worlds of reintegration and development programmes remain disconnected. The necessary linkage may happen from the bottom up, through:

- **Locally-led and participatory development processes, inclusive of sub-national actors, civil society organisations, and returnees themselves:** this may take different forms depending on the country, whether that is in the form of a decentralised process, or inclusion of sub-nationalised actors and returnees in top level conversations. Development planning will need to be inclusive of civil society and returnees to ensure that the specific profiles and needs of returnees are accounted for to facilitate their reintegration in society. Guidance will be needed for development actors to know how to plan for this, whether in decentralised policy processes or in local development plans and programmes.
- **Individualised and context-specific programming:** within a same area or community of return, different returnees will showcase different capabilities and relationships. There is no “one size fits all” approach – to be effective and sustainable, reintegration programming can learn from development programmes’ area based approach, to first integrate the context specificities, then go a step further to include the specific needs and skills of returnees in development programmes. This will require a re-conceptualisation of reintegration programming as an area-based approach, and of development programming as an individualised process. Bringing reintegration and development programming together will succeed by twinning individualised and context specific programming.

### 4. Greater engagement with the private sector

While broadly recognised as necessary, there are still many questions around **how to engage with the private sector on sustainable reintegration**. The consensus across the AU Member States included in this study was to favour a structured dialogue, involving the private sector upstream in the programming, and also linking with civil society organisations, where relevant. **Partnerships with the private sector** may take the form of structural public-private partnerships with private sector entities, or agreements with individual private sector employers, which could include subsidies for employment of returnees, as well as inclusion of private sector actors in coordination platforms.



**5. Need for innovative approaches for reintegration programme implementation – how the reintegration services are delivered**

As noted above, individual flexible and tailored programming is a requirement of sustainable reintegration. Among such approaches, good practices show the positive returns of a multi-dimensional approach to reintegration that pays equal attention to the economic, social and psychosocial dimensions. To expand returnees' capabilities and further their inclusion in their return communities or ecosystems, additional support beyond economic programming is needed, to mentor and accompany returnees after return, including through social and psychosocial support. Further examples of such innovation are collective approaches, especially when jointly setting up businesses or (agricultural) cooperatives as well as cash interventions.

To be sustainable, **flexible reintegration programming will require flexible and joint funding**: this involves planning for the end of project cycles and transitions in funding, with an awareness of national budget calendars and development planning, and by joining donor contributions into one reintegration fund rather than separate funding streams, or through alternatives that streamline funding sources and programmes.

## C2. Recommendations

Based on these messages, and drawing from the legal review and fieldwork findings, immediate action points can be taken, followed by specific recommendations to Member States, RECs, and the AUC.

### C2.1 Immediate Action Points

While many recommendations link to long-term planning, and necessitate subsequent actions on the part of Member States, there are three key immediate action points that the AU and partners can undertake in the short term. These are:

1. **Development of learning events and active usage of data collected by the newly opened African Migration Observatory in Morocco as well as the Mali Centre for the Study and Research of Migration** as learning hubs, including inviting Member States and other partners for regular interactive sessions around sub-themes related to RRR, identified based on needs.
2. Support and establish a platform for **formal discussion and experience sharing platforms between RECs**, in particular RECs which share migration routes, such as ECOWAS and AMU/CENSAD, and EAC/IGAD and COMESA/SADC.
3. **Formal adoption of the proposed common definition of reintegration** at the AU level and across Member States.

### C2.2 Recommendations to Member States

Member States have a responsibility to apply ratified conventions and protocols within their countries, and to coordinate and facilitate implementation of programming support. *Individual country recommendations can be found in the Country Briefs.* On a broad level, common recommendations applicable to all Member States can be split into four categories, and are defined in *Table 6*.

Table 6. Recommendations to Member States

MS Recommendation Category	Recommendation
<b>Institution Building</b>	<ol style="list-style-type: none"> <li><b>Expand existing structures to include an RRR mandate, rather than creating new structures:</b> this can address resource issues and build on existing capacity</li> <li><b>Coordinate with the AUC</b> to identify specific areas where knowledge or capacity building is needed; include local actors in capacity building workshops or learning events</li> </ol>
<b>Legal and Policy Coordination and Planning</b>	<ol style="list-style-type: none"> <li><b>Enhance and establish bilateral border cooperation strategies and mechanisms in accordance with applicable regional and continental laws and frameworks</b></li> <li><b>Actively include returnees</b> in national and local development and planning mechanisms</li> <li><b>Work with destination countries and regional organisations to develop – within the realm of legal and practical feasibility, including in the framework of future and/or existing re-admission agreements – pre-return preparation/training for jobs schemes,</b> preferably in partnership with the private sector. The Egypt-Germany Agreement can serve as a model readmission agreement, specifically because it includes a component of providing Egyptian returnees with training for jobs in Germany. This is a provision that could be emulated for all major destination states and states of origin.</li> </ol>
<b>Locally Led Approaches</b>	<ol style="list-style-type: none"> <li><b>Clearly allocate responsibilities between the national government and sub-national entities,</b> as reintegration tends to happen in local communities and at the local government level</li> <li><b>Include civil society and returnees in national and local coordination mechanisms,</b> including in discussions surrounding national policy development</li> <li><b>Build public-private partnerships</b> with relevant actors, including private sector actors in coordination as well as incentives for employers to engage with returnees and reintegration actors</li> <li><b>Work with communities to establish contextually appropriate alternative means of service delivery,</b> including direct cash transfers or collective approaches where relevant</li> </ol>
<b>Data M&amp;E and Learning</b>	<ol style="list-style-type: none"> <li><b>Strengthen national-level M&amp;E and monitoring systems,</b> including looking to regional migration observatories or working to establish national observatories</li> <li><b>Advocate for harmonised and collaborative use of M&amp;E tools</b> across programmes and actors, including with international or non-state led actors</li> </ol>

## C2.3 Recommendations to RECs

Similar to the AUC, **RECs can have an advocacy and coordination role** towards their own Member States. Additionally, RECs can link to each other more actively, to:

1. **Advocate the implementation of humane, rights-based, and safe treatment of intra-African migrants.**
2. **Support Member States on issues such as social protection and social security** to maximise the protection of migrants and contributions to returnees' sustainable reintegration.
3. **Implement training and learning mechanisms, events and platforms *between* RECs:** the African Union Commission (also via the Mali Centre) can serve as a platform for RECs to take a more leading role, and for RECs who share a migration corridor to engage with each other.

## C2.4 Recommendations to the AUC

The **AUC has an advocacy, communications, and coordination** role to play *vis-à-vis* its Member States. Recommendations along this role, elements of which may be included in a continental strategy, include the following:

1. **Facilitate the adoption of a common definition of reintegration applicable across Member States.**
2. **Support Member States in standardising readmission agreements** with an emphasis on the rights of migrants as per relevant ratified international treaties.
3. **Support Member States in extending social security coverage and portability:** The CMW makes provisions for the portability of social security and Morocco has attempted to include it in some of its bilateral agreements with regard to its nationals living abroad. This is a practice that should be adopted by all states more so within the REC agreements. It is even more crucial considering that social security schemes are yet to develop and operate more effectively and broadly in many African countries. The AU can support MS in domesticating the AU protocol on social protection and social security, with the inclusion of returnees.
4. **Develop partnerships with RECs** to promote and identify strategies to accelerate ratification of the AU Free Movement Protocol by Member States
5. **Facilitate experience and information sharing between RECs** on a regular basis, especially between RECS who share migration corridor
6. **Advocate and negotiate with relevant Member States within RECs** to implement humane and safe treatment of intra-African migrants.

7. **Strengthen monitoring of the implementation of the MPFA to identify where gaps lie between policy and practice.** This goes through the effective use of the MPFA M&E Framework that aims at tracking progress in the implementation of policy recommendations at MS and RECs levels.
8. **Advocate for reintegration strategies that adopt area-based or ecosystem approaches, inclusive of communities and local stakeholders,** as recommended by the MPFA. Individually focused interventions will be integrated within such programming.
9. **Examine and plan for the long-term financing of reintegration** with the EU and other partners to address key constraints across all Member States.

# Annex 1

## State of Ratification of Relevant International and Continental Frameworks

Framework	AU Member States Who Have Ratified (study countries in bold)
African Charter on Human and People's Rights	<b>All AU Member States</b> except <b>Morocco</b>
African Union Free Movement of Persons Protocol	Rwanda, Niger, Mali, Sao Tome and Principe <sup>125</sup>
Civil Aviation Convention	<b>All AU Member States</b>
Convention Against Torture	<b>All AU Member States</b> except Tanzania, Zimbabwe, Western Sahara
Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	Algeria, Benin, Burkina Faso, Congo-Brazzaville, <b>Egypt</b> , Ghana, Guinea-Bissau, <b>Guinea</b> , Lesotho, Libya, Madagascar, Mali, Mauritania, <b>Morocco</b> , Mozambique, Niger, <b>Nigeria</b> , Rwanda, Senegal, Uganda
Convention on the Rights of the Child	<b>All AU Member States</b> , with the exceptions of Western Sahara
International Covenant on Civil and Political Rights	Nearly <b>all AU Member States</b> , with the exceptions of Western Sahara and South Sudan
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime	All Countries except Somalia, South Sudan have ratified

125 NBThe Protocol requires 15 ratifications to enter into force; in addition to the ratifications 33 AU Member States have signed (but not ratified) the treaty, including the DRC, Guinea, Malawi, and Sudan.

## Annex 2

# Synthesis of National Laws and Policies for Study Countries

Country	Laws and policies applicable to RRR	Challenges
<b>Cameroon</b>	<ul style="list-style-type: none"> <li>• Law relating to the conditions of entry, stay and exit in Cameroon.</li> <li>• Cameroon-France Agreement, 2010.</li> <li>• Cameroon-Spain Agreement.</li> <li>• Order No. 022 of February 22, 2016 on the creation, organization and functioning of the Technical Platform in charge of labour migration.</li> <li>• Decision N ° 342 of July 30, 2020 sets up a ministerial working group relating to the development of a national policy for the reintegration of returning migrants on the job market in Cameroon.</li> <li>• Decision No. 0367 of July 4, 2018 on the creation, organization and functioning of the interministerial working group in charge of the management of irregular migrants returning to Cameroon.</li> <li>• Decision N ° 013 of February 14, 2017 which establishes the Assistance Program for the return and integration of young people of the diaspora.</li> <li>• Key national implementing agencies: Ministry of External Relations.</li> </ul>	<ul style="list-style-type: none"> <li>• Lack of specific RRR law.</li> <li>• Lack of implementation of existing laws and policies.</li> </ul>
<b>DRC</b>	<ul style="list-style-type: none"> <li>• Ratified most of the relevant international and regional instruments.</li> <li>• Refugee law that provides for the voluntary repatriation of refugees.</li> </ul>	<ul style="list-style-type: none"> <li>• No law on RRR applicable to return of DRC citizens.</li> </ul>



<b>Egypt</b>	<ul style="list-style-type: none"> <li>• Bilateral agreements with Italy and Germany.</li> <li>• Under Germany-Egypt Readmission Agreement, an employment centre established in Egypt trains youth for jobs in Germany.</li> <li>• Policy on repatriation of refugees.</li> <li>• Key national implementing agencies: Egyptian-German Centre for Employment, Migration and Reintegration; The employment Centre.</li> </ul>	<ul style="list-style-type: none"> <li>• No specific law on RRR.</li> <li>• Only returnees from Germany are specially assisted in reintegration.</li> <li>• Disparity in conditions relating to returnees and reintegration in the Readmission agreements.</li> </ul>
<b>Guinea</b>	<ul style="list-style-type: none"> <li>• Ratified most of the relevant international and regional instruments.</li> <li>• Key national implementing agencies: Ministry of Foreign Affairs and Guineans Abroad; Ministry of Territorial Administration and Decentralisation; Ministry of Security and Civil Protection; Ministry of Social Action and Vulnerable People; Ministry of Youth and Youth Employment</li> </ul>	<ul style="list-style-type: none"> <li>• No law on RRR.</li> <li>• No comprehensive law on migration.</li> </ul>
<b>Malawi</b>	<ul style="list-style-type: none"> <li>• Constitution contains a Bill of Rights with CPR, ESCR and peoples' rights.</li> <li>• Domestic Gender Equality Act.</li> <li>• Refugees Act.</li> <li>• Citizenship Act enables one to regain back their Malawian citizenship.</li> <li>• Employment Act makes provision for affirmative action for disadvantaged persons.</li> <li>• Immigration Act.</li> <li>• Disaster Preparedness and Relief Act.</li> <li>• Draft National Migration Policy</li> <li>• Malawi Diaspora Engagement Policy</li> <li>• National Housing Policy</li> <li>• Disaster and Risk Management Policy</li> <li>• Key national implementing agencies: Commissioner for Disaster Preparedness and Relief; National Disaster Preparedness and Relief Committee of Malawi.</li> </ul>	<ul style="list-style-type: none"> <li>• Social rights are non-justiciable.</li> <li>• Lack of or poor implementation of existing laws.</li> <li>• No law on RRR.</li> <li>• No standardised and consistent approach to RRR.</li> <li>• Limited reintegration assistance available to few returnees.</li> <li>• Poor monitoring of reintegration of returnees.</li> <li>• Key policies lack legal enforceability.</li> </ul>

<b>Mauritius</b>	<ul style="list-style-type: none"> <li>• Constitution contains a Bill of Rights.</li> <li>• Law on taxation provides exemptions on income tax, excise duty, various duties on household and personal effects, and property purchases for returned citizens.</li> <li>• Other relevant laws include: Immigration Act as amended, Passport Act and Regulations, Non-Citizens Employment Restriction Act, Civil Status Act, Citizenship Act, Equal Opportunities Act.</li> <li>• Has agreements with countries on labour export.</li> <li>• Mauritius diaspora scheme.</li> </ul> <p>Key national implementing agencies: Prime Minister's office; Mauritian Economic Development Board.</p>
<b>Morocco</b>	<ul style="list-style-type: none"> <li>• Constitution contains a Bill of Rights.</li> <li>• Recognition of civil documents drawn up &amp; issued abroad, e.g. birth, marriage &amp; death certificates.</li> <li>• Extension of ID &amp; driving licenses to nationals abroad and those returning.</li> <li>• Extends the right to be a vote and to be eligible for local, regional and national elections to Moroccans abroad.</li> <li>• Tax exemptions on personal objects and furniture of Moroccans who have carried out gainful activities while abroad and who return permanently to the country.</li> <li>• Portability of social rights of Moroccan retirees returning to the country after having worked professionally abroad.</li> </ul> <p>Key national implementing agencies: Ministry delegated to the Minister of Foreign Affairs, African Cooperation and Moroccans residing abroad; Council of the Moroccan Community Abroad; Hassan II Foundation for Moroccans living abroad.</p>

<b>Nigeria</b>	<ul style="list-style-type: none"> <li>• National Constitution provides for CPR and ESCR.</li> <li>• Law on social security</li> <li>• IDP Bill awaiting to be enacted into law.</li> <li>• Diaspora Commission Act</li> <li>• Act creating the National Commission for Refugees, Migrants and IDPs.</li> <li>• National Immigration Policy (provides for RRR).</li> <li>• National Policy on IDPs.</li> <li>• Key national implementing agencies: National Emergency Management Agency.</li> </ul> <ul style="list-style-type: none"> <li>• Most ESCR are non-justiciable. Social security law does not provide for returnees.</li> <li>• No specific law providing for returned migrants that were in an irregular situation.</li> </ul>
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## Annex 3

# Bilateral Agreements in Selected Member States

Member State	Countries with Bilateral Agreements
Cameroon	Belgium, Equatorial Guinea, France, Spain, Switzerland
Democratic Republic of Congo	France, United Kingdom
Egypt	Germany, Greece, Italy
Guinea	Germany, Spain, Switzerland
Malawi	No formal bilateral agreements <sup>126</sup>
Mauritius	France, Italy
Morocco	France, Italy, Spain
Nigeria	Belgium, France, Italy, the Netherlands
Sudan	Ireland, Italy, Spain, Switzerland, United Kingdom

<sup>126</sup> While Malawi does not have any formal bilateral agreements on readmission specifically, they maintain targeted channels of communication and informal agreements with South Africa on the topic of return of irregular migrants.



# Annex 4

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# Annex 5

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## Country Briefs





Cameroon

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**Country Brief**





# Table of Contents

<b>Acronyms</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
Country Level Methodology	4
<b>1. Legal, Policy, and Governance Context on RRR in Cameroon</b>	<b>5</b>
1.1 Cameroon Legal Frameworks and Provisions for RRR	5
1.1.1 Current State of Legal Frameworks on Return	7
1.1.2 Current State of Legal Frameworks on Readmission	7
1.1.3 Current State of Legal and Policy Frameworks on Reintegration	7
1.2 Implementing Legal and Policy Provisions on RRR in Cameroon	8
<b>2. Definition of Sustainable Reintegration – Key Take-Aways</b>	<b>12</b>
2.1 Defining Reintegration: Study Definition	12
2.2 Defining Reintegration: Stakeholder Perceptions	12
<b>3. RRR Programming in Cameroon: Challenges and Opportunities</b>	<b>16</b>
3.1 Inclusion of Returnees in National Development Planning – Example from the Ministry of Agriculture	16
3.2 Implementing RRR Programmes in Cameroon – Lessons Learned and Good Practices	18
3.2.1 The EU-IOM Joint Initiative	20
3.2.2 ERRIN-OFII Reintegration Programme	24
3.2.3 Programme to support return and reintegration of diaspora youth (PARI-JEDI)	25
3.2.4 Programme for the organisation and reintegration in self-employment of Cameroonian migrants (PARIC)	27
3.3 Structural Challenges to Implementing Sustainable Reintegration Programming	28
3.3.1 Partners and Coordination	28
3.3.2 Monitoring	30
3.3.3 Targets: dimensions and groups	31
3.4 Community Needs and Perceptions of Programming and Policy: Field Insights	32
<b>4. Moving Towards Good Practices and Learning in Cameroon: Success Factors and Challenges</b>	<b>35</b>
<b>5. Conclusion and Recommendations: Moving Towards Effective and Sustainable Reintegration in Cameroon?</b>	<b>37</b>
<b>Annex 1. List of Key Informants and Workshop Participants</b>	<b>39</b>
<b>Annex 2. Selected Bibliography</b>	<b>41</b>

# Acronyms

<b>AU</b>	African Union
<b>AVRR</b>	Assisted Voluntary Return and Reintegration
<b>C2CMMD</b>	AU-EU Continent to Continent Migration and Mobility Dialogue
<b>CMPJ</b>	Centre Multifonctionnel de Promotion des Jeunes
<b>COVID-19</b>	Coronavirus Disease 2019
<b>DGSN</b>	Délégation Général à la Sûreté Nationale
<b>ERRIN</b>	The European Return and Reintegration Network
<b>EU</b>	European Union
<b>FNE</b>	Fonds National de l'Emploi
<b>ICMPD</b>	International Centre for Migration Policy Development
<b>IOM</b>	International Organisation for Migration
<b>KII</b>	Key Informant Interview
<b>MINJEC</b>	Ministry of Youth and Civic Education
<b>MINREX</b>	Ministry of External Relations
<b>MinADER</b>	Ministry of Agriculture and Rural Development
<b>MINEFOP</b>	Ministry of Employment and Professional Training
<b>MoU</b>	Memorandum of Understanding
<b>MPFA</b>	Migration Policy Framework for Africa
<b>OFII</b>	Office Français de l'Immigration et de l'Intégration
<b>RRR</b>	Return, Readmission, Reintegration
<b>TWG</b>	Technical Working Group
<b>PARIC</b>	<i>Programme d'Appui au Retour des Immigrés Camerounais</i>
<b>PARI-JEDI</b>	<i>Programme d'Aide au Retour et à l'Insertion de Jeunes de la Diaspora</i>
<b>PPE</b>	Personal Protective Equipment
<b>SMIC</b>	Solutions aux Migrations Clandestines





# Introduction

This country brief presents the return, readmission, reintegration (RRR) context in Cameroon. The Country Brief is produced under the “Study on Return, Readmission And Reintegration Programmes in Africa,” commissioned by ICMPD to Samuel Hall in the framework of the Continent-to-Continent Migration and Mobility Dialogue (C2CMMD). The study is being implemented on behalf of the African Union Commission (AUC) and is funded by the European Union (EU).

## Key Takeaway 1:

Although progress is being made, national legal and policy frameworks and coordination mechanisms focused on RRR remain minimal; these mainly take the form of government working groups focused on reintegration.

## Key Takeaway 2:

Opportunities for good practices exist, however these remain disconnected across programming. Local approaches to reintegration programming and linkages to development actors need to be further strengthened.

## Key Takeaway 3:

Coordination and M&E remain key difficulties in the creation of sustainable and effective RRR programming; lack of complete data and statistics on returns further challenge effective implementation.

Cameroon is a destination country, transit country, and country of departure, all at once. While migration – and especially return, readmission, and reintegration (RRR) – has not until recently been considered an issue of national priority, interviews highlight that the migration question has gained public visibility in the country since 2017, with the repatriation of a large number irregular migrants who were traveling along the Trans-Saharan corridor to the Mediterranean migration route.

Given the porosity of Cameroon’s borders, it has been difficult to establish specific statistics on return, complicating migration governance at national levels. At an indicative level, 1,671 Cameroonians were assisted to return in 2018 through IOM’s Assisted Voluntary Return and Reintegration (AVRR) programme<sup>1</sup>, mainly from North Africa or Niger, including those detained in Libyan prisons.

Interviews with key stakeholders, returnees, and community members for this study also reveal that many migrants return spontaneously without any formal assistance; numbers for this latter group of unassisted returnees are unavailable and a key gap in knowledge on returns in the country.

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1 IOM (2018) Return and Reintegration Highlights.

## Country Level Methodology

Fieldwork in Cameroon was conducted in August and September 2020. Due to the COVID-19 pandemic, full health precautions were taken during interviews, conducted either via phone or in appropriate socially distanced settings, wearing appropriate personal and protective equipment (PPE). The workshop was held in a conference room in Yaoundé, allowing key stakeholders to meet and discuss the findings of this research in person.

**Table 1. Fieldwork in Cameroon**

Type of Participant	Male	Female	TOTAL
Key Informant	9	1	11
Returnee	2	2	4
Community Member	2	2	4
Workshop Participants	14	2	16
<b>TOTAL</b>	<b>27</b>	<b>7</b>	<b>34</b>

### Box 1. Methodological Challenge: Availability of Programming Data and Limitations on Programme Analysis

Detailed evaluation reports and other internal monitoring documentation from implementing partners beyond beneficiary numbers were not made available to the research team upon request.

Evaluation of programming and identification of good practices and lessons learned is therefore largely dependent on stakeholder perceptions, previous literature (where available), as well as a limited number of returnee interviews.



# 1.

## Legal, Policy, and Governance Context on RRR in Cameroon

### 1.1 Cameroon Legal Frameworks and Provisions for RRR

At the international level, Cameroon is a member of the Euro-African Dialogue on Migration and Development (Rabat Process), where, during the February 2019 Ouagadougou meeting, it was named a key country [*pays référent*] with regard to return and reintegration<sup>2</sup>. Under this role, Cameroon is taking steps to implement the Marrakech Declaration, the Valletta Action Plan, and actions under the revised Migration Policy Framework for Africa (MPFA).

These steps are occurring at the national level, albeit slowly. While legal frameworks serving to manage RRR in Cameroon remain nascent, and **no national policy on migration (nor RRR specifically) has yet been drafted**, efforts are being made to establish and strengthen both overall migration mechanisms, and efforts to support return and reintegration, in line with Cameroon's international obligations.

This has largely taken the form of ministerial decrees, frameworks or working groups with the objective to agree on and implement policy and programming. In addition to these ministerial initiatives, Cameroon also has a number of legislative texts relating to conditions of entry and stay on its territory, although these are less directly relevant when it comes to RRR (Table 2). A growing number of bilateral readmission agreements with destination countries also frames these actions, as described in this chapter.

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2 Euro-African Dialogue on Migration and Development (Rabat Process) Ouagadougou Meeting Report (12th -13th February 2019)

**Table 2. National Legal Frameworks And Agreements Relevant To Rrr In Cameroon**

Name of Law/Legal Framework	Description
Law No. 97/012 (January 1997)	Legislation building on the 1990 law, and further establishing specific entry conditions for non-nationals from border countries, as well as modalities for receiving legal residency. Articles 29 and 30 of the law further detail conditions for exit or expulsion of non-Cameroonian nationals, including requirements for exit visas. Does not refer to return, readmission, or reintegration of Cameroonian nationals.
Agreement between Cameroon and Spain on the management of migratory flows (2008)	Cooperation agreement between Cameroon and Spain establishing cooperation between the two countries for returned Cameroonian nationals, and including a clause on readmission.
Agreement between the Government of the French Republic and the Government of the Republic of Cameroon relating to the concerted management of migratory flows and to Solidarity Development (2010)	Cooperation agreement between Cameroon and France including readmission clause between the two countries for returned Cameroonian nationals. France, through its Office Français de L'Immigration et de l'Intégration (OFII) reciprocally provides some reintegration support for returnees (30-50 returnees supported per year)
Cooperation Agreement between the Swiss Federal Council and the Government of the Republic of Cameroon on migration matters (2014)	Cooperation agreement between Cameroon and Switzerland establishing cooperation between the two countries for returned Cameroonian nationals, and including a clause on readmission.
Decree N°022/CAB/PM (February 2016)	Decree of the Prime Minister's office, the head of government, leading to the creation of a Technical Working Group (Plateforme Technique) in charge of labour migration issues, including potential issues relating to return. No specific provisions on RRR.
Bilateral agreement between the Republic of Cameroon and the Kingdom of Belgium on the management of migratory flows (2016)	Readmission agreement between Cameroon and Belgium establishing cooperation between the two countries for returned Cameroonian nationals and reciprocally.
Decision N° 0367/DIPL/D9 (July 2018)	MINREX decision leading to the creation of a Technical Working Group in charge of the management of returnees who had left as irregular migrants; linked to the EU-IOM Joint Initiative and the Rabat Process.
Decision N°342/DIPL/D9 (July 2020)	Legally establishes the creation of a working group to establish online platform for registering returnees, as well as framing the conditions for drafting a guide on return and support to relevant stakeholders wishing to support reintegration.
Agreement between Cameroon and Equatorial Guinea (2020)	Bilateral agreement with Equatorial Guinea establishing cooperation on border security between the two countries. Includes provisions for the construction of a wall to manage irregular migration towards Equatorial Guinea.

### 1.1.1 Current State of Legal Frameworks on Return

In addition to discussions around the development of a national migration framework, the return of irregular migrants has recently emerged as a key issue for the Cameroonian government. Legal mechanisms explicitly dealing with migration issues – and especially with return, readmission, and reintegration – remain scarce. The Law No. 97/012 of 10 January 1997 governs the movement of nationals and foreigners, referring to conditions of entry, stay and exit in Cameroon. While the Law establishes general conditions of entry and exit for non-Cameroon nationals – including for those seeking asylum in the country – it **does not include provisions relating to return of Cameroonians**.

Legal frameworks focused solely on the return process remain lacking at the national level.

### 1.1.2 Current State of Legal Frameworks on Readmission

Legal and policy frameworks on readmission are minimal, and take the form of cooperation agreements with several European countries to establish a legal framework based largely on bilateral agreements. Cameroon maintains bilateral cooperation agreements on migration with Spain (2008), France (2010)<sup>3</sup>, Switzerland<sup>4</sup> and Belgium (2016). **These cooperation agreements, including readmission clauses, formally enshrine Cameroon's obligation to identify and provide documentation for Cameroonians who have received orders of expulsion or are required to return.**

Additionally, a cooperation agreement with Equatorial Guinea signed in 2020<sup>5</sup> and focused on border security includes provisions on management of irregular migration from Cameroon, including for the construction of a border wall.

Within these agreements, the principle of reciprocity is applicable to citizens of the relevant countries present on Cameroonian soil, as well as to Cameroonians in these countries who are subject to deportation and expulsion in cases of irregular stay in the territory of the other party.

### 1.1.3 Current State of Legal and Policy Frameworks on Reintegration

Initiatives led by the Ministry of External Relations include Decision N°342/DIPL/D9 of 30 July 2020, which sets up an inter-ministerial working group on the development of a national policy for the reintegration of returning migrants into the labour market in Cameroon, as well as Decision No. 0367/DIPL/D9 of 4 July 2018, which details the implementation of the Inter-ministerial Working Group in charge of the management of irregular migrants returning to Cameroon.

The **Cameroonian government is currently working on elaborating a national migration policy**. While this is still being drafted and inclusion of sections pertaining to RRR have been discussed,

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3 <https://www.gisti.org/spip.php?article2019>

4 [https://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=fr&p\\_isn=97782&p\\_count=6&p\\_classification=17](https://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=fr&p_isn=97782&p_count=6&p_classification=17)

5 VoA (2020). "Cameroon, Equatorial Guinea Agree to Demarcate Border after skirmishes" June 09, 2020

there remains a lack of legal mechanisms that specifically address RRR issues beyond the creation of working groups and other coordination mechanisms.<sup>6</sup>

Formal legal frameworks for reintegration do not appear until 2018, with the creation of the Technical Working Group focusing specifically on the management of returnees who had left irregularly. This was launched in parallel to the start of the EU-IOM Joint Initiative in the country and oversees actions relating to the Initiative, which focuses on the protection and reintegration of irregularly returning migrants in Cameroon – this focuses more specifically on reintegration and is discussed in more detail below.

## 1.2 Implementing Legal and Policy Provisions on RRR in Cameroon

There does not exist a singular migration policy in Cameroon at governmental level. However, government decrees for managing RRR (or migration more broadly) have largely focused on the creation of coordination mechanisms in the form of Technical Working Groups. **Two of these were highlighted by key stakeholders as being directly and explicitly relevant to RRR:**

- The 2018 ministerial Technical Working Group (2018 TWG) linked to reintegration activities and formed in partnership with IOM under the EU-IOM Joint Initiative
- The July 2020 Technical Working Group to **elaborate and establish a national policy of reintegration of returnees** in the Cameroonian workforce.

These two technical working groups have separate objectives, but are linked in various ways.

The first of these, **the 2018 TWG** (*Decision N° 0367/DIPL/D9*), aims to:

1. **Oversee EU-IOM Joint Initiative activities** for the protection and reintegration of irregular migrants returning to Cameroon
2. **Identify sustainable solutions** to manage return, and provide a **platform for information exchange** for government actors
3. **Propose implementation strategies** for the 2018-2020 action plan of the Rabat Process on migration and development.

Thirteen ministries or government actors are formally a part of this working group; non-governmental actors are not represented in the group<sup>7</sup>. Discussion of the impact and practical results of this working group highlighted both positive outcomes and key challenges.

<sup>6</sup> Summary document on RRR shared by MINREX (2020)

<sup>7</sup> See stakeholder mapping in the next section for detail on relevant actors;

In terms of **tangible TWG outcomes**, stakeholders noted the effective *mise en place* of a governmentally implemented mechanism for identifying and greeting returnees at the airport, greater efforts to increase knowledge on the consequences of irregular migration, and the implementation of mental and physical health support mechanisms, including with non-government partners.<sup>8</sup> IOM further highlights the working group as a best practice for a **whole of government approach to reintegration**, and has noted the following positive outcomes of the group:

- Provision of 15 counsellors to IOM by MINJEC (Ministère Jeunesse et Éducation Civique)
- Mapping of projects and potential areas for partnership by MINJEC and the FNE (Fonds National de l'Emploi)
- Validation of returnee projects by the Working Group

According to IOM, these activities have resulted in improved socio-economic and job counselling for migrants, direct support of economic reintegration projects, and the establishment of a referral mechanism to improve psychosocial support.<sup>9</sup> These outcomes are explored further in the report in the section on the EU-IOM Joint Initiative below.

The 2020 TWG established by ministerial decree (and focused explicitly on reintegration) is not linked to an existing international initiative or programme, but instead seeks to establish a national policy on reintegration<sup>10</sup>, with a focus on reintegration of Cameroonian returnees in existing labour markets. Specifically, there are four key objectives of the group, namely to:

1. **Elaborate a clear and effective information strategy on return and reintegration:** an online platform, which will register returnees and potential returnees, and allow for the creation of a database on returns and tailoring reintegration programming to needs
2. **Formalise a government strategy** for institutional reintegration support for returnees
3. **Define the content and structure for a planned “Repat” guide:** a guide seeking to prepare the returnee for his/her return, including key elements needed for successful reintegration in the Cameroonian context
4. **Provide internal government recommendations** to adapt institutional structures to support reintegration.

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8 Cameroon RRR Workshop Discussion Notes (2020); KII SMIC; KII MINJEC; Summary document on RRR shared by MINREX (2020)

9 IOM (2020) Factsheet: Good Practice #5: Establishing a permanent whole of government dialogue to foster ownership and sustainability of reintegration mechanisms in Cameroon

10 Décision N°342/DIPL/D9



Discussions to address these objectives began in August 2020, with an initial deadline of three months to deliver results along the four key objectives – this timeline was however extended. Although implementation was set to begin in January 2021, at the time of writing, there was no indication this has begun. The working group is solely funded and managed by the Government of Cameroon; results and outcomes of group activities have yet to be shared at the time of writing.

A wide variety of governmental actors are officially or formally involved in supporting RRR in Cameroon; inclusion of external actors remains limited however (Table 3).

**Table 3. Stakeholder Mapping: Key Actors Involved in RRR Working Groups or Programmes**

Type of Actor	Name of Actor	Role
Government	Ministry of external relations for Cameroon (MINREX)	Lead coordination actor and focal point for all issues related to migration, including RRR
	Ministry of Territorial Administration	Works closely with MINREX to handle logistics of mobility and return of Cameroon nationals
	Ministry of the Economy	No specific RRR focused programming. Member of both Reintegration Working Group.
	Ministry of Finance	No specific RRR focused programming. Member of the Reintegration Working Group.
	Ministry of Small and Medium Enterprises, and Social Economy and Handicrafts	No specific RRR focused programming. Provides general socioeconomic support open to all Cameroonians, including returnees. Member of the Reintegration Working Group.
	Ministry of Agriculture and rural development	No specific RRR focused programming. Provides general socioeconomic support open to all Cameroonians, including returnees. Member of the Reintegration Working Group.
	Ministry of Livestock, Fisheries and Animal Industries	No specific RRR focused programming. Provides general socioeconomic support open to all Cameroonians, including returnees. Member of the Reintegration Working Group.
	Ministry of Employment and Vocational Training	Implements PARIC programme: socioeconomic reintegration for Cameroonians having studied or lived abroad. Member of the reintegration working group.
	Ministry of Youth and Civic Education (MINJEC)	Supports economic empowerment projects for returnees – implements PARI-JEDI programme. Member of both working groups.
	Ministry of Social Affairs	Supports psychosocial needs of returnees
	Ministry of Public Health	Supports health needs of returnees upon arrival at airport

	Ministry for Women's Empowerment and Family Affairs	No RRR specific programme. Supports specific protection needs of women and children; awareness raising in communities on irregular migration. Part of the Reintegration Working Group.
	General Delegation for National Security (DGSN)	Manages the question of identification of returnees and related security issues
<b>Non-Government</b>	International Organisation for Migration (IOM)	Implements AVRR and IOM-EU Joint Initiative Programming, in cooperation with relevant partners
	Cameroonian Red Cross	Will provide protection support to both migrants and spontaneous returnees along migration routes – implementation to begin in 2021

Key government actors<sup>11</sup> highlighted the difficulties of establishing effective programming and coordination mechanisms, in part due to challenges in establishing effective data mechanisms and subsequent governance frameworks.

In spite of these challenges, coordination on migration (and RRR) issues does exist at national levels, split between the thirteen ministries highlighted in Table 3 (and who have representatives present in each of the two relevant Working Groups described above) as well as IOM, a key partner on the ground.

While other actors – such as destination country embassy partners – do have a role to play in supporting return and reintegration, they are not active members of existing coordination networks at government levels. The French government, for instance, provides a level of reintegration support for returnees from France, but discussions with French officials in Cameroon highlighted the fact that, while official agreements exist with the government on these, this programme effectively operates separately from national discussions and coordination on RRR.

In practice, at the national level, programming – especially programming at the government level outside of partnerships with IOM – remains to be further developed. As described by key actors, coordination and monitoring and evaluation capacities are key challenges to implementing and measuring impactful programming, as discussed in more detail below.

11 Summary document on RRR provided by MINREX (2020); KII MiNADER; KII MINJEC



## 2.

# Definition of Sustainable Reintegration – Key Take-Aways

## 2.1 Defining Reintegration: Study Definition

Inception discussions with key stakeholders involved in the implementation of the present study highlighted the need for an examination and comparison of definitions of sustainable reintegration to establish a baseline definition for the study at the inception phase. This definition is critically re-examined in this section through insights and stakeholder perceptions from the Cameroon research, to establish whether research findings provide any additional insights for defining sustainable reintegration.

With this in mind, and building on past definitions, this section reviews the following working definition of reintegration used for this study and proposes an adjustment based on feedback from the Cameroon fieldwork, notably to replace mentions of incorporation with *inclusion*.

### *WORKING DEFINITION OF REINTEGRATION FOR THIS STUDY*

*“Sustainable reintegration can be achieved when returnees rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.”*

## 2.2 Defining Reintegration: Stakeholder Perceptions

Stakeholders in Cameroon largely agreed with the definition of reintegration proposed by the research team, in particular on the level of suggested dimensions – *economic, social and psychosocial*. Both workshop participants and follow up interviews with key stakeholders highlighted the importance of social dimensions in the sense of political and social incorporation, and psychosocial dimensions as being important to well-being along with the economic dimension. Subsequent key informant interviews also provided levels of nuance and distinction on this, most notably along the following three lines:

- **Sustainable vs. effective reintegration:** While most actors interviewed noted that for reintegration to be effective it had to be sustainable, i.e. consistent in the long term, several actors also noted the global dimension of sustainable reintegration, which has an impact on effective reintegration but is also linked to wider structural issues. One government actor for instance highlighted the importance of cross-border cooperation and the need to establish legal pathways for migration in addition to providing reintegration support.
- **Distinguishing sustainable reintegration from wider life objectives:** An additional element highlighted by some stakeholders was the importance of indistinguishability between returnees and other community members as an indicator of successful reintegration: *“A sustainable reintegration is when [the returnee] has the satisfaction of carrying out activities in his country like all other citizens, without being marginalised [...] when he is indistinguishable to the one who hasn’t left, and capable of taking ownership of himself and his life.”* (KII MINJEC)
- **Subjective perceptions held by the returnee:** Ultimately, stakeholders also noted that sustainable reintegration is based on returnee perceptions of reintegration support and definitions of success after return (explored in section 3 of this report).

The feedback above confirms the need for the definition to capture the ‘what’ – the three dimensions, but also the investment in ensuring the link between return and reintegration and a **capabilities** approach. It also confirms the ‘who’ - beyond the individual returnees, understanding the wider community and society in which their **incorporation** will be key. The only missing component, based on institutional stakeholder feedback is the **global dimension**, however, stakeholders also noted that reintegration happens at the local field level.

Four returnees<sup>12</sup> were consulted to provide their feedback of such a definition as well. For these respondents, definitions of a successful life after reintegration included financial stability, harmonious family life, and the ability to work and make autonomous decisions. These components re-affirm the essential focus on **capabilities**.

For Paul\*, who returned to Cameroon under IOM’s AVRR programme from Niger after attempting to make it to Italy through Libya and Algeria, a successful life is one where worth is created through work: *“With my work, the job I do, I am willing to wake up at any point, I do not have a problem with this. The only thing I can tell my brothers, my sister, is that in life you must work hard. Success for me is work, the ability to have work.”*<sup>13</sup> Paul found employment eventually with his old employer, although it took over a year after his return for this opportunity to be open; in that time, he relied on odd jobs to make a living. Supported by IOM through AVRR, Paul was given EUR 1000 upon arrival to facilitate his return process, but noted that he had received no follow up support, except for a single phone call: *“[There was] someone from the ministry of external relations who called me, he did an interview with me. I asked him why they were calling me and wasting my time. What would the interview bring? After that, they never called me back. I have not received any other support, nothing.”*<sup>14</sup>

12 Names of interviewees, marked with (\*) are pseudonyms to uphold the anonymity of the interviewed individuals

13 SS18 Male Returnee. September 2020

14 ibid.

For Marie\*, the success is equally about reaching financial stability and educational fulfilment, and the freedom that these can provide to go further in life: “[Success is] having money. Because with money you don’t have to think too much, when you have money you can live well, you can have your little car, your land, all of that. With money you can be comfortable, you don’t have to stress too much. People die quickly because they don’t have means, so they have to suffer from thinking too much [ils souffrent beaucoup trop de reflexion]. [And when] someone is successful, this usually starts with school, when you have some education you can be successful. With intelligence you can do anything, without intelligence even if you have money you cannot do anything, you can’t develop yourself. So you need both to succeed.”<sup>15</sup> Marie returned to Cameroon on her own after a few years spent in the Democratic Republic of Congo; she never accessed any programmatic support, and highlights her family support as key to feeling well-settled since her return.

On the other hand, Jacques\*, who, with the support of IOM, returned after a difficult time in Libya, defined a successful life through the lens of familial stability across all dimensions. “For me, success is to have my family, to build a house, to have my little activities [mes petites activités] which allow me to support my family and to live.”<sup>16</sup> Jacques received some longer term enterprise support upon return from IOM – likely through IOM-EU Joint Initiative programming, although he himself is unsure of which programme he benefited from, stating only that support came from IOM. While he qualified the support received as “very good” and the element that allowed him to restart a life, he highlighted that it took a long time for the promised support to set up a shop to be received, and was not received without challenges: “I received some support from IOM. On paper they had said they would give CFA 550 000, but the supplier they sent took CFA 150 000 and gave me CFA 400 000. I had no choice, I told them I wanted to work more in clothing, shoes, but they imposed the supplier on me, he asked me to take on food selling. So that day, to blackmail me, he came with a pick-up of food: bags of rice, canned tomatoes. That’s when I told him that I did not have a place for this. When you come with bags of rice, where am I going to sell this? I wanted to sell shoes, clothes, that is what I asked for, that is what I want to do. But they put me back against the wall and I had to accept. And instead of CFA 550 000 [approx. USD 1000] I received CFA 400 000 [approx. USD 730], this was not enough. I was going to rent a stand in the market and CFA 400 000 was not enough to manage this project.”

Finally, Esther\* returned to Cameroon after spending three years working in Algeria. Returning on her own without support, she highlighted her ability to save and plan for her return as key to a deliberate and relatively smooth return and reintegration, highlighting that her needs upon return were mainly psychosocial: “When I came back from Algeria, I only needed moral support [soutien moral]. To have people near me, to feel the warmth of my family. That’s all I needed.”<sup>17</sup> From her perspective, a successful life after return depends on the individual, but requires a basic foundation of financial stability: “Success is a small word, but there are many things that go with it. Success, everyone thinks of this in their own way [chacun prend ça à sa manière], for me success, how can I define it? When we say to have success, first it is financial stability. Because we cannot live without this. When you are financially stable you can succeed on all levels [...]

15 SSI3 Female Returnee. September 2020

16 SSI

17 SSI5 Female Returnee. September 2020

*But to reach this, we need strength, lots of strength; to have a high level of emotional strength, a developed spirit [un moral très élevé, d'avoir un esprit développé]."*<sup>18</sup> Esther also recognised that her situation was luckier than that of many returnees, and described the financial support received by IOM for other returnees as necessary and valued, underlining the trauma of those returning through humanitarian return channels: *"The majority of those [who returned from Libya and Algeria] were traumatized. Because Libya is not sweet [la Lybie c'est pas du chocolat]. The majority were traumatized and sick, very very sick."*<sup>19</sup>

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18 SSI5 Female Returnee. September 2020

19 *ibid.*



### 3.

## RRR Programming in Cameroon: Challenges and Opportunities

*“A migrant, whether he is a returnee or still abroad, is still first and foremost Cameroonian. He is a Cameroonian who belongs to the community. And he comes back as an individual, no matter his age, no matter his profile, to contribute to his community. And so now, the question we should be asking, is maybe this: how and what are the mechanisms that we can put in place, the strategies that can incite certain people to participate in community life? How do we want him to participate?”*

Male Community Member (Non-Migrant)

Two types of programming or support are available for returnees in Cameroon: the general support services and networks available to all Cameroonian citizens, and a handful of specific programmes targeted at returnees directly and focused largely on reintegration.

### 3.1 Inclusion of Returnees in National Development Planning – Example from the Ministry of Agriculture

While returnees are not explicitly included in wider national development plans and programming, the inclusion of actors such as the Ministry of Agriculture (MoA), the Ministry of Livestock, and the Ministry of Employment in Working Groups focused on reintegration speak to the relevance of programming provided by these actors for returnees, even when not targeted specifically to them.

Key informant interviews with the Ministry of Agriculture highlight a prime example of this: *“the mission of the Ministry of Agriculture is to augment production, to create jobs. We are not specifically targeting returnees. But we are a large ministry that employs around 5% of the population [in Cameroon], so we are thinking of them. We have some projects that can interest returnees, but we don’t have projects for them in particular.”*<sup>20</sup>



This type of programming is available to Cameroonian returnees and non-returnees alike without distinction; further discussions with the MoA noted a willingness to provide returnee specific support under existing programmes, for instance in the form of quotas or more explicit partnership with ministries such as MINREX. Discussion with MoA put forth two potential opportunities for returnees to be better absorbed and represented in existing development programming in future:

- **First**, ministries implementing development programming – for instance MoA’s programmes supporting youth-led agro-businesses – can coordinate more strongly with actors providing direct support to returnees in order to ensure that information about programmes and available resources is effectively shared.
- **Second**, a Memorandum of Understanding (MoU) could be signed between MoA and relevant funders establishing quotas within existing programmes: for instance, “we can sign an MoU that says that if we launch a project, we will reserve a number of spaces (i.e. 100 out of 700) for returnees specifically, and we can receive specific funding for this.”

However, in spite of these existing programmes and possibilities for linking returnees to them more directly, indicative field discussions with non-migrant community members as well as returnees themselves revealed a lack of knowledge regarding the availability of existing development support programmes. As one non-migrant community member in Yaoundé put it: “there are so many initiatives available to the community. But the problem is that usually at our level we don’t know about these; [...] there is no unique location [*guichet unique*] where we can find this. The community member can’t be the one who has to find out the information, the information needs to come to the community.”<sup>21</sup>

Of the small group of returnees spoken to for this study, all of them unanimously confirmed that they did not know of any government support programmes available to them. In discussing strengths and weaknesses of RRR programming, workshop attendees and stakeholders further agreed that there is a **gap in knowledge on the part of returnees** and potential migrants when it came to services available to them.

Another concern when it comes to mainstreaming returnees in existing development programming is the perceived lack of trust in government institutions. While the sample of returnees and community members spoken to for this study is too small to be strictly representative, it remains notable that all of those spoken to described levels of distrust in government support and programming, whether this was perceived on the part of others or themselves. As one returnee described her perception, “the government does not have any consideration for the people, for the lower classes. Especially not for returnees. [...] I haven’t found any role of the government in playing a part in this support.”<sup>22</sup>

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21 SSI1 Male Non-Migrant Community Member. September 2020.

22 SSI5 Female Returnee. September 2020.

This perceived lack of trust on the part of returnees was further clarified by a non-migrant community member: “the problem is the perception that we have of the powers that be in terms of access to services [...] usually we tell you that you need to know someone to benefit from a service. This becomes a problem of governance.”<sup>23</sup>

It is beyond the scope of this study to effectively examine trust between returnees and that government and what impact this may have on RRR programming; however these initial indicative answers suggest that trust and strengthened governance may be an important element in establishing effective support services for returnees.

## 3.2 Implementing RRR Programmes in Cameroon – Lessons Learned and Good Practices

Beyond support programmes available for all Cameroonian nationals regardless of migration status, a small number of specific programmes target support to returnees. These are outlined in **Table 4**.

Table 4. RRR Programmes in Cameroon

Name of Programme or Support Mechanism	Implementing Actor	Funder	Services Provided	Timeline	Target Group	No. of beneficiaries	Programme Focus
AVRR	IOM	IOM Member States	Financial and logistical support to return home; individual in kind reintegration assistance, counselling	2000 - ongoing	Voluntary Returnees	5,346 returnees have received return assistance between 2013-2019	Return
IOM-EU Joint Initiative	IOM/EU	EU	In kind support, direct cash assistance, counselling and health referrals, start-up packages	2016 – ongoing	Voluntary Returnees and communities	4,453 returnees received reintegration assistance since 2017	Reintegration
PARI-JEDI (Programme to support return and reintegration of diaspora youth)	MINJEC (Ministry of Youth and Civic Education)	Government of Cameroon	Start-up packages, support drafting business plans, awareness raising, technical and business training	2017 – ongoing	Youth returnees, including those who were irregular	1 514	Return/ Reintegration
PARIC (Programme for Supporting the return of Cameroonian migrants)	Ministry of Employment and Training	Government of Cameroon	Subsidies for positions, material assistance for participating workplaces (equipment), job placement and networking events	1995 – ongoing	Cameroonians who have studied or worked abroad, including those who were in irregular situations if qualified	1 930	Reintegration
Programme for the organisation and reintegration in self-employment of Cameroonian migrants returned from the other side of the Mediterranean	Ministry of Employment and Training/ National Employment Fund	Government of Cameroon	Financial support for selected returnee micro projects (some communal), awareness raising	2018 – ongoing	Returning Irregular Migrants	55 returnees/27 ongoing returnee projects supported	Reintegration
European Return and Reintegration Network	OFII	ERRIN MS/EU/ Government of France	Financial support for reintegration project, individual business coaching, initial social support, counselling	2017- ongoing	Returning Migrants from ERRIN Partner Countries	30-50 returnees/year on average (only 5 in 2020 due to Covid-19)	Reintegration

Detailed evaluation reports and other monitoring documentation from implementing partners were not made available to the research team, although summary documentation shared by MINREX highlighted outcomes for programmes implemented by the government.

Analysis of these summary outcomes as well as interviews with relevant implementing actors pointed toward **three specific programme case studies of return and reintegration programming** which each highlight an effective practice or lessons learned: the EU-IOM Joint Initiative, the PARI-JEDI programme, and the PARIC programme.

### 3.2.1 The EU-IOM Joint Initiative

The EU-IOM Joint Initiative in Cameroon, which provides reintegration support to voluntary returnees coming back under the wider AVRR programme, includes both capacity building components and direct reintegration support to returnees. Discussions with stakeholders of the EU-IOM Joint Initiative (both donors and implementers) highlighted good practices and challenges along both components.

When it comes to capacity building and working with the government, a **key good practice leading to success has been the integration of government caseworkers** (*“conseillers”*) from MINJEC directly into the IOM offices. Ultimately, the government provided 15 of these caseworkers to IOM. Salaried by the government, the caseworkers were nonetheless integrated directly into the day-to-day structure of IOM, including with physical office space within IOM premises.

This proved to be a good practice on several fronts:

- Allowed for a **two-way exchange of learning**: on the one hand, government caseworkers were introduced to returnees’ needs, reintegration approaches, and the role of the migrant in these approaches. They were also able to build practical skills such as developing SOPs, managing international procurement processes etc. On the other hand, caseworkers brought with them a strong knowledge of local contexts and government actors, allowing IOM to target its programming and build relationships accordingly.
- Proved a **sustainable mode of capacity building**: Originally planned for one year, this integration of MINJEC caseworkers into the IOM structure has been extended, and the MoU continues to be in effect. This highlights key mechanisms for sustainable and ongoing partnerships and resource sharing between the government and institutions such as IOM.
- Allowed for an **innovative approach to expanding resources** which allowed reaching a higher numbers of beneficiaries than anticipated, in spite of funding constraints and lack of flexibility on the donor end (see challenges section below).

When it comes to direct reintegration support to returnees under the EU-IOM Joint Initiative, evaluation of the programme is currently ongoing and analysis of results has not yet been finished. However, discussions with key stakeholders highlighted perceptions of further good practices as well as remaining challenges.

Key good programming practices highlighted by both the IOM and the EU in Yaoundé include:

- **Adaptation of programming based on lessons learned:** the first phase of reintegration assistance under the Joint Initiative included in-kind support for fast tracking of reintegration activities (entrepreneurial, such as opening a business, launching a shop, etc.) within three months. However, this proved unfruitful, in part due to low capacity and knowledge of returnees as well as to delays in receiving in kind assistance. Based on this lesson learned, IOM partnered with the government in the second phase to provide training on identified sectors (agriculture, livestock, food preparation, managing a small business). Government partners provided locations and physical components (chairs, tables) while IOM provided trainers. This partnership proved conducive in facilitating rapid deployment of training, and returnees received training in groups of about 50 people. While initial feedback from this was positive, trainings were unfortunately cut short due to the COVID-19 pandemic, and managing trainings in ways that are appropriately socially distanced has continued to remain a challenge.
- **Direct cash reintegration assistance:** Responding to challenges faced as a consequence of the COVID-19 pandemic, IOM continued to adapt programming, implementing direct cash assistance for returnees as of September 2020. While it remains too early at the time of writing this report to effectively assess the results of this cash reintegration assistance, interviews with stakeholders highlighted that this appears to have positive results and to be a good practice. Direct cash assistance has allowed for more rapid deployment of reintegration assistance, offering a solution to delays caused by procurement processes for in-kind assistance. In addition, IOM stakeholders noted that direct cash assistance provides a greater sense of ownership to the returnee, and initial impressions point to the effectiveness of this practice as long as it is closely monitored and accompanied (Box 1).
- **Implementing psychosocial support:** A final key good practice exhibited by the Joint Initiative stakeholders was the expansion of psychosocial support to returnees. Recognising that mental health was a key need for many returnees upon arrival, IOM has instated psychosocial support in Cameroon in three core ways:
  1. An **in-house IOM “psychosocial support” unit**, headed by a licensed psychiatrist and additionally staffed with two social workers, is the point of contact for returnees with mental health needs.
  2. For returnees requiring more support than the basic counselling provided directly by IOM, an **MoU was signed with a trauma centre** in Yaoundé, which can provide more extensive and specialised psychological support.
  3. Finally, for returnees with severe psychiatric needs (such as schizophrenia or major depression), a **referral mechanism to a hospital** with verified specialist staff is in place.

IOM notes that the implementation of this in-house and external psychosocial support has been positively received by returnees and has been a key success factor in reintegration support.

However, along with these perceived good practices, key challenges remain to implementing successful programming and ensuring that success factors are in place. As highlighted in discussions with IOM and the EU in Yaoundé, these challenges include:

- **Urban preferences of returnees and impact on livelihood opportunities:** Both donor and implementing stakeholders noted that nearly all returnees return to one of the two urban centres of Cameroon (Yaoundé or Douala), regardless of their initial community of origin. This proved to be a challenge on two fronts:
  1. *An impediment to community based reintegration support:* According to stakeholders, the preference for return to the two urban centres proves a challenge to designing or implementing effective community based reintegration programmes. Noting that defining and identifying a single “community” in urban areas was a challenge, IOM stakeholders in Cameroon highlighted that the focus for the moment remains on individual support, although discussions on how to better address community dimensions in urban contexts were ongoing.
  2. *A disconnect between national development planning and returnee preferences:* While stakeholder discussions with government actors, implementing actors, and donors highlight Cameroon’s emphasis and investment in rural development, they also note that, in their experience, returnees themselves express a strong desire to stay in urban areas, despite overcrowding and the consequent limitations on work opportunities, education, and health care amongst other things.

Discussions with actors involved in the Joint Initiative also noted that additional costs related to urban areas (i.e. increased rent, taxes for income generating activities, higher in kind costs...) had not been taken into account under the initiative, making urban projects more challenging

### Box 2. Lesson Learned on Distributing and Monitoring Direct Cash Assistance

While initial perceptions of cash assistance distributed to returnees since September has been positive, stakeholders noted the close monitoring and targeted distribution mechanisms this requires to achieve the greatest impact. IOM has addressed this through a three-step distribution and monitoring process.

Cash distribution is not made as a one-time transfer, but is instead split into tranches contingent on the implementation of a reintegration activity. While the total amount provided to each returnee is CFA 800 000 (approx. USD 1500), this is split and distributed as follows:

1. The returnee appears before a committee jointly comprised of IOM, government, and civil society actors, to which the returnee describes his reintegration project, for validation by the committee.

2. A first tranche of CFA 500 000 (approx. USD 900) is provided to the returnee. Of this initial amount, returnees can use up to CFA 150 000 (approx. USD 275) for immediate needs, which do not require justification. The remaining amount of CFA 350 000 (approx. USD 645) must be used for expenses directly related to the reintegration project or business. This must be verified by receipts, photos of the activity in progress etc.
3. If the justification of expenses spent in the first tranche is satisfactory and aligned with the reintegration project, a second and final tranche of CFA 300 000 (approx. USD 550) is transferred to the returnee for his or her project.

As of January 2020, 400 returnees had benefited from this cash assistance. Discussions with IOM noted that initial observations show anecdotally that for the most part this cash assistance is indeed being used towards reintegration projects in the first tranche. Distributions of second tranche cash had not yet occurred.

Given that implementation of this activity remains recent and unfinished, identifying sustainability and effectiveness beyond initial stakeholder impressions remains a challenge. However, discussions with both IOM and the EU highlighted that, if there is a significant rate of successful projects and business through this assistance, this would be something to implement long term beyond the context of the pandemic.

to support.

- **Unforeseen beneficiary numbers:** The EU-IOM Joint Initiative in Cameroon was initially planned and budgeted to support 850 returnees in total; to date over 4000 have been supported under this programme since 2017. This drastic difference between planned and actual beneficiary numbers suggests that resources are inadequate to the needs and budgets have remained relatively inflexible in the face of these. IOM sought to address some of this through the inclusion of MINJEC social workers within the IOM structure, which was an innovative good practice (see above). However, even with these additional workers, human and financial resources remain disproportionate to the actual number of beneficiaries. This has a negative impact on possibilities to provide individualised support and mentoring, as well as on effective monitoring follow up.
- **Sustainability of programming:** Discussions with donors and implementers noted key concerns around the sustainability of this programming, in particular vis-à-vis the funding structure of the programme and possibilities for tangible evaluation of project sustainability. National resources to continue programming remain scarce in spite of government goodwill, and concerns were raised about what happens once funding for the programme ends. Sustainability of individual projects was also an ongoing question, as both donors and implementers noted that it was too early to see long term results, and that they were waiting on results from ongoing analyses to identify wider success factors and their impact on reintegration.



### 3.2.2 ERRIN-OFII Reintegration Programme

OFII provides individualised support to a small number of returnees every year, including under the ERRIN programme. While the number of cases decreased significantly due to the COVID-19 pandemic in 2020 (only five beneficiaries were registered under ERRIN-OFII in Cameroon in 2020 according to ERRIN staff), these remain small overall, with OFII estimating that 30 to 50 returnees are supported in normal years in Cameroon.

Support takes a three stage approach, including (1) social assistance, including support for housing and medical fees; (2) TVET, including relevant training for returnees identified by the project and salary subsidies, if relevant; and (3) business start-up assistance in the form of individualised business coaching and coverage of professional training fees if needed.

Based on discussions with stakeholders, good practices leading to success factors for reintegration particular to OFII programming include:

- **Higher amounts allocated per individual returnee:** OFII stakeholders note that while specific amounts vary based on returnee profiles and needs, reintegration support amounts can reach up to EUR 3000 per returnee under ERRIN, and up to EUR 6300 under non-ERRIN OFII supported reintegration programming. This is significantly higher than the amounts per returnee allocated by IOM under the EU-IOM Joint Initiative, and allows for a higher degree of flexibility and investment in returnee businesses.
- **Individualised training and business coaching:** OFII works with business experts to provide close coaching and mentoring through all stages of the business development process, including the drafting of a business plan, labour market analysis, earnings and cost forecasting etc. This is provided on an individual and ongoing level for each returnee, and key informants observe that this targeted support has a significant positive impact on success and sustainability of returnee projects. Individualised support also allows for effective and ongoing monitoring of individual projects on a regular basis.
- **Partnerships with national actors:** OFII has partnered with national actors such as the National Employment Fund and the PARI-JEDI programme. However, while these partnerships provide a key linkage to development actors and existing social support services, minimal human and financial resources within the National Employment Fund limit its ability to effectively expand reintegration support in Cameroon.<sup>24</sup>

Discussions with OFII highlighted that overall implementation was effective and the programme was considered sustainable, in part thanks to small beneficiary numbers which allowed for sustained investment and close follow up. However, one **key challenge or area for improvement is partnerships with the private sector:** programming constraints mean that partnerships can only be made with formal enterprises. However, over 80% of work in Cameroon is in the informal sector, posing a key challenge to effective private partnerships.

### 3.2.3 Programme to support return and reintegration of diaspora youth (PARI-JEDI)

Led by MINJEC, and funded by the government, the PARI-JEDI programme has since 2017 sought to support, mobilise, and promote the participation of returning diaspora members to the development of Cameroon, including a focus on youth. The programme has five core objectives:<sup>25</sup>

1. Mobilise Cameroonian diaspora youth around questions of migration and investment in national development
2. Support socio-economic insertion for diaspora youth seeking to return to Cameroon
3. Promote diaspora investment and participation in national development [*construction nationale*]
4. Implement strategies to limit irregular migration of Cameroonian youth
5. Conduct advocacy

Specific activities have included financial support packages to returnees, immediate return greeting and support upon arrival at the airport, technical support for developing and implementing business plans, and training of community mediators to raise awareness on irregular migration. The programme has also partnered with the IOM-EU Joint Initiative to ensure that PARI-JEDI beneficiaries are also eligible for support for entrepreneurship activities.

According to summary documentation provided by MINREX, specific outcomes of the programme since 2017 include the following:

- Overall, 1,514 youth have signed up to the programme
- 36 young returnees in situations of precarity have received financial and technical support to create and draft business plans
- 370 community mediators trained to raise awareness on prevention of irregular migration
- 225,000 people have attended an awareness raising event on migration implemented under the programme
- 1,300 returnee entrepreneurship projects have been launched, in partnership with the IOM-EU Joint Initiative. *The summary document notes that these business activities significantly slowed in 2020 due to the COVID-19 pandemic.*

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25 Objectives taken from parijedi.org, and confirmed in follow up discussions with stakeholders.

- 12 projects initiated by Cameroonian young returnees have directly benefitted from PARI-JEDI technical and institutional support
- 526 returnees have received technical and business training in the sectors of agriculture, livestock, and hospitality (with a focus on restaurants). This was done within local multifunctional youth centres (CMPJ).

Summary documentation shared by MINREX however also flags several challenges to the programme, including limited financial and material resources to directly support returnee projects after the training period, as well as weak or limited human resources and coordination between actors necessary in order to have more comprehensive monitoring and impact of the project.<sup>26</sup>

A key informant interviewee from MINJEC further emphasised the mediator nature of the programme, highlighting that although resource and capacity constraints limit the level of direct support it is possible to provide, “the core of the programme, our role is to accompany [*d’accompagner*]. We have a better understanding of what is possible, and we can make referrals. If our programme does not allow us to support [the returnee], we can refer him to structures that can support him.”<sup>27</sup>

One **good practice** highlighted by PARI-JEDI implementers is **the linkages the programme has made with civil society organisations**, including migrant and returnee organisations such as the *Solution Aux Migrations Clandestines* (SMIC) group, as well as working and mediating directly with families and community actors (including the 370 community mentors trained in awareness raising). Further discussions with SMIC representatives supported this, noting that “civil society organisations play a technical role in accompanying returnees. We can provide technical support in how to build projects, to develop business plans for returnees.”<sup>28</sup>

Another representative of the same organisation further highlighted the value that partnering with local CSOs provides, not only in terms of implementation but also in terms of programming, given the strength of their relationships with returnees on the ground: “The question of monitoring [is key]. If this stays at the level of an institutional mechanism, or is outsourced to a firm, these are small contracts that will not do proper monitoring and follow-up, they cannot do this monitoring correctly. We have to let civil society actors take action there.”<sup>29</sup> Previous research on communities of return and reintegration in Cameroon further highlights the **importance of including local civil society organisations and community actors** more broadly: returnees have shown that they trust community organisations and actors more than non-migrant community members do.<sup>30</sup> This is likely due to the fact that, in Cameroon, returnees have been shown to frequent community associations and groups more often, and in the absence of a structured or adequate administrative support local structures can provide informal or organic networks of

26 MINREX. (2020) Realisation De L’étude Sur Les Programmes De Retour, De Readmission Et De Reintegration Des Migrants En Afrique. Summary document of policy and programming shared by MINREX for this study.

27 KII MINJEC. October 2020

28 KII SMIC 2. December 2020

29 KII SMIC 1. October 2020

30 IOM/SH (2018). Cartographie et Profil Socio-économique de retour au Cameroun

support.<sup>31</sup> Given this, the steps taken by the PARI-JEDI programme to work more directly with civil society organisations is a first step towards good practice, although this can be further improved and expanded to include both formal and informal community structures.

### 3.2.4 Programme for the organisation and reintegration in self-employment of Cameroonian migrants (PARIC)

Led and implemented by the Ministry of Employment and Professional Training (MINEFOP) and the National Employment Fund (FNE), and supported by GIZ, the PARIC programme seeks to facilitate the return and reintegration specifically of Cameroonian nationals who have studied or worked abroad (mainly in France and Germany). The programme has a particular focus on skills identification and reinforcement, seeking to place qualified and skilled diaspora members in relevant and targeted sectors or positions upon return. According to summary documentation shared by MINREX, the programme has achieved the following targets:

- 1103 returnees have received counselling and information on employment possibilities
- 1930 returnees have had the opportunity to visit formal businesses and meet with business owners
- 91 workplaces have received additional equipment after hiring returnees as part of the programme
- 138 position salaries have been subsidised
- 404 employment offers have been extended

However, the same documentation highlights that a lack of overall enthusiasm for the project as well as limited financial resources to follow up on long term reintegration outcomes have limited the programme's impact. Government actors note the need to increase awareness of the existence of the programme and its activities, to identify alternative sources of funding, and to improve human resource capacity when it comes to implementing the programme.

A study recently published by the ILO further highlights both the opportunities that the PARIC programme offers as well as the challenges. On the one hand, when it comes to the formal employment sector, a gap in highly skilled actors at the national level means that certain sectors (especially petrol, mining, and technology) employ qualified non-Cameroonian labour from elsewhere; on the other hand, the PARIC programme serves in part to readjust this imbalance, for example, through the reinsertion of qualified Cameroonian diaspora returning from Germany, specifically in the construction, agricultural, and ITC sectors.<sup>32</sup> However, the report also flags that "the high cost of the services [of returnees] does not allow small and medium enterprises to

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<sup>31</sup> *ibid.*

<sup>32</sup> ILO (2020) Potentiel de partenariats pour les compétences et la migration au Cameroun

employ them, even as [...] small and medium enterprises represent 99.2% of enterprises in the formal sector in Cameroon.”<sup>33</sup>

Beyond the exclusion of formal small and medium enterprises, this also excludes opportunities within the informal sector by definition, even though the informal sector accounts for approximately 90% of the workforce in Cameroon.<sup>34</sup> The constraints of working only with formal sector employees to employ returnees were also highlighted in a key informant interview with OFII, who noted that while they are open to working with more private sector employers in their reintegration support programming, they are limited to formal actors, precluding partnerships with the majority of employers, especially smaller business owners, who may be interested in working with returnees.<sup>35</sup>

This presents a **key lesson learned for (re)integration of returnees into the labour market and inclusion of the informal sector**. While subsidization of certain positions through the PARIC programme and a network allows some high or medium skilled returnees (from certain countries), the legal and policy constraints structuring these programmes – i.e. working only with formal employers, and mainly large ones, in a context where informal work has the largest share of the labour market – narrows opportunities. Returnees already face difficulties in finding formal employment; as a result of training that is not always suited to proposed employment, combined with salaries that are far below what they were earning while abroad, most returnees turn to informal, often self-employed, work by default upon return.<sup>36</sup> This is true even for returnees who may exhibit higher skillsets. While the PARIC presents a good first step, expanding and rethinking a programmatic approach that allows for smaller scale entrepreneurial support or job placement, including a willingness to work with informal small business owners, is a key best practice to build on.

## 3.3 Structural Challenges to Implementing Sustainable Reintegration Programming

While the two case study programmes above highlight paths forward for improving future programming design, interviews with key stakeholders as well as analysis of previous literature highlight more structural challenges to be addressed on a wider level for programming to effectively support sustainable reintegration in tangible ways.

### 3.3.1 Partners and Coordination

Broadly, stakeholders noted **challenges relating to weaknesses in coordination** that rendered the possibility of linking different programmes difficult, due to the multiplicity of actors, and the fact that each programme implementer remains in charge of his own outputs, with no pressure or mechanisms obligating collaboration or cooperation between entities. This dysfunction

<sup>33</sup> *ibid.*

<sup>34</sup> World Bank (2012) Cameroon Economic Update

<sup>35</sup> KII OFII Cameroon/DRC. October 2020

<sup>36</sup> ILO (2020)

between actors, noted a government workshop participant, is “a significant obstacle to effective communication and a stain on possible results.” This is also a key issue which emerges from previous studies, which already flagged confusion on the part of stakeholders on ‘who is doing what’ and recommended formal monitoring and evaluation of coordination structures in order to identify weaknesses and improve awareness and communication to partners.<sup>37</sup>

KIIs conducted for this study further highlighted these coordination issues, both within government and for non-governmental actors. “We cannot align ourselves with coordination structures – but I do not have the impression for the moment that there is something happening at higher [government] levels. There is a lack there, we would need a stronger structure, to understand how to better support the government in its migration policy.”<sup>38</sup>

This absence of a singular national migration policy (in spite of several TWGs) is seen as a key reason for weak coordination, as another government key stakeholder describes: “The absence of a national migration management policy is the true challenge. We need a platform that defines the different tasks of the different actors who are involved, and so that we know what their real responsibilities are in RRR programming, because [managing] migration is a vast programme.”<sup>39</sup>

### Box 3. The Impact of Coordination on Return and Reintegration Outcomes: A Story

One government actor described in detail the impact that a lack of migration policy and effective coordination mechanisms has had, while also highlighting wider structural good practices which could be further taken forward:

“We have just had a failure in coordination in the management of Cameroonians who were returned from the Maghreb, and this was due precisely to the lack of national migration policy. We have seen a first failure here [...] because we were not ready to manage this social emergency [urgence sociale]. Or, this was not a failure, but a lesson learned for us to educate and grow awareness on our end so that we can be better prepared on the questions of migration. The financing from donors was limited when it came to managing an unexpected influx of returnees. While I thank the European Union and IOM for their efforts, Cameroon should be better prepared to manage unexpected situations. Most recently we have had people deported from Equatorial Guinea, Gabon, and Kuwait, we need to be better prepared to handle this.

On the other hand, it is true that Cameroon handled the situation of women who were stuck in Qatar well – they sent a delegation but also opened up a diplomatic channel to directly address the problems of Cameroonian migrants there.”<sup>40</sup> On a structural top level, increasing diplomatic channels and coordination both internally and internationally can more robustly ensure a smooth return and ensuing reintegration process.

37 IOM/Samuel Hall (2018)

38 KII Ministry of Agriculture. September 2020

39 KII FNE. December 2020

40 KII Government Actor. December 2020

Civil society and non-governmental actors also highlighted this need for a strengthened and unified coordination mechanism on the ground, one which allows the government to lead while strengthening and highlighting the role of civil society actors: “let us have a coordination framework if we can’t have a policy yet, since the policy we do not know when it will arrive – and from my point of view of civil society, I think that we have not invested enough in this process [...] the role of government should be more on coordination. If we could already have this coordination and some financial support, that would be what the government would do best. I don’t see the government conducting monitoring, follow ups etc. And it’s complicated in terms of the confidence of migrants in their government – I don’t see how even in an ideal world this could work.”<sup>41</sup>

### 3.3.2 Monitoring

Monitoring and evaluation remains a key challenge, both on the programmatic levels and at wider structural and coordination levels.

Previous research confirms that **RRR monitoring and evaluation mechanisms remain weak and sometimes altogether absent, especially when it comes to local and community programming, and measurement of impact beyond beneficiary numbers and outputs is often non-existent.**<sup>42</sup>

Monitoring documentation and evaluation reports, where they do exist, are kept internal and not shared, making it difficult to independently evaluate the effectiveness of M&E mechanisms; with the exception of a summary report shared by MINREX highlighting beneficiary numbers and basic project outputs and challenges, specific and separate evaluation and monitoring documentation from implementing partners were not made available to the research team for this study. One KII cited data confidentiality reasons for not being able to share internal documentation beyond beneficiary numbers.

The challenge of M&E is not only programmatic but also institutional. One of the biggest challenges highlighted by key government stakeholders during workshop discussions, as well as in subsequent key informant interviews, is the need for institutional mechanisms and shared data, which can allow for regular, consistent, and standardised evaluation of all programmes.

The question of who implements this evaluation and regular monitoring has also not been clarified, and this has had an impact on existing programming already. While government actors noted the need for institutional evaluation mechanisms, civil society key informants highlighted the added value they could provide on M&E beyond this, and the advantage held by virtue of their proximity to relevant populations and their ability to build relationships in communities: “the question of capacities is missing – I’ve seen programmes be unsuccessful because they did not have enough staff to do follow ups. If it stays within government institutions, or with external consultants, these efforts remain on a limited scale. You have to allow civil society to take the

41 KII SMIC. September 2020

42 IOM/Samuel Hall (2018)



lead here.”<sup>43</sup> However, resources remain a key constraint, and good practices for inclusion of civil society actors remains a key question.

Beyond the necessity of establishing standardized and effective mechanisms for M&E – and including those actors with the highest capacity to implement these –, the ability to evaluate programmes and impact effectively is hindered by gaps in coordination on available data and minimal statistics in general on return in Cameroon. As one ministerial actor described it: “data collection is very difficult – we can only have information about the migrants who choose to come to us. But the statistics on entry flows, exits, these are other ministries that do this. This is why it’s important to have a national observatory, and in other countries also.”<sup>44</sup> Workshop participants similarly highlighted the implementation of the national observatory on migration in order to have a centralised and growing database on migration, including on returns, to inform programming (Box 3).

### 3.3.3 Targets: dimensions and groups

Beyond key institutional and structural challenges, which affect programming overall, **different programmes also target different types of returnees**. While IOM focuses specifically on supporting voluntary and humanitarian returnees, other programmes are largely available to both forced and voluntary returnees, even as some programmes focus only on returns from specific countries. Those who return spontaneously often do not benefit from any programme at all, and returnees are represented within a wide demographic.

While an in-depth and rigorous analysis of the impact of **modes of return** on reintegration outcomes is beyond the scope of this study, interviews with key informant stakeholders, community members, and returnees themselves indicate the importance that the mode of return may have on possibilities for effective and sustainable reintegration outcomes, and of the challenges faced by those who had less time to adequately prepare for their return.

Several community members in areas of high return observed two categories of returnees and the different reintegration experiences they faced: on the one hand, there were those who returned in a way that was planned, because they had accomplished their migration objective or otherwise had time to prepare adequately (including financially and psychologically) for return. This category of returnees was perceived within the context of our case study interviews to be a ‘saving’ presence (“*salvateur*”<sup>45</sup>) because they chose to return in spite of their success, thus highlighting positive opportunities back home. But those who return “on their own accord”<sup>46</sup> are defined by regret in the observation of community members: “they regret the waste of these years of their lives, the fact that they have to start everything again, to restart their social reinsertion. [...] Returnees are treated in one of two ways: either they are gold, either they are

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43 *ibid.*

44 KII MINJEC. October 2020

45 SSI2 Female Community Member. September 2020.

46 *ibid*

waste.”<sup>47</sup> These last face relatively greater challenges and difficulties being accepted and finding success, according to returnees and community members spoken to for this study.

However, while **the mode of return may have an effect on a returnee’s position in their community, and on their capacity to respond effectively and sustainably to reintegration support**, programme implementers rarely distinguish or adapt programming based on individual experiences and needs, in part because this type of case management would require extensive (and unavailable) capacity and resources. Instead, as one government actor described, programming is provided equally to all qualifying beneficiaries, in order to avoid discrimination or favouritism towards one or another category of return: “Beneficiaries of our projects, we treat them all in the same manner, no matter how they returned. What is important is to know what he wants, to prepare an individualised reintegration plan within which we can implicate other partners. We are dependent not only on governmental structures who focus on economic insertion [...] Whether returns are forced, voluntary, all of this, when we have a returnee we treat him the same. We do. Not discriminate based on these modalities.”<sup>48</sup>

**Spontaneous returnees in case study interviews did not receive any forms of assistance** except from family members; however they also described having had more time to effectively prepare their return, and generally have had relatively easier and more stable reintegration processes. Beyond assessing programming, discussions with spontaneous or non-assisted returnees reinforce the positive effect when returnees are able to prepare and make their return decisions on their own time. More research is needed in order to establish the relevance and consistency of this finding and the reintegration process of unsupported returnees.

Beyond the potential impact of modes of return on reintegration outcomes within programming, returnee profiles – and perceptions of returnees by community members – also differ, highlighting the importance of individual needs, profiles, and capacities in building effective programming.

## 3.4 Community Needs and Perceptions of Programming and Policy: Field Insights

The research team interviewed four returnees and four non-migrant community members in Yaoundé (split evenly between men and women) to complement this study. While findings from this sample are too small to be representative, they **nonetheless provide indicative insights into dynamics on the ground and potential gaps between policy, programming, and the lived return experience, which may support improved effective and sustainable support mechanisms.**

While interviewees noted that many returning migrants are young men, KIs and interviews with community members also noted an increased phenomenon of female migration (**Box 3**), as well as particular vulnerabilities for older returnees.

Migrants return from a variety of destinations, including from the region (in particular Equatorial Guinea, Gabon, Nigeria, or the Democratic Republic of Congo (DRC)) as well as from North Africa, including those stranded in Algeria, Tunisia, or Libya while seeking to reach Europe, and **the experiences they encounter on their journey and within their specific destinations shape how they view their access to successful reintegration pathways**. Insights from these community and returnee interviews are relevant to thinking about new ways to design and implement effective and sustainable RRR programming and policy.

In addition to highlighting returnee stories and definitions of successful life after reintegration, additional interviews with community members provide key insights into dynamics of return and reintegration, highlighting factors that impact reintegration beyond specific programming.

- **Key Insight 1 - Importance of family in supporting return:** Families were frequently highlighted by returnees spoken to for this study as key, and often only, sources of support. As one returnee described, echoing a sentiment common across all four interviews: “I think their support has blessed me well because I am comfortable, I have no problem. And without the family, the man is nothing anyway. I’m comfortable because I get along well with them, that’s just it.”<sup>49</sup> At the same time, especially for male returnees who face higher pressure to provide for their families, this **family support can also be a source of stress**; one male returnee described his inability to feed his family as a key source of shame, and something that if accomplished could define his successful reintegration.
- **Key Insight 2 - Priority Needs for Returnees and Community Members:** Both community and returnee needs are multi-dimensional, but centred on a fundamental desire for employment and sustainable sources of livelihood. Beyond **employment and financial stability, returnees also highlight health (especially for women, as described in Box 3) and access to shelter and land as key priorities** – building and owning one’s home was identified by several returnees as the ultimate symbol of having successfully reintegrated into the community. Psychosocial stability is recognized as a necessary element for achieving these needs: “To achieve this goal we need strength, a lot of strength. And to have a very high morale and a developed mind.”<sup>50</sup> Community members further note the community impact of difficulty accessing jobs, even for educated people: “We were told that it was the way of school that guaranteed a job, now when you get to a level where you went to school, you did what you had to do and now we find ourselves without a job, we enter into desolation and that rather pushes people to leave.”<sup>51</sup>
- **Key Insight 3 - Perceived lack of support for returnees:** All four returnees spoken to for the field case study highlighted the fact that they had either received no support at all, or only, in the case of one AVRRI beneficiary, support from IOM: “My first priority is only the IOM. Other than that, there is nothing more. It’s only the IOM really that is my special priority. Other than that, I received nothing, really nothing.”<sup>52</sup> And this IOM support was later flagged

49 SSI3 Female Returnee. September 2020

50 SSI5 Female Returnee. September 2020

51 SSI1 Male Non- Migrant Community Member. September 2020

52 SSI8 Male Returnee. September 2020

as inadequate to returnee needs by the beneficiary. As discussed in the previous chapter, knowledge of existing support systems is therefore lacking; one result of this is that, even as they struggle, returnees displayed an increased sense of autonomy and maturity, with returnees balancing the lack of support with assertions of being able to take their own decisions and take care of themselves as well as possible.

- **Key Insight 4 - Community perceptions of returnees – role of returnees in community:** For those returnees who have not succeeded in their migration objectives, or who are coming back after significant amounts of time spent abroad, many feel disconnected and removed from their communities, finding community and social integration difficult. One non-migrant described what happened when her sister returned from a failed migration after a few years abroad: “That we expected a social rise from them, we expected them to have an easier life than before but when they come back and this is not the case, what follows generally they are intrigues, so it was very difficult to integrate socially, especially for my big sister. Already she has acquired habits that were no longer those of here, already the accent, she kept the Turkish accent so that in society, people perceive her as someone who is not with us.”<sup>53</sup>

However, in spite of a wariness between returnees and community members, interviewees also highlighted feeling welcomed in some circles, and the benefits that returnees bring to the community, especially when it comes to awareness raising and impact on migration dynamics. Ultimately, community members noted the difficulty of homogenous categorisation of returnee acceptance and community perceptions, noting the importance of individual dynamics and specificities: It would be very difficult to make a list of fixed perceptions. It varies with individual experiences, it varies with the profile of the sender and the receiver.”<sup>54</sup>

- **Key Insight 5 - Perceptions on (re)migration:** As with social reintegration, returnees and non-migrants alike show mixed emotions around remigration. On the one hand, some returnees note the difficulty of the experiences they had while abroad, affirming that they would not want to repeat this, even if life at home is challenging. On the other hand, other returnees note the challenges they continue to face upon return, and the ways this may oblige them to move again: “Already when you’re looking for your life, you’re looking for your stability if where you are right now doesn’t work out, you’re always tempted to go somewhere else.”<sup>55</sup> A community member echoed this sentiment, describing the wider migration dynamics in the neighbourhood : ““We have the impression that life is so difficult here that young people would rather die elsewhere than die here. ...]They prefer to go headlong into this adventure [of migration], even if it means losing their lives.”<sup>56</sup>

53 SSI2 Female Non-Migrant Community Member. September 2020.

54 SSI1 Male Non-Migrant Community Member. September 2020

55 SSI5 Female Returnee. September 2020

56 SSI2 Female Non-Migrant Community Member. September 2020.

## 4.

# Moving Towards Good Practices and Learning in Cameroon: Success Factors and Challenges

Government goodwill and willingness to action on reintegration in Cameroon is a practice positively affecting overall opportunities for reintegration programming in Cameroon.

These success factors, challenges, and lessons learned are outlined in Table 5, and further discussed below.

**Table 5. Success Factors, Challenges and Lessons Learned – RRR Programming in Cameroon**

		AVRR	EU-IOM JI	PARI- JEDI	PARIC	ERRIN/ OFII	Med Return Programme
<b>Success factors</b>	Pre-Departure Preparation	X					
	Direct Cash Assistance/Cash Based Interventions*		X	X			
	Referral Mechanisms**		X	X			
	Partnership with civil society			X			
	Subsidies to returnees receiving training			X	X		
	Close mentoring/ coaching					X	
	Active inclusion of government in programming and implementation		X	X	X		

<b>Challenges &amp; Lessons Learned</b>	Lack of Long Term Follow Up (i.e. more than one year)	X		X	X	X	X
	Inclusion of SME/informal Employment actors			X	X	X	
	Lack of Data Sharing Among Actors	X	X	X	X	X	X
	Need for individualized support	X	X	X	X		X
	Challenges implementing community programming due to urban preferences of returnees	X	X	X	X	X	X

*\*Based on stakeholder perceptions; formal assessment not yet completed*

*\*\* It should be noted that referral mechanisms were highlighted as a good practice, but one which was not always effectively functional*

While programmes differ drastically in scope and outreach, they each represent varied success factors and challenges which can offer lessons learned for each other.

Success factors and lessons learned are highlighted to identify areas for incorporation across reintegration programmes. Key elements here include:

- The importance of **local approaches, including with government and civil society actors**. While some programmes include partnerships with civil society and others include MoUs with national development actors, these approaches could be further applied. The urban dimensions of the return context in Cameroon are a particular challenge to be further considered, particularly in view of the **community approaches that have shown to be effective**.
- The positive **value of linkages and incentives** for training and livelihood support programming, including subsidies and individualized business coaching. This also highlights the need for strengthened partnerships with private sector actors, including a willingness to engage with the informal sector.
- Need for **referral mechanisms**. This was a good practice identified which also links to localised approaches. While IOM has done this effectively when it comes to mental health support, and OFII has forged a referral mechanism with the PARIC programme, wider referral mechanisms linking to development actors could be further strengthened.
- **Individual support**: Unsurprisingly, programmes with smaller number of beneficiaries, such as the OFII/ERRIN programme, are more successful at providing individualized coaching and adapted programming. This remains a need for programmes with a wider scope and more limited resources.
- **Data sharing and longer term M&E**: While all actors have included some level of monitoring and evaluation mechanisms, usually for the first six months to a year of programming, evaluating effectiveness and sustainability of reintegration across programmes requires long term and harmonized data.



## 5.

# Conclusion and Recommendations: Moving Towards Effective and Sustainable Reintegration in Cameroon?

## Lessons learned, good practices: Perceptions of Cameroon Programme Stakeholders

Frameworks on RRR in Cameroon are minimal but gaining increased importance. While coordination remains a challenge, the creation of technical working groups to specifically address issues related to return and reintegration is a positive step, and even though it is too soon to assess the effectiveness of frameworks, opportunities exist to reinforce these and include relevant actors in the early stages and in the still ongoing development of a national migration policy.

While stakeholders highlighted initial perceptions of good practices and key challenges from a programmatic perspective, they also highlighted the goodwill and interest of the government as the foundation needed for making progress on this. Recommendations based on these findings are outlined in Table 6.

**Table 6. Recommendations for Cameroon**

<b>Capacity Building</b>	<ol style="list-style-type: none"><li>1. Actively support technical capacity of Member States on RRR, including adapting REC or AU trainings to country needs, and supporting Member States in establishing viable migration policies in line with AU objectives</li><li>2. Provide platforms for brainstorming and experience sharing amongst countries in order to address the problems of coordination and transnational linkages between Member States</li><li>3. Encourage and support integrated programmes (cf. IOM/MINJEC partnership) which increase the ownership and the capacity of the government to deal with reintegration</li></ol>
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<b>National Regulations and Linkages to Development Planning</b>	<ol style="list-style-type: none"> <li>1. Develop a national migration policy and legal framework</li> <li>2. Expand on existing partnerships with national development actors, including signing an MoU between current reintegration actors and the Ministry of Agriculture</li> <li>3. Provide incentives to encourage alignment with development priorities, including subsidies or incentives to returnees for participation in rural development programming</li> <li>4. Dissolution of disperse TWGs and implementation of a unified coordination platform led by MINREX, including a streamlined process for information sharing both with relevant stakeholders but also with returnees and community actors in order to improve knowledge of existing services (i.e. creation of a 'guichet unique' for identifying available services)</li> </ol>
<b>Locally Led Approaches</b>	<ol style="list-style-type: none"> <li>1. Inclusion of civil society and returnees themselves in coordination mechanisms, including in discussions surrounding the development of the national policy.</li> <li>2. Provide opportunities for partnerships with informal sector actors in funding and programme development, including with micro business owners and other informal labour market actors</li> </ol>
<b>Data M&amp;E and Learning</b>	<ol style="list-style-type: none"> <li>1. Provide a single platform for implementing actors to share monitoring data and best practices with each other, linked to the above-mentioned coordination platform</li> <li>2. Develop harmonised and longer-term reintegration assessment tools, standardised across actors.</li> </ol>



## Annex 1.

# List of Key Informants and Workshop Participants

Key Informants and workshop participants spoken to for this study are identified by institution and not individual in order to protect participants' anonymity. These are outlined in **Table 7** below.

**Table 7.** High Level Study Participants

Ministry of Agriculture and Rural Development	
Key Informant Interviews	SMIC (2 interviews)
	Fonds National de l'Emploi (FNE) – Service de Coopération
	MINREX – Service Consulaire
	OFII
	Croix Rouge Cameroun
	MINJEC
	European Union – Cameroon EU Delegation
	Ministère de la pêche et de l'industrie animal
	IOM
Workshop Institutional Participants	MINREX (4)
	SMIC
	MINJEC
	MINADER
	Croix Rouge Camerounaise (2)
	FNE
	MINAT / Protection Civile
	Membres de Plateforme Technique Sur le Travail Migration (2)
	MINAS
	MINEFOP (2)



## Annex 2.

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# Democratic Republic of Congo (DRC)

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## **Country Brief**







# Table of Contents

<b>Acronyms</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
Country Level Methodology	4
<b>1. Legal, Policy, and Governance Context on RRR in the DRC</b>	<b>5</b>
1.1 DRC Legal Frameworks and Provisions for RRR	5
1.2 Current State of Legal Frameworks on Return	6
1.3 Current State of Legal Frameworks on Readmission	7
1.4 Current State of Legal Frameworks on Reintegration	7
1.5 Implementing Legal and Policy Provisions in the DRC	8
<b>2. Definition of Sustainable Reintegration – Key Take-Aways</b>	<b>11</b>
2.1 Defining Reintegration: Study Definition	11
2.2 Defining Reintegration: Stakeholder Perceptions	11
<b>3. RRR Programming in the DRC: Challenges and Opportunities</b>	<b>15</b>
3.1 Overview of RRR Programmes in DRC	15
3.2 Lessons from the Literature on RRR Programming for Forcibly Displaced Persons in the DRC	17
3.3 Inclusion of Returnees in National Policy Planning	18
3.4 Community Needs and Perceptions of Programming and Policy: Field Insights	19
<b>4. Moving Towards Good Practices and Learning in the DRC: Success Factors and Challenges</b>	<b>22</b>
<b>5. Conclusion and Recommendations</b>	<b>24</b>
<b>Annex 1. List of Key Informants and Workshop Participants</b>	<b>26</b>
<b>Annex 2. Labour Market Opportunities And Challenges</b>	<b>27</b>
<b>Annex 3. Selected Bibliography</b>	<b>29</b>

# Acronyms

<b>AU</b>	African Union
<b>AVRR</b>	Assisted Voluntary Return and reintegration
<b>C2CMMD</b>	AU-EU Continent-to-Continent Migration and Mobility Dialogue
<b>CAR</b>	Central African Republic
<b>CNR</b>	Commission Nationale pour les Réfugiés
<b>CSO</b>	Civil Society Organisation
<b>DDR</b>	Disarmament, Demobilisation, and Reintegration
<b>DFID</b>	Department for International Development
<b>DGM</b>	Direction Générale de Migration
<b>DRC</b>	The Democratic Republic of Congo
<b>EU</b>	European Union
<b>EUD</b>	European Union Delegation
<b>GCM</b>	Global Compact for Safe, Orderly and Regular Migration
<b>ICMPD</b>	International Centre for Migration Policy and Development
<b>IDP</b>	Internally Displaced Person
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>KII</b>	Key Informant Interviews
<b>MONUSCO</b>	United Nations Stabilisation Mission in the Democratic Republic of Congo
<b>ODI</b>	Overseas Development Institute
<b>OFII</b>	French Office for Immigration and Integration
<b>OUA</b>	Organization of African Unity
<b>PPE</b>	Personal Protective Equipment
<b>REAG/GARP</b>	Reintegration and Emigration Programme for Asylum Seekers in Germany/Government Assistant Repatriation Program
<b>RRR</b>	Return, Readmission, and Reintegration
<b>RSS</b>	Reintegration Sustainability Survey
<b>TWG</b>	Thematic Working Group
<b>UCBC</b>	Université Chrétienne Bilingue du Congo
<b>UN</b>	United Nations
<b>UNHCR</b>	United Nations High Commissioner for Refugees



# Introduction

This country brief presents the return, readmission, reintegration (RRR) context in the Democratic Republic of Congo (DRC). The Country Brief is produced under the “Study on Return, Readmission and Reintegration Programmes in Africa”, commissioned by ICMPD to Samuel Hall in the framework of the Continent-to-Continent Migration and Mobility Dialogue (C2CMMD). The study is being implemented on behalf of the African Union Commission (AUC) and is funded by the European Union (EU).

## Key Takeaway 1:

More sensitization is needed on return of irregular migrants in the DRC, beyond merely refugee and IDP protection needs, in order to have a more general reintegration lens for RRR Programming.

## Key Takeaway 2:

Funding and coordination – both between the DRC and countries of destination and across international and national stakeholders - remains too limited regarding reintegration of returnees.

## Key Takeaway 3:

In response to crises (including to the COVID-19 pandemic, mass forced returns, and conflict situation), there is increased interest from government stakeholders to establish response structures for return and reintegration, including the adoption of a legal framework to incorporate returned migrants into RRR response and programming in the DRC.

The Democratic Republic of Congo (DRC) is a country of origin and destination of migrants. The social and economic challenges in the country act as driving factors for the migration of Congolese nationals. The general security situation in the country is calm but the eastern part of the country is dominated by the activism of national and foreign armed groups as well as inter-community conflicts. Long periods of displacement have resulted in the protracted displacement of migrant groups. In 2019, 5 million internally displaced persons (IDPs) were registered<sup>1</sup> and 523,700 refugees were hosted. At the same time, 950,000 refugees and asylum seekers from the DRC were hosted by neighbouring countries<sup>2</sup>. The DRC is the top migrant receiving country under the IOM’s AVRR programme in Southern Africa - between 2016 and 2018, 525 returnees were assisted from a country in Southern Africa to return to the DRC.<sup>3</sup>

**The Return, Readmission and Reintegration (RRR) program is part of a particular context in the DRC. Research conducted on the ground in the DRC by national researchers revealed that non-governmental organizations (NGOs) and other institutions in the DRC that are interested in the movement of populations and the situation of returnees focus mainly on the internal displacement of populations within the country or on refugee needs.**

1 Norwegian Refugee Council (2020) ‘DR Congo shelters 1 in 10 of the world’s internally displaced people’

2 UNHCR (2020) Democratic Republic of the Congo

3 IOM (2016) Assisted Voluntary Returns and Reintegration Key Highlights; IOM (2017) Assisted Voluntary Returns and Reintegration Key Highlight; and IOM (2018) Assisted Voluntary Returns and Reintegration Key Highlight.

The IOM and UNHCR have facilitated a large amount of voluntary refugee returns from neighbouring countries. In 2018, the government of the DRC, in conjunction with the IOM, coordinated the return of 200,000 Congolese migrants who were forcibly expelled from the Lunda-Norte Province in Angola in 2018<sup>4</sup>. Moreover, in 2019, around 23,800 Congolese refugees returned to the DRC from neighbouring countries<sup>5</sup>. While the DRC has several formal agreements regarding the voluntary repatriation of refugees with neighbouring countries, it does not have such agreements for the readmission of migrants, as discovered during the legal review. Moreover, porous borders and lack of monitoring data cause several knowledge gaps on (return) migration governance. Interviews with key stakeholder, returnees and community members during the course of this study was an attempt to overcome this gap.

## Country Level Methodology

Fieldwork in the DRC was conducted in August and September 2020. Due to the COVID-19 pandemic, full health precautions were taken during interviews, conducted either via phone or in appropriate socially distanced settings, wearing appropriate personal and protective equipment (PPE). The workshop was held in a conference room in Kinshasa, allowing key stakeholders to meet and discuss the findings of this research in person.

**Table 1. Fieldwork in the DRC**

Type of Participant	Male	Female	TOTAL
Key Informant	4	2	6
Returnee	2	2	4
Non-Migrant Community Member	2	2	4
Workshop Participants	12	3	15
<b>TOTAL</b>	<b>20</b>	<b>9</b>	<b>30</b>

### Methodological Challenge: Availability of Programming Data and Limitations on Programme Analysis

There are few organisations working on RRR programming in the DRC. Research conducted on the ground revealed that existing RRR programming within the DRC context has been adapted to respond to returnees who have been forcibly displaced, as opposed to migrant returnees. Samuel Hall staff and national researchers found that the most recent information regarding RRR programming in the DRC is often over a decade old.

Evaluation of programming and identification of best practices and lessons learned is therefore largely dependent on stakeholder perceptions, previous literature where available, and a limited number of returnee interviews.

4 IOM (2018) see: <https://www.iom.int/news/iom-appeals-usd1-million-respond-200000-congolese-returnees-angola>.

5 Ibid.



# 1.

## Legal and Policy Context on RRR in the DRC

### 1.1 DRC Legal Frameworks and Provisions for RRR

The Democratic Republic of Congo has few provisions that apply to the return and reintegration of migrants. There are few national legal instruments that address (return) migration governance in the DRC. However, there are tripartite agreements and regional conventions of which the DRC is a signatory and can be used to aid in the design of legal instruments pertaining to return, re-admission, and reintegration.

**Table 2. National Legal Frameworks and Provisions on RRR in the DRC<sup>6</sup>**

Name of Law/Legal Framework	Description
Law n° 021/2002 of October 16, 2002 on the status of refugees in the Democratic Republic of the Congo. <sup>7</sup>	This is the national law on refugee issues. It addresses protection for refugees and provisions on their return and reintegration
Constitution of the Democratic Republic of Congo (2005) <sup>8</sup>	Contains provision that guarantees the right to return. Also contains provisions that returnees can claim to receive reintegration support from the State.

6 International legal frameworks that DRC is signatory to are outlined in the Final Report

7 République Démocratique du Congo: Loi No. 021/2002 du 2002 portant statut des réfugiés en République Démocratique du Congo [Democratic Republic of the Congo], 16 October 2002

8 The Constitution of the Democratic Republic of Congo (2005) Article 36

## 1.2 Current State of Legal Frameworks on Return

Law n° 021/2002 of 16 October 2002, on the status of refugees in the Democratic Republic of the Congo, complies with the 1951 Geneva Convention relating to the Status of Refugees and its 1967 Protocol<sup>9</sup>, as well as the Convention of the Organization of African Unity (OAU) governing the specific aspects of refugee problems in Africa (1969)<sup>10</sup>. This legal instrument outlines provisions in which an individual obtains refugee status and the conditions in which they lose it, one of those conditions being the voluntary return to the country which they left. The other legal instrument that mentions provisions on return is the Constitution of the Democratic Republic of Congo (2005)<sup>11</sup>, which provides Congolese nationals with the right to return by declaring the following:

“All persons in the national territory have the right to move freely therein, to establish their residence therein, to leave it and come back to it under the conditions prescribed by law. No Congolese may be expelled from the territory of the Republic or forced into exile or compelled to live outside his/her habitual place of residence.”<sup>12</sup>

The DRC has ratified the OUA (1969) Convention Governing the Specific Aspects of Refugee Problems in Africa, which contains provisions that protect refugees from *refoulement* and saddles the country of asylum with the responsibility of ensuring the safe return of refugees who request repatriation. The DRC is also a signatory of the Kampala Convention<sup>13</sup>, which contains provisions safeguarding the return of internally displaced peoples. However, the DRC has yet to ratify the convention. These two continental documents can be utilised as a framework for the development of legal provisions or policy that pertain to the return of migrants.

Two protocols deal specifically with human rights and the issue of displacement: The Protocol on the Protection and Assistance of Internally Displaced Persons and the Protocol on the Property Rights of Returnees.

9 UNHCR (2011). The 1951 Convention Relating to the Status of Refugees and its 1967 Protocol.

10 See: Organization of African Unity (1969) Governing the specific aspects of refugee problems in Africa

11 The Constitution of the Democratic Republic of Congo (2005) Article 36

12 Ibid, Article 31.

13 AU (2009), Kampala Convention.

## 1.3 Current State of Legal Frameworks on Readmission

Currently, the Democratic Republic of Congo does not have any readmission agreements with countries within the continent or outside of it. However, it has signed tripartite agreements with the support of UNHCR with Burundi (2002); Angola (2002)<sup>14</sup>; Zambia (2005)<sup>15</sup>; Rwanda (2010)<sup>16</sup> and CAR (2019)<sup>17</sup>, Congo-Brazzaville (2019), Sudan (2006), Tanzania (2005), and Zambia (2006). Tripartite Agreements determine the roles and responsibilities of each party in facilitating the safe and voluntary return of refugees to their countries of origin. The agreements can serve as solid foundations to build readmission agreements between the DRC and neighbouring countries.

## 1.4 Current State of Legal Frameworks on Reintegration

The Democratic Republic of Congo does not have any legal instruments that specifically contain provisions related to the reintegration of migrants. However, under the Constitution, there are specific articles that guarantee the right to certain key dimensions associated with reintegration. For instance, with regards to economic reintegration, Article 36 states that “work is a sacred right and duty for every Congolese”<sup>18</sup>, and that the State guarantees the right to work. Moreover, under the constitution, the right to health and to food security is guaranteed.<sup>19</sup> Regarding vulnerable groups such as children and those with disabilities, the constitution confers upon them special protections and an extra duty of care by the State,<sup>20</sup> which migrants within this category can claim.

The Democratic Republic of Congo has ratified the Organization of African Unity (OAU) Convention governing the specific aspects of refugee problems in Africa (1969)<sup>21</sup>, which states that countries of origin are obligated to facilitate resettlement and grant refugees the full rights and privileges of nationals of the country.<sup>22</sup> The Kampala Convention (2009) contains specific provisions related to the responsibility of the States to facilitate the sustainable reintegration of IDPs, however the DRC has not ratified the document.<sup>23</sup> Nonetheless, it can draw upon these two continental documents to design policy or law that addresses the reintegration of migrants.

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14 UNHCR (2002). “DRC: Agreement signed on Angolan refugee returns,” 10 December 2002.

15 UNHCR (2007). “Central Africa and the Great Lakes” in UNHCR Global Appeal 2007.

16 IRIN (2010). Democratic Republic of Congo -Rwanda: Land rows complicate refugees’ return, 2 July 2010

17 UNHCR (2019). Democratic Republic of Congo – Mid-Month Update 1-19 July 2019.

18 The Constitution of the Democratic Republic of Congo (2005), Article 36

19 Ibid. Article 47

20 Ibid. Articles 41, 43 & 49

21 Organization of African Unity (1969), Governing the specific aspects of refugee problems in Africa,

22 Ibid.

23 African Union (2009). Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).



## 1.5 Implementing Legal and Policy Provisions in the DRC

The majority of the DRC's efforts have concentrated on refugee returns. However, in 2018, the Angolan government expelled 200,000 Congolese migrants, the majority of whom were employed in the mining sector in the northeast part of the country.<sup>24</sup> UNHCR primarily provided support to returnees from Angola, which included humanitarian services such as food, water, shelter, and basic services at the border and in communities of origin.<sup>25</sup> IOM also has ongoing initiatives for returnees from Angola, which include establishing a health centre and providing medical assistance.<sup>26</sup> However, and while these initiatives focus on refugees' return, the DRC's experience and approach to these groups remains relevant to migrant return. Key Informants interviewed mentioned the emergence of economic migrants returning from Gulf countries, who although qualified, have difficulty reintegrating and finding work upon their return to the DRC. Key government actors who participated in workshops and follow-up interviews with key informants highlighted three main players in the DRC – IOM, UNHCR, and state actors – whose interventions target economic migrants living in poor conditions in host countries as well as refugees.<sup>27</sup> They agreed that financial and logistical support for returning Congolese migrants is limited and requires increased institutional structures. The Congolese government does not have many links with civil society, although key informants highlight that this is an area for future work and collaboration.

**Table 3. Key Actors Currently Involved in RRR in the DRC**

Type of Actor	Name of Actor	Role
<b>Government</b>	Ministry of Interior and Security/ Population and Census Bureau	Government body responsible for census, including provision of migration and return statistics
	Ministry of Interior and Security/ Director General for Migration	DGM is a Government body responsible for visas, passports, and other administrative procedures related to migration, including provision of documentation for returnees
	Ministry of Social Affairs	Responds to the needs of vulnerable returnees - such as women and children - and accompany them along their return and reinsertion
	Ministry of Interior and Security/ National Commission for Refugees	Government actor responsible for asylum processes and refugee protection, including refugee return and reintegration

24 UN News (2018). "Congolese expelled from Angola returning to 'desperate situation': UN refugee agency." 16 October, 2018.

25 UNHCR (2018). "Mass Congolese returns from Angola could lead to a humanitarian crisis." 16 October 2018.

26 IOM (2021). "Democratic Republic of Congo: Operations, Emergencies and Post-crisis."

27 Workshop, 6 October 2020.

<b>Non-Government</b>	International Organisation for Migration (IOM)	Implementation of RRR project targeted at forcibly displaced populations, provides humanitarian assistance, stabilisation and reconstruction of post-conflict areas, restoring confidence between local populations and local and national authorities, and combating the spread of epidemics. Also monitors population movements, human trafficking, conducts training for police, and supports reintegration.
	UNHCR	Provides returning refugees with return packages, assists displaced people in DRC with shelter materials and cash grants, works with the IOM to coordinate and manage IDP sites in North Kivu and Tanganyika provinces.
	Caritas	Implementation of ERRIN Reintegration Programme in DRC

The **IOM in the DRC is heavily involved in providing humanitarian assistance to vulnerable people (mostly refugees and IDPs)**, support to the stabilization and reconstruction of post-conflict areas, restoring confidence between local populations and local and national authorities, and combating the spread of epidemics (particularly Ebola and COVID-19). In addition, it also monitors population movements, combats human trafficking, trains the police, promote the legal and responsible trade in minerals, and carries out disarmament, demobilization and reintegration. The RRR programme in the DRC is being implemented in North Kivu by a consortium of five organizations including Interpeace, UCBC, World Vision, Search for Common Ground and the IOM, which is leading the programme. This program is a response to the movement of people, exclusively to internal displacement due to the armed conflict. **The RRR program in DRC is based on three pillars: Stabilization and Dialogue, Economic Recovery, Restoration of State authority.**<sup>28</sup>

**Thus, the context in the DRC is such that the RRR program is less concerned with returnees and repatriates, as would be true in other West African countries. Rather, DRC RRR programming targets households of displaced persons, victims of natural disasters, former and soldiers, who benefit from accompaniment and a reintegration kit under this programme.** Community support includes counselling and training on citizenship, the choice of a carrier in the returnee's community and socio-economic support. As for the reintegration kit, it includes a set of technologies and tools adapted to the sector chosen by the beneficiaries.<sup>29</sup>

Additional discussions with the European Union Delegation (EUD) migration focal point in the DRC confirmed that RRR programming in DRC remains limited, especially for forcibly returned Congolese migrants. **Reintegration is implemented by IOM in the DRC - but these are programmes only available to voluntarily returned Congolese. As voluntary Congolese returns are minimal, the majority do not receive support.** They further stated that there is limited coordination between EU countries and the DRC on long term reintegration follow up – once the person in question has returned, they do not have information about the type of support they receive in the DRC or their situation upon return.<sup>30</sup>

28 KII, IOM Office Kivu-Beni, 10 December 2020.

29 KII, IOM Office Kivu-Beni, 10 December 2020.

30 KII, EUD DRC, 14 January, 2021.

Workshop attendees agreed that identity cards and documentation were key issues for Congolese returnees – as many return to the country without these documents, which limits their economic and social reintegration. For example, workshop participants mentioned Congolese expelled from Congo-Brazzaville and returned to the DRC – as they are not refugees, the refugee commission is not responsible for them and has no experience managing the specific issues and needs of non-refugee returnees. There was general agreement amongst workshop participants that a study of return programmes was needed – citing a case study of three returned Congolese from Libya who were refused government support – in order to determine the scope of returnees in the DRC as well as their needs in order to inform future RRR programming and response.<sup>31</sup>



## 2.

# Definition of Sustainable Reintegration – Key Take-Aways

## 2.1 Defining Reintegration: Study Definition

Inception discussions with key stakeholders involved in the implementation of the study highlighted the need for an examination and comparison of definitions of sustainable reintegration to establish a baseline definition for the study at the inception phase. This definition is critically re-examined in this section through insights and stakeholder perceptions from the DRC research, to establish whether research findings provide any additional insights for defining sustainable reintegration.

With this in mind, and building on past definitions, this section reviews the following working definition of reintegration used for this study.

### *WORKING DEFINITION OF REINTEGRATION FOR THIS STUDY*

*“Sustainable reintegration can be achieved when returnees rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.”*

## 2.2 Defining Reintegration: Stakeholder Perceptions

Stakeholders in the DRC overall agreed with the key elements and dimensions of the definition, whereby discussions around the definition highlighted two key points of contention:

- **Categorisation of returnees and of the humanitarian vs development needs:** Coming from a context where discussion around return and reintegration has largely focused on forced returns, which includes refugees, IDPs, as well as expelled populations such as Congolese mine workers expelled in 2018, stakeholders recognized that the study description allowed

for an expansion of the term. However, the question of levels of vulnerability, and further categorization of returnee types was raised, with some stakeholders suggesting that the definition should more explicitly highlight levels of returnee needs.

- **Capabilities and service provision:** Stakeholders noted that the question of expanded capabilities has to be linked to the question of access to services (more specifically, access to documentation), and highlighted the perceived importance of potentially including ‘who’ provides these services and to what extent within the definition.

This feedback confirms the need for the definition to **capture the ‘what’** – the three dimensions, and specifically the humanitarian and legal needs that returnees may have as covered under the dimension of civil incorporation. The concern raised over the acknowledgement of vulnerability was discussed in the framing of this definition. The definition aims to move beyond the use of the term vulnerability, which remains an ill-defined concept lacking consensus, and is used very differently in the field of humanitarian or development work, to instead identify terms that can cut across this spectrum. The Global Compact for Migration (GCM) proposes a definition that provides more agency and recognizes the capabilities of returnees to contribute as development actors to their country of return.

This feedback also confirms the importance of determining and **clarifying the ‘who’** - beyond the individual returnees, who is responsible for supporting their capabilities, and more broadly, for providing adequate services? While service provision to citizens is a responsibility of governments, this concern highlights further the need to recognise that reintegration goes beyond the sole responsibility of governments of origin, and requires collaboration across governments, and stakeholders.

\*\*\*

Four returnees<sup>32</sup> were consulted to provide their feedback of such a definition as well. For these respondents, successful reintegration was linked to livelihoods and family stability, the ability to make life decisions freely and in dignity, and the ability to find fulfilment and personal satisfaction in one’s daily work. Financial support upon return, as well as investment in employment and entrepreneurship were stressed as being key to facilitating a successful reintegration. The extent to which this was achieved upon return, and whether lack of achievement would lead to re-migration varied. These components re-affirm the essential focus on **capabilities** but point to the need to include a mention of the **support** returnees need to facilitate their reintegration.

For Josaphat\*, successful reintegration includes having a home, a wife, children and a job.<sup>33</sup> However, he described a difficult reintegration experience upon his return from South Africa, especially regarding access to finance and employment. Although he reported saving up some money, this was completely spent upon his return on internet credit in order to apply for jobs. He reported spending over a year applying for jobs before finding work at the city hall in Goma. However, he worked there for months without being paid, due to lack of proper identification

32 Names of interviewees, marked with (\*) are pseudonyms to uphold the anonymity of the interviewed individuals

33 SSI5 Male Returnee, 7 September 2020.

documents – namely the state registration number. However, at the time of interview, he reported that his employment situation had greatly improved since working for Crossing Services, a subcontracting company of MONUSCO, which allowed him to use his English and IT skills, and to eventually found his own company. His return also put a strain on his health, by falling ill due to maladjustment to the climate in the DRC, which has two seasons, compared to the more temperate seasons he became accustomed to in South Africa. He was hospitalized because of typhoid fever upon his return, and cited issues with water supply. He also described the difficult journey he went through in order to find employment following his return to DRC – and felt that the difficulty for many Congolese returnees was perceived as stemming from the perceived inability of institutions to grant credit or loans to people without sources of income.

Josephine\*, who also returned from South Africa, reported her return journey being effortless.<sup>34</sup> She reported the most difficult aspect of return as being lack of employment opportunities. However, she had been able to save some money from her time spent working in South Africa, which she felt facilitated her reintegration within the DRC. She reported finding a job relatively quickly upon her return home, as well as marrying, both of which she described as the best moments since her return to the DRC.<sup>35</sup> She noted that the financial support from her husband helped her reintegrate quickly, as well as the moral support of the former governor of South Kivu who congratulated her for having returned to the DRC.<sup>36</sup> Although her return experience was relatively positive, she suggested the government provide returnees with more support, including bringing returnees together in order to share return experiences, as well as their capacities and skills in different fields to facilitate employment.<sup>37</sup>

Eddie\*, who had lived in England for 8 years, returned to DRC after his asylum claim was rejected and he did not wish to remain in the country as a clandestine migrant. He spent three years in the DRC before migrating to China, but returned after one year, citing a lack of job opportunities for foreigners.<sup>38</sup> He deeply regretted returning to the DRC, as he found his Congolese compatriots struggling, with the exception of a few isolated cases.<sup>39</sup> He avowed that life was very difficult upon his first return, as he found money he invested was spent on less important things and had difficulty trusting people. However, he said his return and reintegration from China was more positive, as he had been able to start earning money. However, when asked if he felt he was able to live freely in the DRC – he responded that he still wished to return to Europe, given the high level of insecurity in the DRC, which made him and other returnees regret their return.<sup>40</sup> He suggested that the government set up a reception and support mechanism for returning migrants, as they often return home with grand projects and goals, which are stagnated by lack of guidance. Due to this lack of support – especially regarding employment and security – he still felt the need to migrate abroad in order to be financially secure, have food security, medical care, and provide for his family, which he did not feel was possible in the DRC at the time of interview.

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34 SSI4 Female Returnee, 8 September 2020.

35 Ibid.

36 Ibid.

37 Ibid.

38 SSI6 Male Returnee, 9 September 2020.

39 Ibid.

40 Ibid.

Willy\* left the DRC in 2017 with the intention of moving to Canada. However, when he arrived in Kampala, Uganda, he was blocked from leaving and spent a year there prior to returning to the DRC. He returned in 2018, given the difficulty of life in Kampala for migrants. He was able to survive due to financial support from his family.<sup>41</sup> He decided to return home – however he described intense difficulty in procuring return documents, as his temporary residence visa in Kampala had expired and he did not have his Congolese passport. He was able to procure the necessary return documents with the help of the Congolese diaspora in Kampala. Upon his return, he stayed in a hotel for 11 days, as his parents did not agree with his decision to come back. Although he was able to return to his family home, his hotel stay depleted what money he had been able to save whilst employed in Kampala and the money borrowed from friends. He also expressed feelings of regret upon his return, as nothing had changed in the country since his migration.<sup>42</sup> However, at the time of interview, he felt that his quality of life had improved since his return, due to his regular source of income. Nonetheless, he felt that the state needed to invest in economic opportunities and promote the development of entrepreneurship. He also asked the state to make greater efforts to understand the different motivations that lead Congolese to migrate abroad.

A non-migrant member of the migrant sending community in Bukavu summed up the needs of Congolese returnees – echoing recommendations made by government and non-government actors in the DRC regarding community, governmental, and regional level RRR policies and considerations for Congolese returnees. They stated that non-forcibly displaced returnees need support at the governmental level – to reintegrate them according to their capacities or potentialities. Secondly, they recommended conducting awareness-raising campaigns at the community level to welcome returning migrants and help them reintegrate into the social fabric of their COOs. Lastly, they recommended government officials at the continental level define sectoral policies that take into account migration issues and associated consequences, including professional integration.<sup>43</sup>

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41 SSI8 Male Returnee, 11 September 2020.

42 Ibid.

43 SSI Male Non-Migrant, 7 September 2020.





## 3.

# RRR Programming in DRC: Challenges and Opportunities

## 3.1 Overview of RRR Programmes in DRC

Table 4 provides a mapping of RRR programmes operating in the DRC. Information to develop this list was obtained through a comprehensive desk review, interviews with key informants and was validated during a workshop with key national stakeholders in October 2020.

As evidenced in Table 4, the number of RRR programmes in the DRC is limited. The European Union has no official programme within the DRC but maintains a good working relationship with the IOM. Although the AVRRC programme is implemented in the DRC and there is support for reintegration programmes in theory, key informants confirmed that implementation remained limited<sup>44</sup> to those who return voluntarily. Forced returns are no longer eligible for these programmes, however as these are the majority of returns in the DRC, these returnees generally receive very little support. Although migrants are offered return and reintegration support in the EU, the majority initially refuse out of hopes to leave the detention centre. Thus, although they may still eventually return to the DRC, if they have already refused the return services initially offered, their return is not considered voluntary.<sup>45</sup>

**Interviews with the IOM office in North Kivu revealed that the focus of IOM's programming is on population movements internally, rather than externally. Thus, the examples of best practices and lessons learned come from IOM programmes targeted at internal movements and return,** such as the Disarmament, Demobilisation and Reintegration (DDR) project. This programme has accompanied former soldiers in re-entering and integrating within their communities, namely via agricultural employment and support. However, these programmes are not available to irregular migrants.<sup>46</sup> **ERRIN used to work in the DRC but has discontinued its work, as there were not enough voluntary returns to carry out activities sustainably there.**<sup>47</sup>

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<sup>44</sup> KII, EUD DRC, 14 January 2021.

<sup>45</sup> KII, EUD DRC, 14 January 2021.

<sup>46</sup> KII, IOM North Kivu, 10 December 2020.

<sup>47</sup> KII, EUD DRC, 14 January 2021.

Table 4. RRR Programming in DRC

Name of Programme or Support Mechanism	Implementer	Funder	Timeline	Services Provided	Target Group	No. of beneficiaries	Programme Focus
<b>Assisted Voluntary Return and Reintegration (AVRR)</b>	IOM	IOM Member States	2000-ongoing	Assistance with customs and immigration services upon arrival, Post-arrival reception, short and/or medium term reintegration assistance, capacity-building activities	Voluntary Returnees	5,346 received return assistance between 2013-2019	Return; Reintegration
<b>REAG/GARP</b>	IOM	German Ministry of Interior (BMI)	2000-ongoing	Financial and operational support the voluntary return and migration	Voluntary Returnees from Germany	Unknown	Return; Reintegration
<b>ERRIN Reintegration Programme</b>	Caritas	EU/AMIF/EUMS		Individual support after voluntary return or forced return/repatriation, Facilitation of return and reintegration	All returnees	Unknown	Reintegration
<b>StarthilfePlus Supplementary reintegration support in destination country</b>	IOM	German Ministry of Interior (BMI)	2017-ongoing	Financial support in destination country	Voluntary Returnees from Germany	Unknown	Reintegration
<b>EU-IOM Joint Initiative</b>	IOM	EU	2017-ongoing	Returning migrants are provided with access to reintegration support in their countries of origin	Voluntary Returnees	4,453 returnees received reintegration assistance since 2017	Return; Reintegration

## 3.2 Lessons from the Literature on RRR Programming for Forcibly Displaced Persons in the DRC

The literature examining return and reintegration in the DRC is very limited; where it does exist, it **focuses on the question of return and reintegration for forcibly displaced populations (refugees or IDPs)** as well as reinsertion for members of armed groups, as opposed to returning migrants. However, the literature reveals two key lessons regarding the DRC's experience with return and reintegration that could provide guidance for expansion of existing programmes to include returning migrants who were not forcibly displaced.

### Lesson 1: Adaptation of Existing RRR Programming for Displaced Persons to Include Migrants

According to the literature, previous stabilisation plans in the DRC included the safe voluntary return and socio-economic reintegration of refugees and IDPs in the following ways:

- Identifying and addressing social needs of returnees
- Restoring basic services and infrastructure in areas of return
- Promotion of employment and agricultural practices
- Facilitation of local land and property reconciliation<sup>48</sup>

These four categories correspond to the needs of migrant returnees – although response would need to be adapted to their specific background, it demonstrates that there are existing structures and considerations about returnee accompaniment in DRC that could be expanded to include migrants. It also demonstrates the different needs of forcibly and non-forcibly displaced returnees in DRC – whilst IDPs and refugee returnees often return in large numbers, migrant returnees are a smaller population with more individualized needs. A 2009 report by the IOM in the DRC on “Approaches to Improving and Integrating Return Information and Reintegration in the Countries of Origin” reveals limited government involvement in accompaniment of returnees in access to healthcare and treatment, housing, employment, and access to finance. The report detailed that migrants relied on family and friends for support, with limited interventions by NGOs and CSOs.<sup>49</sup>

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48 Bailey, S. (2011). Humanitarian action, early recovery and stabilisation in the Democratic Republic of Congo (London, UK: ODI).

49 IOM (2009). Une Approche visant à améliorer et intégrer les Informations sur le Retour et la Réintégration dans les Pays d'Origine – IRRICO II: REPUBLIQUE DEMOCRATIQUE DU CONGO.

## Lesson 2: Need for Improved Governance to Facilitate Successful Cooperation and Implementation of RRR

A key informant at the French OFII's Central Africa office provided clarification on return and reintegration support for Central Africa, which includes the DRC. OFII supports those persons wishing to return freely – either after they are given notice that they must leave French territory or they change their mind about their asylum application. The informant stated that while bilateral discussions and agreements with governments remain important, OFII does not directly work with the Congolese government on reintegration support, but liaise instead through local partners.<sup>50</sup>

### 3.3 Inclusion of Returnees in National Policy Planning

Inclusion of returnees is limited in national policy planning, with the majority of RRR programming carried out by non-government actors, such as IOM and Caritas. Interviews with IOM informants in the DRC confirmed that RRR programming has been adapted to internal displacement, with one interviewee stating:

*Compared to return, readmission and readmission programs, we here in the DRC do not have a focused view on migration as the movement of populations moving from one country to another. Rather, we are interested in internal population movements.”<sup>51</sup>*

Workshop attendees agreed that capabilities regarding RRR programming should be extended by the structures put in place by the state.<sup>52</sup> With a view to going beyond the focus on refugees, there was some disagreement regarding the need to broaden the concept of migrant to include the issue of accompaniment between government and non-government representatives present.<sup>53</sup>

The Ministry of Social Affairs in the DRC confirmed that it accompanies vulnerable returnees at the border – which includes guiding them in finding housing, education, and healthcare. This includes returnees from outside the country as well as internally displaced persons – but the focus remains largely on refugees, compared to economic migrants returning from abroad.<sup>54</sup> The government has set up a crisis delegation committee to assess and address the needs of people arriving at the border in order to at least identify them and provide them with basic support.<sup>55</sup> However, management of this committee is done on an ad hoc, reactive basis in response to crises – it is not permanent or structural. A more permanent management cell has been proposed, but it is still in progress, and there is no existing programming except for border support. Government and non-government actors at the workshop agreed that better long-term support and

<sup>50</sup> KII, OFII Afrique Central, 28 October 2020.

<sup>51</sup> KII, IOM Office Kivu-Beni, 10 December 2020.

<sup>52</sup> Workshop, 6 October 2020.

<sup>53</sup> Workshop, 6 October 2020.

<sup>54</sup> KII, Ministry of Social Affairs, 30 November 2020.

<sup>55</sup> Workshop, 6 October 2020.

better collaboration with civil society was needed in the DRC to respond to non-refugee returnee needs and expand RRR programming in the future.

Of the small group of returnees spoken to for this study, all of them unanimously confirmed that they did not know of any government support programmes available to them. In discussing strengths and weaknesses of RRR programming, workshop attendees and stakeholders further agreed that there is a **gap in knowledge on the part of the government** regarding statistics on non-refugee returnees, as well as their specific needs upon return to the DRC.

Civil society response for Congolese returnees also remains focused on forcibly displaced persons rather than migrant returnees, which was noted by workshop participants. Interviews with the Civil Society of the South Kivu Province (*Cadre permanent de la Société Civile de la Province du Sud Kivu*) mentioned the existence of a thematic group bringing together CSOs and actors that intervene in the humanitarian field. However, their target population are people displaced by armed conflicts or natural disasters, as well as those affected by pandemics. Returning migrants are not present in the agendas of these organisations.<sup>56</sup> UNHCR does not respond to returning Congolese migrants and focuses solely on refugees and IDPs who have been forcibly displaced by armed groups.<sup>57</sup>

## 3.4 Community Needs and Perceptions of Programming and Policy: Field Insights

The research team interviewed four returnees and four non-migrant community members in Bukavu (split evenly between men and women) to complement this study. While findings from this sample are too small to be representative, they **provide indicative insights into dynamics on the ground and potential gaps between policy, programming, and the lived return experience which may support improved effective and sustainable support mechanisms.**

In addition to these indicative returnee perceptions of successful reintegration, overall analysis of returnee discussions combined with community member interviews provide a series of key insights of the overall bottom up context facing returnees and those who greet them upon return.

Interviews with Congolese returnees and members of the migrant-sending community revealed the following key challenges for return and reintegration – **access to identity documents, lack of information, and access to support services for return and reintegration.**

**Key Insight 1 – Importance of family and friends in supporting return:** Families and friends were frequently highlighted by returnees spoken to for this study as their key, and often sole sources of support. As one returnee described, “In relation to access to finance, it is worth mentioning that some migrants find it difficult to return home because they don’t even have the transportation

56 KII Cadre permanent de la Société Civile de la Province du Sud Kivu, 12 December 2020.

57 KII UNHCR South Kivu, 11 December 2020.

costs. Moreover, the family helps them to pay for their transportation back home.”<sup>58</sup> Returnees interviewed reported relying primarily on friends and family for financial support, as well as for employment. Those that were employed had found work due to their own personal networks, given the absence of existing support from the government or non-government actors regarding economic reintegration for returned populations.

**Key Insight 2 - Priority Needs for Returnees and Community Members:** The ability to access identity documents is crucial for migrants’ return and reintegration within their COOs, and particularly the to find work. However, there is significant secondary evidence that Congolese returnees repeatedly struggle to procure identification documents upon their return to the DRC.<sup>59</sup> This was brought up by key government stakeholders present at the workshop conducted in the DRC in October 2020, as well as returnees themselves. This prohibited their ability to receive their salaries on time, which negatively contributed to their ability to successfully reintegrate economically, as explained by one returnee regarding his experience with employment upon return: “Moreover, when I arrived in Goma, my first job was in the civil service at the Goma City Hall, within the Urban Coordination of the Environment where I was the DGK tax controller in the said city. I was working there without being paid at the end of the month because I didn’t have the state registration number. For new persons like me to be paid, it was necessary to wait for the retrocession of taxes collected by the province. Sometimes, after the calculation was done, I would collect 5000 Congolese francs per month (about USD 3.5 at the time). A year later, I still wondered about my future and my personal projects under these conditions.”<sup>60</sup>

**Key Insight 3 - Perceived lack of support for returnees and lack of information:** All four returnees lamented the lack of information and access to support services, namely to help in finding employment, as well as in accessing finance or healthcare. Those that had returned from abroad felt that support was non-existent, or if it did, information was not well circulated to returnees. None of the interviewed returnees knew of any NGO or community group that was focusing on the needs of returnees. One returnee encapsulated the sentiments of the four returnees interviewed, stating: “Since I returned home, I have never been a beneficiary or applicant of any assistance from any institution or reintegration program. I am fighting alone, as I have just told you. Moreover, one must ask oneself if these programs and institutions exist? If they exist, then we should look for them. I didn’t look for them.”<sup>61</sup> Returnees identified key unmet needs relating to finance and employment once they returned to DRC. Upon their return, they were not supported by the Congolese governments, other than at air and land border crossings. They were not consulted regarding their experiences with reintegration by any government body – which led to a sentiment that returned migrants are not a priority for the Congolese government. Furthermore, returnees expressed that they were treated with suspicion at the border, and sometimes refused entry as Congolese authorities assumed they were carrying false documents.<sup>62</sup>

58 SSI8 Male Returnee, 11 September 2020.

59 Alpes, J. (2019). “After Deportation, Some Congolese Returnees Face Detention and Extortion.” Migration Policy Institute, 23 May 2019.

60 SSI3 Male Returnee, 7 September 2020.

61 SSI3 Male Returnee, 7 September 2020.

62 SSI8 Male Returnee, 11 September 2020.

**Key Insight 4 - Community perceptions of returnees:** Community members distinguished between those who have gone abroad in search of a better life – either to gain employment or to study – and those who left because they felt they could not stay. The first group is “useful to society with this extra skill that they bring. Moreover, we also benefit from them as their friends.”<sup>63</sup> The second group leaves the DRC due to mistakes or theft. This group is “ashamed to return home because of the stereotype that society has developed about them. Some of them return with difficulty and ask forgiveness from their families before reintegrating. The others have not managed to reintegrate socially as they spend their time drinking alcohol, smoking hemp and wandering around like children in conflict with the law (street children).”<sup>64</sup> Community members commented on two trends for returnees’ behaviour. There are some who they perceive as feeling superior due to their experience of migration and there are those who return with feelings of lost confidence - “When they are back, some people think they are more special than those who stayed behind. Others, for example, change their usual behaviour and they now think they have lost their value, so they can no longer integrate into the community.”<sup>65</sup>

**Key Insight 5 - Perceptions on (re)migration:** Returnees expressed feelings of disappointment and regret upon their return home. Some returnees stated that they were influenced by the opinions of friends and family members, who assured them that conditions had become more favourable since they had migrated. However, upon re-entry, they felt that the success stories were isolated incidents, finding that the majority of Congolese continued to struggle for employment and survival: “Friends and relatives, especially those who were at home, keep telling us that we are wasting time abroad. They were trying to give us examples of people of our generation who had emerged here at home. In short, their message revolved around the adage that “We are better when home.” These messages did not leave us indifferent, because they had contributed significantly to our return. Once back home, I realized that much of this information was false because Congolese compatriots in general are suffering. With the exception of a few isolated cases.”<sup>66</sup> Returnees and community members alike noted that DRC was a country with enormous potential and should be able to create employment opportunities. However, they felt this was not being done at the policy level, as entrepreneurship is not favoured due to high taxes when they want to start a business.

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63 SS5 Male Community Member, 9 September 2020.

64 Ibid.

65 SS12 Female Community Member, 8 September 2020.

66 SS16 Male Returnee, 9 September 2020.



## 4.

# Moving Towards Good Practices and Learning in the DRC: Success Factors and Challenges

Frameworks on RRR in the DRC are minimal, as **RRR programming remains focused on refugees and IDPs – rather than return migrants who migrated for economic reasons**. However, **stakeholders spoken to for this study seemed open to including non-refugee Congolese returnees from abroad into policy frameworks and programming**. Financing for RRR programming remains the biggest challenge for the DRC, especially for non-governmental actors, who stressed the greater need for funding from international actors.

When it comes to success factors and lessons learned linked to specific programmes, the findings of this report are summarized in Table 5 below.

**Table 5. Success Factors, Challenges and Lessons Learned – RRR Programming in DRC**

		AVRR	REAG/ GARP	ERRIN	Starthilfe Plus	EU-IOM JI
<b>Success Factors</b>	Pre-Departure Preparation	X	X			
	Payment of Return Travel Costs		X			
	Direct Cash Assistance/Cash Based Interventions*		X		X	X
	Referral Mechanisms**					X
	Selection of relevant activity sectors			X		X
	Close mentoring/ coaching			X		

<b>Challenges &amp; Lessons Learned</b>	Lack of Long Term Follow Up (i.e. more than one year)	X				
	Lack of Available Participants		X	X	X	
	Coordination silos/ineffective coordination mechanisms	X	X	X	X	X
	Lack of Data Sharing Among Actors	X	X	X	X	X
	Need for individualized support	X	X	X	X	X

As can be seen from the above table, key success factors are identifiable. However, in many cases these have not been properly integrated across programs, with some programmes exhibiting only one success factor. For instance, AVRR provides strong pre-departure assistance but is limited in implementation of other success factors such as payment of return travel costs and direct cash assistance.

Although REAG/GARP programming covers a multitude of success factors in terms of its programming and services provided, this is only applicable to returnees from Germany, which represent a minority of returnees in the DRC, thereby deflating the impact of this programme given its limited parameters for eligible returnees. Additionally, the programme also does not take more long-term sustainable factors, such as sectoral approaches, referral mechanisms, and the essential element of ongoing mentoring and coaching throughout the initial and crucial reintegration period into account. Table 5 therefore does not only identify the minimally implemented success factors which show potential in the DRC, but also provides a roadmap to facilitate their improved integration into programming.

On the other hand, most programmes show the same challenges and lessons learned; beyond being unique programmatic challenges, these lessons learned can be understood as the main constraints for reintegration programming. If addressed, they could generate significant gains in reintegration outcomes.

The table also indicates the need to focus attention in the DRC on other types of returns, i.e. beyond forcibly displaced populations. Many returns within the DRC context are forced – therefore, discussions around existing programming that can adapt and be inclusive of the reintegration of forcibly returned migrants is key to ensure that this population is included in government planning and support. This should be a central discussion within the elaboration of institutional and cooperation frameworks, both between sending and returning countries, as well as between stakeholders within returning countries.

Additionally, it is clear that data harmonization and sharing on returnees and reintegration sustainability remains a key gap in DRC. The adoption of a common evaluation tool by all actors involved in return and reintegration can serve as a common framework to be used in all reintegration programming. This should be done after careful evaluation and examination of existing options, including the IOM's Reintegration Sustainability Survey (RSS) and ERRIN's RIAT tool.

## 5.

# Conclusion and Recommendations

In spite of existing challenges and the need to further develop the sensibility as well as conducive partnerships, the DRC offers opportunities for improved RRR programming in the future, given its experience in managing forcibly displaced populations. Although the needs of refugees and IDPs differ from those of returned migrants, existing RRR programmes in the DRC offer an entry point for the discussion and inclusion of forcibly returned migrants within government planning and support measures for returnees within its borders.

Based on the above summarized challenges and lessons learned, recommendations for the DRC have been categorized by theme and are described in Table 6 below.

**Table 6. Recommendations for DRC**

<b>Capacity Building</b>	<ol style="list-style-type: none"> <li>1. Adopt a <b>legal framework</b> to work with voluntarily and non-voluntarily returned migrants, not purely refugees and IDPs.</li> <li>2. Actively support <b>technical capacity-building of AU Member States on RRR</b>, including adapting REC or AU trainings to country needs, and supporting Member States in establishing viable migration policies in line with AU objectives</li> <li>3. Provide <b>platforms for brainstorming and experience-sharing amongst countries in order to address the problems of coordination</b> and transnational linkages between Member States.</li> <li>4. <b>Greater awareness raising on the issue of irregular migration</b>, as both government and non-government actors operating in DRC felt ill informed regarding irregular migration and return, readmission, and reintegration.</li> </ol>
<b>National Regulations and Linkages to Development Planning</b>	<ol style="list-style-type: none"> <li>1. Develop a <b>national migration policy and legal framework</b></li> <li>2. Production and implementation of a coordination agreement between AU Member States, in order to foster greater cooperation, as many migrants from African countries migrate within the continent.</li> <li>3. Provide <b>incentives to encourage alignment with development priorities</b>, including subsidies or incentives to returnees for participation in rural development programming</li> </ol>
<b>Locally Led Approaches</b>	<ol style="list-style-type: none"> <li>1. <b>Inclusion of civil society and returnees themselves in the development and implementation of coordination mechanisms</b>, including in discussions surrounding the development of the national policy.</li> </ol>

<b>Data M&amp;E and Learning</b>	<ol style="list-style-type: none"><li>1. Provide a <b>single platform for implementing actors to share monitoring data and best practices</b> with each other</li><li>2. <b>Improve information sharing channels between host countries and DRC</b>, as well as the different stakeholders – particularly within the government. This can be done through a harmonization of data management and collection tools and indicators, possibly building on lessons learned from the existing tools such as IOM’s RSS survey tool and ERRIN’s RIAT tool.  <b>Improve data collection on voluntary and forcibly returned irregular migrants</b> in order to inform future programming and adapt it to the individual needs of this population, which are unique and different from refugees and IDPs.</li></ol>
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# Annex 1.

## List of Key Informants and Workshop Participants

Key Informants and workshop participants spoken to for this study are identified by institution and not individual in order to protect participants' anonymity. These are outlined in **Table 7** below.

**Table 7.** High Level Study Participants

<b>Key Informant Interviews</b>	Ministry of Social Affairs
	OIM North Kivu
	OFII Central Africa
	UNHCR
	EUD DRC
	Civil Society of the Province of South Kivu
<b>Workshop Participants</b>	Ministry of Interior and Security
	Advisor in the Cabinet of the Vice Prime Minister in charge of population, identification and census
	Head of Finance Unit
	Legal Assistant, Ministry of the Interior
	Financial, Partnerships, and Social Unit, Ministry of the Interior
	Head of Identification Unit
	Directorate-General of Migration (Division Chief of Refugees, Stateless and Internally Displaces Persons, Division Chief of Documentation Fraud, Division Chief of Border Control, Division chief of Bureau of Statistics, Head of Bureau of Analytics)
	National Commission for Refugees (Principal Assistant in charge of protection, Principal Assistant in charge of operations, Judicial Assistant, Protection Assistant)
	Director in Charge of identification of nationals
	IOM Head of Operations



## Annex 2.

# Labour Market Opportunities and Challenges

### Opportunities

Fast growing economy driven by the agricultural and mining sectors

Rich natural resources - huge potential for job creation in the extractive industries

### Challenges

Demographic challenges – large youth population

High unemployment in rural areas and underemployment in urban areas

Slow and uneven progress towards peacebuilding and conflict stabilisation

The DRC has a large, low-skilled labour market, with the majority (85%) of non-agricultural work falling under the informal sector.<sup>67</sup> **Although the Congolese economy has grown rapidly – mainly driven by the mining sector – job creation and job quality has not matched growth rates. There are territorial discrepancies between rural and urban job opportunities, which pushes rural youth to migrate internally or externally in order to take advantage of greater job opportunities and higher pay.** However, this has increased unemployment in urban areas, which have been unable to accommodate increasing numbers of job seekers.<sup>68</sup> The DRC's large youth population further complicates job growth, as the World Bank estimates that 18 million new jobs will need to be created in the next decade in order to further economic growth and reduce poverty.<sup>69</sup>

The DRC is rich in natural resources – which include copper, cobalt, zinc, gold, diamonds, oil, and gas.<sup>70</sup> Long a source of interest to international and national companies alike, there has been increased foreign direct investment in the mining industries from Europe, North America and China over the last two decades. This is especially prevalent in the copper belt in the southern part of

67 US DOS (2020). 2020 Investment Climate Statements: Democratic Republic of Congo.

68 World Bank (2017). Jobs Diagnostic: Democratic Republic of Congo.

69 Ibid.

70 Business & Human Rights Centre (2018). "We need to change the management of natural resources in the Democratic Republic of Congo."

the country near the Zambian border, which has been an appealing place of investment for many foreign companies.<sup>71</sup>

The conflicts that took place between 1996 and 2002 deeply impacted the Congolese economy, with post conflict recovery in the last two decades remaining delicate.<sup>72</sup> The DRC has based economic recovery on its mineral resources. However, **these resources paradoxically represent an immense opportunity and a source of conflict.** Furthermore, continued conflict in DRC, especially in the eastern part of the country, has led to a challenging investment environment for national and international companies.<sup>73</sup> Returnees interviewed for this study frequently mentioned the lack of job opportunities and political instability in both their decision to migrate and the key challenges they faced reintegrating within their home communities. Youth unemployment and underemployment is high in urban areas -with 40 percent of unemployed between the ages of 15 and 24 – and the government has yet to formulate a response to this challenge. The lack of jobs has furnished the growth of the informal employment sector.

Incorporating TVET programmes, incentives for youth entrepreneurship, and aligning education and training curriculum with labour market demand within RRR programming could strengthen reintegration of return migrants, as well as decrease the likelihood of re-migration.

71 Rubbers, B. (2019). "Mining Boom, Labour Market Segmentation and Social Inequality of the Congolese Copperbelt," Development and Change: 1-24.

72 World Bank, 6.

73 Ibid.





## Annex 3.

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Egypt

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## Country Brief





# Table of Contents

<b>Acronyms</b>	<b>2</b>
<b>Introduction: Brief Overview of Migration Patterns in Egypt</b>	<b>3</b>
<b>1. Country Legal and Policy Provisions for RRR in Egypt</b>	<b>5</b>
<b>2. Voices from The Field - Key Takeaways</b>	<b>10</b>
<b>3. RRR Programming in Egypt</b>	<b>12</b>
<b>Bibliography</b>	<b>16</b>

# Acronyms

<b>COVID-19</b>	Coronavirus Disease 2019
<b>GIZ</b>	Deutsche Gesellschaft für Internationale Zusammenarbeit
<b>ICMPD</b>	International Centre for Migration Policy Development
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>MENA</b>	Middle East and North Africa
<b>NCCPIM-TIP</b>	National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons
<b>SOM</b>	Smuggling of Persons
<b>TIP</b>	Trafficking in Persons
<b>TOT</b>	Training of Trainers
<b>UN</b>	United Nations
<b>UNICEF</b>	United Nations Children's Fund
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>WFP</b>	World Food Programme



# Introduction: Brief Overview of Migration Patterns in Egypt

**Egypt is a major country of origin, transit and destination in the MENA region.** Many illegal/irregular migrants from the Horn of Africa enter Egypt and seek the services of migrant-smuggling networks to facilitate onward-travel to Europe. Egypt is regarded as the largest provider of migrant labour in the MENA region - in 2016 it was estimated that 6 million Egyptians lived in other countries of the MENA region; with Saudi Arabia, Jordan and the United Arab Emirates comprising of the top countries of destination for Egyptian migrants.<sup>1</sup>

Historically, high-skilled Egyptians have been migrating throughout Arab countries in the 19<sup>th</sup> and 20<sup>th</sup> century.<sup>2</sup> However, emigration rapidly increased in the early 1970's<sup>3</sup> when the Egyptian State, under the 1971 Constitution, authorized permanent and temporary migration under Article 52<sup>4</sup> and under Article 51 included the provision that all Egyptian nationals have the right to return to Egypt<sup>5</sup>. In 1974, the Egyptian state further lifted restrictions on labour migration<sup>6</sup>.

Following the ease of restrictions around labour migration and the 1973 oil boom in oil producing Arabic speaking countries, Egyptian migrants moved to Libya, Saudi Arabia, Kuwait, and Iraq.<sup>7</sup> Beyond countries within the MENA region, Egyptian migrants increasingly moved to Western countries from the 1970's onwards, forming diverse diaspora communities in Western Europe and North America.<sup>8</sup> In the past 10 years, Italy has become the main country of destination for Egyptian migrants trying to reach Europe through irregular migration<sup>9</sup>.

Due to the post-2011 instability in Libya, the overwhelming majority of Egyptian returnees from within the North African region return from Libya. This is because of the history of Libya as a popular country of destination for Egyptian migrants since the 1970's as well as the history of circular migration between these two countries<sup>10</sup>. Putting this into context, for example, before the 2011 Libyan crisis, it was estimated that up to 1.5 million Egyptians worked in Libya.<sup>11</sup>

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1 Gerasimos Tsourapas (2018) Egypt: Migration and Diaspora Politics in an Emerging Transit Country

2 Ibid

3 Ayman Zohry (2003) The Place of Egypt in the regional migration system as a receiving country

4 The Constitution of the Arab Republic of Egypt (1971) (as Amended in 2007) Article 52

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10 Heba Nassar (2008) Temporary and Circular Migration: the Egyptian Case

11 IOM (2012) Egyptian Migration to Libya



**Moreover, the return context in Egypt was economically impacted by to COVID-19.** Remittances account for a large proportion of financial resources for household consumption.<sup>12</sup> In 2019, remittances accounted for \$26.8 billion, which was the highest in Africa that year. The return of an estimated 1 million migrants due to COVID-19 resulted in a decrease in remittances and an increase in pressure on the labour market.<sup>13</sup> As a mitigation strategy, the Egyptian Government, through the Ministry of Manpower and Immigration, has formed a committee to assess the skills profile of migrants who have returned to Egypt in order to more easily reintegrate them into the Egyptian labour market or to pair them with an employer abroad once borders re-open among Gulf countries.<sup>14</sup>

This document provides a high-level summary of the findings from the desk review and the initial fieldwork phase conducted by Samuel Hall regarding return migration governance in Egypt, as part of the African Union/ICMPD Study on Return, Readmission and Reintegration Programmes in Africa, funded by the European Union. The document presents the policy and legal Instruments governing return, readmission and reintegration in Egypt and concludes with an overview of the fieldwork conducted so far and the key takeaways.

**This document outlines initial findings** from the first phase of data collection. Data collection (Key Informant Interviews and the Workshop with Key National Stakeholders). Inputs from government and high-level stakeholders form a key component of this document.

The document proceeds with an overview of the policy and legal landscape that governs return readmission and reintegration in Egypt, followed by an outline of the fieldwork phase comprised of interviews with returnees and non-returnees, and concluding with a snapshot of the main return and reintegration programmes currently operating in Egypt.

12 Hause. J (2020) Forced Returns: COVID-19 Puts International Labor Migrants at Risk <https://www.thecairoreview.com/midan/forced-returns-covid-19-puts-international-labor-migrants-at-risk/>

13 Ibid

14 Ibid

# Country Legal and Policy Provisions for RRR in Egypt

**Table 1.** Legal and Policy Documents related to RRR in Egypt

Instrument	Adoption	Binding/ Non-binding	Provisions for Return	Provisions for Re-admissions	Provisions for Reintegration	Opportunities for RRR
<b>Egyptian Constitution</b>	1971	Binding	Article 51 - No citizen may be deported from the country or prevented from re-entering the national territory. Article 52 - Citizens shall have the right to permanent or temporary immigration.		Article 13 - Work is right, a duty and an honour ensured by the State. Article 17- The State shall guarantee social and health insurance services.	
<b>Egyptian Constitution</b>	2014	Binding	Article 62 - No citizen may be expelled from state territory or banned from re-turning thereto. Article 63 - All forms of arbitrary forced migration of citizens are forbidden.		Article 17 - All citizens who have no access to the social security system have the right to social security to ensure a decent life, if they are unable to support themselves and their families. Article 59 - Every person has the right to a secure life.	Guarantees the right to return and access to social security services
<b>Law No. (64) of 2010 regarding Combating Human Trafficking</b>			Article 25 - The Foreign Ministry shall also coordinate with the relevant authorities in other countries to facilitate the safe and expeditious return of foreign victims to their countries of origin.			De-criminalizes victims of trafficking and provides protections for them

<b>Law No. 82 of 2016 On Combating Illegal Migration &amp; Smuggling of Migrants</b>	2016	Binding	Article 27 - Article (27) The Ministry of Foreign Affairs, in coordination with relevant authorities of other countries, shall facilitate the safe return of smuggled migrants to their countries after confirming their nationalities or residency in such countries, or any other countries that admit them, provided that they have not been convicted of any criminal charges as per the Egyptian Law.	De-criminalizes victims of trafficking and provides protections for them
<b>Chapter (1) Article (3) Law No. 82 of 2016 On Combating Illegal Migration &amp; Smuggling of Migrants</b>	2016	Binding	The National Council for childhood & Motherhood shall be the legal representative of the families of unaccompanied children, whose families or legal representatives cannot be identified	
<b>Article (5) Law No. 82 of 2016 On Combating Illegal Migration &amp; Smuggling of Migrants</b>			The Council (National Council for childhood & Motherhood), in coordination with the Committee, shall establish necessary measures, controls and procedures to deal with unaccompanied children of smuggled migrants and work on identifying their families or legal representatives until their safe return.	
<b>Readmission Agreement: Egypt-Italy</b>	2007	Binding	Italy and Egypt must accept the return of nationals who have an illegal status. The sending country must provide proof of nationality.  The receiving country must accept the request for readmission within 5 working days if proof of nationality confirmed.	
<b>Readmission Agreement: Egypt-Germany</b>	2017	Binding	Egypt must accept the voluntary or forced return of Egyptian nationals with an illegal status in Germany.  Egypt must accept all citizens who migrated to Germany irregularly and have an illegal status.  Training provided for recent Egyptian returnees to access the labour market.	Training offered to Egyptian youth to find jobs in Germany through regular channels.

Egypt has a national policy on migration, based on a legislative framework (Law No. 82 of 2016 on Combating Illegal migration of smuggling of migrants), and an institutional framework (The National Coordinating Committee for preventing and combating illegal migration and trafficking in persons- NCCPIM/TIP). Additionally, it has a National strategy on combating illegal migration 2016-2026 and its action plans 2016-2018, 2018-2020 and 2020-2022.

The Egyptian government has made considerable efforts in preventing and combating human trafficking and migrant smuggling. No irregular/illegal migration boats were recorded to have set off from Egyptian shores since September 2016. Egypt has adopted a number of legal instruments that offer protections of migrants' rights. **Under the 2014 Egyptian Constitution**, every Egyptian national has the right to return to his/her country. Moreover, the government prohibits any arbitrary forced migration of Egyptian nationals. Under Article 17 of the Constitution, every Egyptian national is entitled to social services provided for by the state in the event that an individual cannot support themselves or their families. Returnees can utilise this provision under the constitution to claim the right to access these services to foster their return. Egypt has two comprehensive pieces of legislation concerning the prohibition of human trafficking and the protection of victims of trafficking. In 2010, Egypt adopted the first national legislation concerning human trafficking entitled: **'Law No. (64) of 2010 regarding Combating Human Trafficking.'** This law defines the elements that constitute the crime of trafficking in persons as well as the pertinent legal penalties applicable. Moreover, this law provides certain protections to victims of trafficking and obligates the State to provide these protections.<sup>15</sup>

In 2016, Egypt passed the **'Law No. 82 for 2016 Issuing the Law of 2016 On Combating Illegal Migration & Smuggling of Migrants'**. According to this law, the National Coordinating Committee for Preventing and Combating Illegal migration and human trafficking (NCCPIM-TIP) was established on 7 November 2016, and was formed on 23 January 2017, following a decree from the Egyptian Prime Minister No. 192/2017. The Committee has 29 members, and the Committee's mandate is to lead governmental efforts to prevent and combat illegal migration in Egypt as a country of origin, transit and destination. NCCPIM-TIP has been positioned as the focal point for all policies, national guidelines, action plans and programs related to the issue of illegal migration. NCCPIM-TIP also acts as an advisory body to relevant authorities and institutions, reporting directly to the Prime Minister.

Under this law, the National Coordination Committee on Combating and Preventing Illegal Migration is tasked with the implementation of this legislation as well as replacing the Coordination Committee on Combating Human Trafficking and taking over its duties.<sup>16</sup> Under this law, people found guilty of 'establishing, organizing, or managing an organised criminal group for the purpose of smuggling migrants, shall be subject to the penalty of life imprisonment and a fine between 200,000 and 500,000 Egyptian Pounds, or a fine equal to the value of the achieved profit, whichever is greater.'<sup>17</sup> The law also penalizes anyone concealing information or provides

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15 Egyptian Initiative for Personal Rights (2010) --Law Combating Trafficking in Persons: A Welcome Step that Requires Careful Implementation

16 'Law No. 82 for 2016 Issuing the Law On Combating Illegal Migration & Smuggling of Migrants' Article 2

17 Law No. 82 for 2016 Issuing the Law On Combating Illegal Migration & Smuggling of Migrants, Chapter 2, Article 7

a false statement.<sup>18</sup> Under this law, procedures concerning the sharing of information between international organisations concerned with anti-trafficking are outlined<sup>19</sup> (this is mentioned in law 64/2010 and sharing information of victims is considered a crime for the protection of victims).

Moreover, this law decriminalizes victims of trafficking and outlines specific support that they can avail themselves of, such as financial assistance to victims who sustained damages as a result of trafficking<sup>20</sup> (this is mentioned in the law 64/2010 and not 82/2016).

The NCCPIM conducted two field studies; one on migration of youth and the other on Migration of unaccompanied minors and children (UMC), in addition to a mapping identifying the Egyptian governorates with the highest rates of illegal migration, which was shared with the relevant authorities/members of the committee to implement mega projects in these governorates, such as “Glion Fish Farm” and “Burullus Power Plant” in Kafr ElSeikh which was the main exporting governorate at this time. Also the projects funded by the EUTF will be implemented in these governorates.

In collaboration with the relevant national authorities/stakeholders, the NCCPIM-TIP drafted a National Strategy for Combating Illegal Migration (2016-2026) based on the two studies initiated by the NCCPIM-TIP, consisting of several pillars, including Law implementation, awareness raising, capacity building, protection and development, in addition to drafting the National Action Plan 2016-2018 & 2018-2020. NCCPIM-TIP is working on drafting the third action plan Oct2020-Oct2022.

**Egypt is a signatory of two readmission agreements. The Egyptian-Italian agreement was signed into effect in 2007<sup>21</sup>.** It states that either country involved in the agreement must initiate the process of return for individuals who do not fit within the immigration framework that exists in the country where they do not have nationality<sup>22</sup>. The country requesting the return of the other party's national citizens must present proof of nationality for individuals being returned, which could be in the form of a passport, birth certificate or any other type of national identification<sup>23</sup>. The country being requested to accept a national must automatically accept the request for return if proof of nationality is provided<sup>24</sup>. The receiving country must accept the request for readmission within five business days, if proof of nationality is presented and is proven valid<sup>25</sup>. The framework includes stipulations regarding return and readmission, however it does not include provisions on reintegration. **In 2017, a security service cooperation agreement was adopted bilaterally by Egypt and Germany<sup>26</sup>.** The agreement addresses the deportation and voluntary repatriation of irregular Egyptian migrants in Germany<sup>27</sup>. It is understood that Egypt is to accept all citizens who initially migrated to Germany using methods that are not recognized by the state of Germany

18 Law No. 82 for 2016 Issuing the Law On Combating Illegal Migration & Smuggling of Migrants, Chapter 2, Article 11

19 Law No. 82 for 2016 Issuing the Law On Combating Illegal Migration & Smuggling of Migrants, Chapter 3

20 Law No. 82 for 2016 Issuing the Law On Combating Illegal Migration & Smuggling of Migrants, Chapter 4 & 6

21 <https://therightsangle.files.wordpress.com/2014/03/20070109-italy-egypt-readmission-agreement-eng.pdf>

22 *Ibid*

23 *Ibid*

24 *Ibid*

25 *Ibid*

26 <https://almania.diplo.de/ardz-ar/29-08-2017-deu-egy-abkommen-migration-seite/1819126>

27 *Ibid*

as official<sup>28</sup>. The program is being implemented by the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) and the Egyptian-German Centre for Employment, Migration and Reintegration was to be established as part of the agreement<sup>29</sup>. The Centre aims to mitigate irregular migration and encourage state-recognized methods of migration<sup>30</sup>. The employment centre focuses on the reintegration aspect of RRR, as well as the prevention of hazardous forms of migration, since it functions to promote officially recognized methods of migration by training youth for jobs in Germany and providing training for repatriated Egyptians to help in the reintegration process<sup>31</sup>.

**Table 2. Key RRR Actors in Egypt**

Government Actors	International Organisations
NCCPIM-TIP	UNODC
Ministry of Foreign Affairs	IOM
Ministry of Immigration and Expatriates Affairs	UNICEF
Ministry of Manpower	UN Women
National Council for Childhood and Motherhood	WFP
	ILO
	GIZ

28 *Ibid*

29 *Ibid*

30 *Ibid*

31 *Ibid*

## 2.

# Voices from The Field - Key Takeaways

**Table 3.** Details of Participants Interviewed During Fieldwork

Participants Interviewed During Fieldwork in Egypt					
Type	Gender	Returned From	Type	Gender	Location
1. Returnee	Male	Libya, assisted by IOM	6. Non-returnee	Male	Fayoum
2. Returnee	Male	Libya, assisted by IOM	7. Non-returnee	Female	Fayoum
3. Returnee	Male	Libya, no assistance	8. Non-returnee	Male	Aswan
4. Returnee	Male	UAE, no assistance	9. Non-returnee	Female	Cairo
5. Returnee	Male	Kenya, no assistance			
Majority of interviews were conducted remotely.					

**Circular migration is a huge part of life in Egypt.** Participants noted the difference in terminology between the words ‘migrate’ and ‘travel’. For Egyptian returnees and non-returnees interviewed, the two words have different connotations. For the locals, when someone ‘migrates’ they are settling abroad for good, when someone ‘travels’ they work temporarily in another country. *“Ok. Well you need to know one thing. Here in Egypt, 90% of people who go abroad, it’s not to migrate [he means, it’s not to settle], it’s to work. They travel, work, make money and go back to their families. Then repeat the cycle every few years.”*<sup>32</sup>

**Despite the political instability, Libya is a particularly popular country for circular migration.** Generations of Egyptians have been migrating to Libya making it an attractive destination for pro-



spective migrants because of the social networks already established. *“Many of our people have left to Misrata - for generations, our parents and siblings from Fayoum have migrated to Libya and settled in Misrata to work there. We have close relatives there, cousins and family friends.”*<sup>33</sup>

**The difference between returnees and non-returnees is marginal and is largely dependent upon the success of the migration cycle.** *“For those who’ve made it, the difference is the money, the house, and the appearance. But for those who’ve come back because they got detained; or they couldn’t find a job; or they got sent back... They’re all just like us. They came back the way they came; with the same means.”*<sup>34</sup>

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33 SSI. Male Returnee. August 2020

34 SSI. Male Returnee. August 2020

### 3.

## RRR Programming in Egypt

**The main reintegration programme in Egypt** is conducted by IOM. Although relatively new, the IOM is changing its approach towards community approaches with the introduction of the EU-IOM Joint Initiative for Migrant Protection and Reintegration in Egypt<sup>35</sup>. Return and reintegration programmes supported by the German government are available to Egyptian migrants in Germany. Moreover, GIZ, in collaboration with the Ministry of Immigration and Egyptian Expatriates Affairs, will establish the Egyptian-German Centre for Jobs, Immigration and Reintegration. The centre will provide three main activities: 1) provide training to Egyptian youth to enhance their access to the labour market; 2) provide economic and social assistance to Egyptian returnees; and 3) provide the necessary information and increased opportunities for legal pathways to individuals seeking to migrate abroad.<sup>36</sup>

**Table 4. RRR Programmes in Egypt**

Main Return and Reintegration Programmes in Egypt			
Name of Programme	Lead Implementer	Duration	Summary
<b>Assisted Voluntary Return and Reintegration (AVRR)</b>	IOM	2011- Ongoing	Provides Return and Reintegration Assistance to returnees stranded in transit countries, or who are in a country of destination but desire to return home.
<b>REAG/GARP</b>	German State and Federal Authorities	2017-Ongoing	The REAG/GARP provides financial assistance in order to facilitate voluntary returns. Support includes either: Travel costs from the place of residence to the airport or (bus) train station; Money for the trip: EUR 200 per person (EUR 100 per person under 18 years of age); Medical assistance: maximum of EUR 2,000 for up to three months after arrival in the destination country; One-off funding: EUR 1,000 per person (EUR 500 per person under 18 years of age, maximum EUR 3,500 per family)

<sup>35</sup> KII IOM. Egypt.

<sup>36</sup> Egypt Independent (2020) 'Egypt, Germany to establish Egyptian-German Center for Jobs, Immigration and Reintegration'

<b>StarthilfePlus – Supplementary reintegration support in the destination country</b>	StarthilfePlus	2017-Ongoing	In addition to voluntary return with REAG/GARP, Egyptian returnees can receive financial support of EUR 1,000 for an individual and EUR 2,000 for a family as part of their 2nd start up assistance
<b>Migration for Development</b>	GIZ & Ministry of Immigration and Egyptian Expatriates Affairs	Not yet started	1) providing training to Egyptian youth to enhance their access to the labour market; 2) provide economic and social assistance to Egyptian returnees; 3) provide the necessary information and increased opportunities for legal pathways to individuals seeking to migrate abroad.

## Zooming in on the IOM's AVRR programme in Egypt.

The IOM is the main implementer of return and reintegration programming in Egypt. Under the AVRR programme, the IOM has assisted the voluntary return of more than 2000 migrants between the years 2011 and 2018.<sup>37</sup> Reintegration support is tailored to the needs and vulnerabilities of each returnee but consists of core services such as: counselling, business training, start-up assistance, temporary accommodation and in-kind individual assistance.

**Regarding the profiles of beneficiaries of the IOM AVRR programme, the overwhelming majority were men (96.5%) and from rural areas (62%).<sup>38</sup> Close to 50% are between the ages of 31 and 50 years old and the majority (87%) of beneficiaries left Egypt in search of economic opportunities and ended up in Greece. Beneficiaries did not have Greece in mind as their country of destination, but ended up on their way to Italy.<sup>39</sup>**

An evaluation of the AVRR programme in Egypt in 2017, produced mixed results. 94% of all returnees surveyed in the evaluation indicated that they were satisfied with the pre-departure information obtained and that the information was sufficient enough to help them make informed decisions when they arrived back in Egypt.<sup>40</sup> However, the majority of respondents indicated that the reintegration assistance provided did not sufficiently address their initial reasons for migrating.<sup>41</sup> This is because despite all returnees receiving business counselling and in-kind assistance to start their business, 65% of returnees reportedly closed down their business, due to the difficult procedures they needed to complete in order to make their businesses legal, such as taxes and Identification documents.<sup>42</sup> Moreover, the fact that the majority of returnees come from rural areas where most businesses are informal, these administrative procedures ended up harming their business.<sup>43</sup> As a result, 27% of beneficiaries reported that they were in a much worse finan-

37 See: <https://egypt.iom.int/en/sustainable-solutions-vulnerable-migrants-egypt#context>

38 Ibid

39 Ibid

40 Centre for Development Services (2017) Impact Evaluation of IOM's Assisted Voluntary Return and Reintegration Programme

41 Ibid

42 Ibid

43 Ibid

cial position after their return<sup>44</sup>, creating conditions that could lead to re-migration, as more than 50% of beneficiaries are the heads of households of families consisting of 4 to 6 members.<sup>45</sup>

## The role of the NCCPIM-TIP

In addition to the abovementioned programs, the NCCPIM-TIP conducts field visits to the governorates with the highest percentage of illegal migration to highlight the risk of illegal migration, and provide possible opportunities/potential alternatives. The national committee also works on identifying and collecting information on job opportunities and entrepreneurship for youth and publishes it on its website. Consequently, the website of the National Coordinating Committee for Combating and Preventing Illegal Migration and Trafficking in Persons (NCCPIM&TIP) serves as an online knowledge platform with relevant documentation on counter trafficking and smuggling of migrants.

The NCCPIM conducted more than 95 trainings in the last three years to enhance the capacity of the Egyptian authorities working on combating trafficking in person and smuggling of migrants (law enforcement officials, prosecutors, judges, social workers, NGOs, media professionals, diplomats, labour attaché etc). It also conducted trainings of trainers to enlarge the networks of experts for the aim of sustainability.

Furthermore, a series of training workshops were organized on the relevant national and international legal frameworks on countering trafficking in persons and smuggling of migrants for judges in various governorates of Egypt including Alexandria, Aswan, Cairo and Ismailia.

The NCCPIM launched the counter smuggling awareness raising campaign entitled “Your Family. Your Dreams. Your Life. Say No To Illegal Migration”. In September 2017, NCCPIM&TIP started the campaign’s first wave by preparing and disseminating a television advertisement showing the hazards that the migrants may face during the journey. In May 2018, in the campaign’s second wave, the NCCPIM&TIP launched the “Fares song”, shedding light on the suffering of the migrants’ families. More than 10.5 million viewed the song on social media.

Egyptian Diplomats as well as labour attachés are trained and instructed to provide the needed support for Egyptians aspiring to return to their home country.

In addition, the NCCPIM joined the “Aware Migrant” Campaign aimed at raising awareness among potential migrants about the dangerous journey across the desert and the Mediterranean. The campaign consists of videotaped stories narrated by migrants themselves in Arabic, English, French, Portuguese, and it has been translated to the local African languages with the support of IOM.

With the objective of reaching the target groups and to widen the scale of the awareness campaigns, the committee utilized different social media platforms in the dissemination plans (such

as Facebook, Instagram, YouTube, etc.), as well as diffusing the first wave of the campaign on the national television channels.

During the COVID-19 pandemic, Egypt was keen to provide medical support to all people living in the country without discriminating between nationals and foreigners, also the Egyptian government did not take any measures to repatriate any person living in an illegal situation in Egypt.

After the outbreak of the COVID-19 pandemic, the Egyptian government was keen to support all expats repatriated, due to the pandemic, and help them re-integrate in the community. As such, the “Welcome Home” initiative was launched under the patronage of the President of Egypt. The initiative aimed to recruit repatriated expats in the national development projects. In this regard, the government issued a labour recruitment application form, to collect personal information and professional skills of recently repatriated expats, in order to be able to offer them jobs in the ongoing national development projects in the different governorates.



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# The Republic of Guinea

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## **Country Brief**







# Table of Contents

<b>Acknowledgements</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
Country Level Methodology	4
<b>1. Legal, Policy, and Governance Context on RRR in Guinea</b>	<b>5</b>
1.1 Guinea Legal Frameworks And Provisions For RRR	5
1.1.1 Current State of Legal Frameworks on Return	6
1.1.2 Current State of Legal Frameworks on Reintegration	7
1.2 Implementing Legal And Policy Provisions In Guinea	7
1.2.1 Challenges and Opportunities in Implementation	7
1.2.2 Key National Actors	9
<b>2. Definition of Sustainable Reintegration – Key Take-Aways</b>	<b>12</b>
2.1 Defining Reintegration: Study Definition	12
2.2 Defining Reintegration: Stakeholder Perceptions	12
<b>3. RRR Programming in Guinea: Challenges and Opportunities</b>	<b>16</b>
3.1 Reintegration Specific Programming	16
3.2 RRR in Development Planning – A Key Gap?	22
3.3 Community Needs and Perceptions: Key Insights from the Field	23
3.4 Human Rights in Return, Readmission – Modalities of Return and Effect on Reintegration	24
3.5 Community Perceptions of Return and Returnees	25
<b>4. Moving Towards Good Practices and Learning in Guinea: Success Factors and Challenges</b>	<b>27</b>
<b>5. Conclusion and Recommendations</b>	<b>30</b>
<b>Annex 1. List of Key Informants and Workshop Participants</b>	<b>32</b>
<b>Annex 2. Labour Market Opportunities and Challenges</b>	<b>33</b>
<b>Annex 3. Selected Bibliography</b>	<b>35</b>

# Acronyms

<b>AU</b>	African Union
<b>AUC</b>	African Union Commission
<b>AMIRA</b>	Action pour les Migrants le Long de la Route: Assistance Humanitaire
<b>AVRR</b>	Assisted Voluntary Return and Reintegration Programme
<b>C2CMMD</b>	AU-EU Continent to Continent Migration and Mobility Dialogue
<b>CNOSC</b>	Conseil National des Organisations de la Société Civile
<b>CSO</b>	Civil Society Organisation
<b>ECOWAS</b>	Economic Community of West African States
<b>ERRIN</b>	European Return and Reintegration Network
<b>EU</b>	European Union
<b>ICMPD</b>	International Centre for Migration Policy Development
<b>IOM</b>	International Organization for Migration
<b>MAEGE</b>	Ministry of Foreign Affairs and Guineans Abroad
<b>MATD</b>	Ministry of Territorial Administration and Decentralisation
<b>MENA</b>	Ministry of National Education and Literacy
<b>MET-FPE</b>	Ministry of Employment and TVET
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MIDAS</b>	Migration Information and Data Analysis System
<b>MJEJ</b>	Ministry of Youth and Youth Employment
<b>MoA</b>	Ministry of Agriculture
<b>MoU</b>	Memorandum of Understanding
<b>MPFA</b>	Migration Policy Framework for Africa
<b>MSPC</b>	Ministry of Security and Civil Protection
<b>NGO</b>	Non-Governmental Organisation
<b>PPE</b>	Personal Protective Equipment
<b>PJDD</b>	Partenariat des Jeunes Pour le Développement Durable
<b>RAJGUI</b>	Réseau des Associations de Jeunes de Guinée
<b>REC</b>	Regional Economic Cooperation
<b>RRR</b>	Return, Readmission, Reintegration
<b>OFII</b>	Office Français de l'Immigration et de l'Intégration
<b>OGLMI</b>	Organisation Guinéenne pour la Lutte Contre la Migration Irrégulière
<b>OGM</b>	Observatoire Guinéen des Migrations
<b>ONFPP</b>	Office National de Formation et de Perfectionnement Professionnelle
<b>VoT</b>	Victim of Trafficking



# Introduction

This country brief presents the return, readmission, reintegration (RRR) context in the Republic of Guinea. The Country Brief is produced under the “Study on Return, Readmission and Reintegration Programmes in Africa”, commissioned by ICMPD to Samuel Hall in the framework of the AU-EU Continent-to-Continent Migration and Mobility Dialogue (C2CMMD). The study is being implemented on behalf of the African Union Commission and is funded by the European Union.

## Key Takeaway 1:

The Republic of Guinea approaches reintegration through a lens of community and collective action, which comes with challenges but can provide a reliable path towards reintegration and can be considered a good practice.

## Key Takeaway 2:

While coordination at local levels could be strengthened, the involvement of local actors and associations is a key success factor to build on in an effort to expand the dialogue on RRR.

## Key Takeaway 3:

The Republic of Guinea is politically invested in supporting returns; however, knowledge of support systems, access to national reintegration mechanisms and integration in development plans remain low.

The Republic of Guinea is a country of origin and transit, and a member of the Economic Community of West African States (ECOWAS). A history of political instability in neighbouring countries has resulted in the transit of migrants from Sierra Leone, Liberia and Côte d’Ivoire travelling through the Republic of Guinea to other ECOWAS member states or onwards to North Africa and Europe.<sup>1</sup> The socio-economic challenges in the country have also resulted in a large number of irregular migrants making their way to other ECOWAS members, North African Countries or Europe. Migrants from the Republic of Guinea represent one of the largest groups of returnees supported through the Assisted Voluntary Return and Reintegration (AVRR) programme implemented by the International Organization for Migration (IOM) and the Joint EU-IOM Initiative<sup>2</sup>.

Moreover, the number of irregular migrants in Europe originating from the Republic of Guinea has been steadily rising since 2014<sup>3</sup>. The profile of returned migrants are usually young males who account for 86% of returnees<sup>4</sup>, although key informants interviewed for this country brief note the rise in female migration in the past decade.

The Republic of Guinea is currently in the process of developing a national migration policy,<sup>5</sup> however this has yet to be finalised. Furthermore, the country has been part of the Rabat process, a migration dialogue founded in 2006 that brings together African and European countries to

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1 Maastricht Graduate School of Governance: Guinea Migration Profile (2017)

2 IOM Assisted Voluntary Returns and Reintegration Key Highlights (2016), (2017) & (2018)

3 European Commission Joint Research Centre (2019) Guinea Migration Profile

4 IOM (2018) Promoting Sustainable Reintegration of Returned Migrants in West and Central Africa

5 FMM West Africa (2018) ‘The Government of Guinea develops its national migration policy’

join up migration and development issues. Within this initiative, and as a follow-up to the Valletta summit of 2015, the Republic of Guinea has worked on various projects targeting youth employability, and specifically in the agricultural sector.<sup>6</sup>

## Country Level Methodology

The fieldwork in the Republic of Guinea was conducted in August and September 2020. Due to the COVID-19 pandemic, full health precautions were taken during interviews, conducted either via phone or in appropriate socially distanced settings, wearing appropriate personal and protective equipment (PPE). A workshop was held in a conference room in Conakry, allowing key stakeholders to meet and discuss the findings of this research in person.

**Table 1. Fieldwork in the Republic of Guinea**

Type of Participant	Male	Female	TOTAL
Key Informant	7	0	8
Returnee	2	2	4
Non Migrant Community Member	2	3	5
Workshop Participants	9	1	10
<b>TOTAL</b>	<b>22</b>	<b>6</b>	<b>27</b>

### Box 1. Methodological Challenge: Availability of Programming Data and Limitations on Programme Analysis

Detailed evaluation reports and other internal monitoring documentation from implementing partners beyond beneficiary numbers were not made available to the research team upon request.

Evaluation of programming and identification of good practices and lessons learned is therefore largely dependent on stakeholder perceptions, previous literature (where available), as well as a limited number of returnee interviews.

# 1.

## Legal and Policy Context on RRR in Guinea

### 1.1 Guinea Legal Frameworks and Provisions For RRR

The Republic of Guinea lacks specific legal instruments that address the return, readmission, or reintegration (RRR) of migrants. However, national, regional, and continental legal instruments enforceable in the Republic of Guinea also contain provisions that can be broadly applied to returning migrants. In 2018, the country embarked on the development of a national migration policy, led by the Guinean Ministry of Foreign Affairs and Guineans Abroad. While the policy document has yet to be finalised, once completed, it is expected to include strategies that will enhance the sectoral policies related to migration governance, border management, counter-trafficking, and diaspora mobilisation.<sup>7</sup>

**Table 2. Legal Frameworks And Provisions Relevant To Rrr In Guinea<sup>8</sup>**

Name of Law/Legal Framework	Description
Migration Cooperation Agreement between the Republic of Guinea and Spain (2006) <sup>9</sup>	Article 9, 10, and 11 of the agreement refer specifically to return, and the cooperation agreement includes an Annex outlining readmission procedures.
The Constitution of the Republic of Guinea (2010) <sup>10</sup>	Article 10 refers to the right to return.
Migration Cooperation Agreement between the Republic of Guinea and Switzerland (2011) <sup>11</sup>	Articles 7, 8, 12, and 21 refer specifically to return and readmission, on a reciprocal basis.

7 FMM West Africa (2018) 'The Government of Guinea develops its national migration policy'

8 Ratification of international and regional legal frameworks is discussed in the overall Final Study Report

9 Government of Spain/Government of Guinea (2006). *Acuerdo De Cooperación En Materia De Inmigración Entre El Reino De España Y La República De Guinea*

10 Government of Guinea (2010) The Constitution of the Republic of Guinea

11 Conseil fédéral Suisse/Government of Guinea (2011). *Accord De Coopération En Matière De Migration Entre Le Conseil Fédéral Suisse Et Le Gouvernement De La République De Guinée*

Amending Decree of decree D / 2011/303 / PRG / SGG of 19 December 2011 on the status of the social development and solidarity fund (2013)<sup>12</sup>

Provides the legal foundation for the creation of a solidarity fund with the aim of improving access to socio-economic services, and supporting the development of a national socio-economic reintegration strategy, which includes returnees as well as a wider category of vulnerable populations.

### 1.1.1 Current State of Legal Frameworks on Return

The Constitution of the Republic of Guinea guarantees the right to return of Guinean migrants. Article 10 states that “all citizens have the right to establish themselves and to circulate within the territory of the Republic, to enter in it and to exit from it freely.” There are no other national legal instruments that explicitly pertain to the return of Guinean migrants.

However, the Republic of Guinea has ratified several international conventions that provide provisions that protect and guarantee the return of migrants. The Republic of Guinea has ratified the Convention on the Protection of the Rights of All Migrant Workers and Their Families (1990), which states that all migrant workers and members of their families have the right to return and remain in their country of origin at any time.<sup>13</sup> Moreover, through the ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000) and the Protocol against the Smuggling of Migrants by Land, Air and Sea (2000), the Guinean government is obligated to ensure the identification of trafficked or smuggled migrants and guarantee their safe and dignified return.

#### Box 2: Current State of Legal Frameworks on Readmission

The Republic of Guinea has concluded migration cooperation agreements with Spain (2006) and Switzerland (2011), both of which include readmission clauses, highlighting the principle of reciprocity, as well as elements on identification and coordination. However, the Swiss-Guinea migration agreement has yet to be ratified.<sup>14</sup> The Republic of Guinea has also developed a protocol on the repatriation and reintegration of Guinean nationals illegally residing in Switzerland (2004).

The migration cooperation agreement between the Republic of Guinea and Spain (2006) seeks to reinforce border controls in countries of origin and transit, obtaining information on routes and streamline immediate repatriation procedures for Guinean migrants, requiring enhanced cooperation between the two countries.<sup>15</sup>

12 Amending decree of decree D / 2011/303 / PRG / SGG of Dec. 19, 2011 on the status of the social development and solidarity fund. (2013)

13 Convention on the Protection of the Rights of All Migrant Workers and Their Families. (1990). Article 8

14 Switzerland Federal Department of Foreign Affairs: Bilateral relations Switzerland–Guinea

15 Lopez-Sala. A (2009) Immigration of Control and Border Management Policy in Spain



## 1.1.2 Current State of Legal Frameworks on Reintegration

While returns are accounted for, there is no mention of reintegration of migrants within the Constitution of the Republic of Guinea. Given the status of returnees as citizens of the Republic of Guinea, there are constitutional provisions that apply to the dimensions associated with reintegration. Article 20 of the Constitution recognises the right to work for every Guinean citizen and articles 15 and 23 recognise the obligation of the state to secure the health and well-being of its citizens. The Constitution provides a legal basis for the development of provisions that safeguard and ensure material support to returning migrants in need. Moreover, the Amending Decree of Decree D/2011/303/PRG/SGG of 19 December 2011 on the status of the social development and solidarity fund (2013) enables vulnerable groups (which may include returnees) to obtain financial assistance through the social development and solidarity fund.

Moreover, the Government of the Republic of Guinea has ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000) which obligates the State to collaborate with non-governmental organisations (NGOs) and civil society organisations (CSOs) to provide support to victims of trafficking (VoT) in the following areas: (a) Appropriate housing; (b) Counselling and information, in particular as regards to their legal rights, in a language that the VoT can understand; (c) Medical, psychological and material assistance; and (d) Employment, educational and training opportunities.<sup>16</sup>

The policy and legal landscape relevant to the governance of return migration in the Republic of Guinea needs to be further developed. The ratification of international instruments that provide some protection to migrants and VoTs is a positive step. The inclusion of migrants as part of the group eligible to receive benefits from the social development and solidarity fund is encouraging. Moreover, the **finalisation of the national migration policy will provide a much-needed framework for legal instruments regarding return, readmission and reintegration to be developed.**

## 1.2 Implementing Legal and Policy Provisions in Guinea

### 1.2.1 Challenges and Opportunities in Implementation

Moving beyond policy discussions, workshop participants and key informants interviewed for this report shared three key issues when discussing the adequate implementation of RRR provisions in the Republic of Guinea.

First, **data management and coordination remains a key challenge**, with specific mentions of the difficulty in monitoring entry and exit of migrants and returnees. One solution proposed is the **integration of biometric identification at the border**. Discussions on this are ongoing with

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16 United Nations (2000) Protocol to Prevent, Suppress and Punish Trafficking in Persons. Article 6

IOM, with the hope that this would produce more accessible and standardised data, however, this action has yet to be implemented. In addition, the **establishment of a registration system of migration flows, namely the Migration Information and Data Analysis System (MIDAS), at land and air entry and exit ports** has helped to fill this gap.

On a practical level however, stakeholders note the **difficulty of implementing effective monitoring and evaluation**, largely due to high levels of mobility of returnees, and low capacity to keep track of them upon return, and expressed hope that biometric systems would allow for improved tracking of returnees in the country over the long term. Beyond the entry-level contact, post-return monitoring is essential for improved implementation of RRR projects.

### Box 3. On the Path to Building RRR Knowledge: National Observatory on Migration

Workshop participants expressed enthusiasm at the pending operationalisation of the National Observatory on Migration (*Observatoire Guinéen des Migrations* (OGM)), which will be the first such national observatory to help establish a knowledge base and forum to address return and reintegration based on evidence, and which will include a focus on livelihoods and job creation.

This involves, on the one hand, collecting data to establish coherent policies across actors, as well as acquiring migration data for informed decision-making. The Guinean Migration Observatory includes among others: a steering committee, which will be set up by Presidential Decree and headed by the Minister of Foreign Affairs and Guineans Abroad; a framework for consultation and dialogue (CCD), which will be decentralized at the national and local level, or even at the level of the structures of the Guinean diaspora (Councils of Guineans Abroad); a pool of experts bringing together specialists in migration management and universities; and a permanent secretariat of the Consultation and Dialogue Framework will be set up for the operationalization of the observatory.

The Observatory was launched in January 2020 in partnership with IOM and with Foreign Commonwealth and Development office (FCDO) funding. While a space has been acquired, formal decrees establishing the observatory had yet to be ratified, and implementation has not begun. The effects of the observatory as a good practice for building an evidence base remain to be seen.

While data collection, management and analysis, knowledge management, and coordination capacities continue to need strengthening at local as well as national levels, as also evidenced in previous research, approaches to **reintegration will need to take into account intra-national strengths existing in the Republic of Guinea.**<sup>17</sup>

At the national level, stakeholders emphasised that **coordination and information efforts were largely effective**, noting not only the implementation of regular coordination meetings between all relevant actors but also the **existence of a WhatsApp platform for national focal points**, allowing them to share information on a continuous basis.

<sup>17</sup> IOM/Samuel Hall (2018); Guinea RRR Workshop Notes (2020)

Finally, Guinean stakeholders – especially government stakeholders – emphasised the **need for increased funds and existing financial constraints to effectively design and implement programmes in line with existing policy.**

## 1.2.2 Key National Actors

Many government actors are involved in supporting RRR in the Republic of Guinea, with IOM as a primary international partner; a handful of CSOs are also key partners. These are outlined in Table 3.

**Table 3. Key Actors Currently Involved in RRR in the Republic of Guinea**

Type of Actor	Name of Actor	Role
<b>Government</b>	Ministry of Foreign Affairs and Guineans Abroad (MAEGE)	Coordination with diaspora members, assistance and protection to Guineans abroad. Identification and documentation for Guineans with orders to be deported.
	Ministry of Security and Civil Protection (MSPC)	Awareness raising on irregular migration; border management
	Ministry of Social Action and Vulnerable People	Psychosocial support for returnees
	Ministry of Territorial Administration and Decentralisation (MATD)	Transportation and material support upon arrival; follow up on reintegration projects
	Ministry of Employment and TVET (MET-FPE)	Skills training, TVET for returnees
	Ministry of National Education and Literacy (MENA)	Training on language skills (French and local languages) to facilitate access to employment and reintegration
	Ministry of Youth and Youth Employment (MJEJ)	Entrepreneurship training for returnees
	Ministry of Health	Support for returnees with health needs
<b>Non-Government</b>	Guinean organisation for the fight against irregular migration (OGLMI)	Awareness raising on irregular migration; psychosocial support to returnees
	IOM	AVRR support; professional training, livelihoods support for reintegration
	National Council for Civil Society Organisations (CNOSC)	Reintegration support and awareness raising
	Network of Guinean Youth Associations Réseau des Associations de Jeunes de Guinée (RAJGUI)	Reintegration support and awareness raising
	EU	Financial and Technical Support
	Guinean Red Cross	Medical and logistical support for returnees with health issues

Through partnership with the CNOSC and the RAJGUI, the Guinean government has access to a wider **network of local organisations and associations throughout the country**. However, while they may offer basic levels of reintegration support (often psychosocial), local organisations have more frequently focused on awareness raising efforts regarding the risks of irregular migration. This may suggest that funding that reaches CSOs is heavily geared towards migration management rather than reintegration. One potentially positive outcome of this is the inclusion of returnees themselves as active participants or even implementers in programming activities, giving an opportunity to those who are new to the process of reintegration to share their experience in formal or informal community forums and settings.

While the government is not directly involved in operational or implementation of reintegration support on the ground, they can play a key role **as a facilitator, allowing non-governmental actors to provide programming, while jointly participating in capacity building and relevant coordination mechanisms**. On this level, non-governmental actors spoken to appreciate the government's efforts to include local and community actors and the opportunities this government support can present. One civil society actor described this in more detail, acknowledging that the existence of a Memorandum of Understanding (MoU) with the government allowed for activities to be freely conducted and for inclusion of participants in wider discussions, but acknowledged the lack of direct government support for implementation.<sup>18</sup>

Building relationships with other actors that are currently not represented, in particular with private sector actors, may also prove challenging. While **government stakeholders recognise the potential of private sector actors to support employment and livelihood reintegration schemes, identifying a win-win situation remains a challenge** – considerations include striking a balance between establishing a relationship of trust and ensuring sufficient possibilities for enterprises to generate a profit. For instance, while one government actor described current efforts to initiate discussions with oil companies in collaboration with the Ministry of Labour, he also noted scepticism regarding the outcomes of these future discussions. However, in spite of uncertainties faced with such partnerships, government stakeholders also described tangible ideas for working with private actors in the future, such as subsidies for returnee placements with selected employers.<sup>19</sup> Another government actor further emphasised the awareness raising that still needs to take place vis-à-vis private sector actors, noting the need for visibility on how returnees can add value to enterprises.<sup>20</sup> This minimal visibility is partly the result of the lack of a national policy framework which, if established, could clearly define a role for the private sector.

Stakeholders also noted the relatively high levels of education and certification of returnees, highlighting this as a strength to be further explored. A path towards effective partnerships might involve working with smaller business owners as well as with public institutions to place qualified returnees in positions relevant to skills they already possess; these discussions have yet to take place.

Finally, while government and non-government actors recognise the importance of **interregional**

18 KII Civil Society Actor. September 2020.

19 KII Ministry of Social Action. September 2020

20 KII Government. September 2020

**cooperation in facilitating return and reintegration experiences**, in practice, non-government actors describes this interregional cooperation as limited. For example, one civil society actor noted that interregional cooperation, although existing in theory, was not implemented in practice, describing the violation of rights that Guinean returnees face at ECOWAS borders.<sup>21</sup> Government actors also highlighted coordination challenges between regions – for instance between ECOWAS and North African states – to ensure safe and dignified return, and emphasised the advocacy and diplomatic support needed from RECs and the AU in addressing these.

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21 KII Civil Society Actor. September 2020.



## 2.

# Definition of Sustainable Reintegration – Key Take-Aways

## 2.1 Defining Reintegration: Study Definition

Inception discussions with key stakeholders involved in the course of this study highlighted the need for an examination and comparison of definitions of sustainable reintegration to establish a baseline definition for the study at the inception phase. This definition is critically re-examined in this section through insights and stakeholder perceptions from research in the Republic of Guinea, to establish whether research findings provide any additional insights for defining sustainable reintegration.

With this in mind, and building on past definitions, this section reviews the following working definition of reintegration used for this study.

### *WORKING DEFINITION OF REINTEGRATION FOR THIS STUDY*

*“Sustainable reintegration can be achieved when returnees rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.”*

## 2.2 Defining Reintegration: Stakeholder Perceptions

Key stakeholders in the Republic of Guinea agreed with the overall definition of the study, emphasising in Key Informant Interviews (KIIs) the importance of autonomy and continuous follow-up [*accompagnement*] in the reintegration process, describing sustainable reintegration as one which allows the returnee to take care of his or her needs in a definitive manner.<sup>22</sup> KIIs also provided further nuance and distinction along the following lines:

1. The **necessary support in an initial return stage, as well as the monitored follow-up along the reintegration process** to ensure that a returnee can gain independence and expand on capabilities was recognised. One civil society actor highlighted the importance of gaining “autonomy and independence” through reintegration support in order to reinforce his or her existing capacities. However, it was also emphasized that the strengthening of capacity needs to occur over a defined (and longer) period of support, in order to determine what is functioning or not on an ongoing basis, and address issues as they come up.<sup>23</sup>
2. The **importance of sustainable reintegration to the wider community as well as to the individual returnee** echoed the community and group-based approach adopted by some reintegration projects in the Republic of Guinea, noting the importance of long-term investment. For example, one government actor described an IOM-supported banana farm cultivated through reintegration support, and which, according to him, now sustains the entire community, “giving fruit” in both the literal and metaphorical sense of the term.<sup>24</sup> This highlights the fact that community-based entrepreneurship promotion might be another success factor for successful reintegration.

This feedback confirms a need for the definition to **capture the ‘how’** – with an emphasis on first, **support** to returnees, and second, follow-up to **monitor** the outcomes of this support on the levels of capabilities, autonomy, and overall independence of the returnee. **The long term** and **temporal component** were underlined by stakeholders in Guinea.

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Four returnees<sup>25</sup> were consulted to provide their feedback on the study’s definition as well. For these respondents, definitions of a successful life after return focused also on **the long term**, and drew heavily on **family**, fulfilment through **work** with its associated **financial stability, and levels of support through programming**. They reaffirm the comments shared by institutional stakeholders, showing an alignment of perspectives and expectations on future reintegration discussions and planning. These were found to be limited to IOM return programming in the Republic of Guinea.

Mariame\*, for instance, returned from Niger with IOM’s support after failing to reach her migration objective of Europe. When asked about how she would define a successful life after return and what she wanted for the long term, she shared the importance of stability and family: “I want a lot out of life. I want to have a husband, and to have a family of my own, to work, to help my mother, and to prepare the future for my children.”<sup>26</sup> While IOM’s provision of GNF 520 000 (USD 52) upon arrival was appreciated, Mariame also highlighted the disconnect between expectations and reality: “The migrants [in Niger] would say ‘When you return to the Republic of Guinea, IOM will give you this, they will give you that.’ [...] They said that when I returned here IOM would give me 1 000 000 GNF (USD 100) upon arrival, and that after one month they would call me and give me 10 000 000 GNF (USD 1000), and that then you could

23 KII PJDD. December 2020

24 KII Action Social. December 2020

25 Names of interviewees, marked with (\*), are pseudonyms to uphold the anonymity of the interviewed individuals

26 SSI1 Female Returnee. September 2020



do what you wanted with the money. One woman from Cameroon said her sister had opened a big shop with the money from IOM.”<sup>27</sup> In reality however, support received has not reached the height of rumour, although Mariame remains grateful for IOM’s support, including training received after arrival (likely through the IOM-EU Joint Initiative programming, although Mariame herself was unsure of the specific programme): “IOM helped me a lot. When I returned, they helped me a lot, we had trainings, and now I am working in a workshop with friends. We have a tailoring set up [*un atelier de couture*].”<sup>28</sup> However, while this works well for Mariame, she cautioned that similar group setups are not always a good practice: “now they [IOM] do not reintegrate individuals, they have to put you in groups. When you are in this group, sometimes other group members are not good. They might take the equipment that IOM provided, they might sell it and leave. If you trust the people, it’s not bad. You can group yourself with people you know well, you know they won’t betray you. But if it’s not the case, it is really difficult.”<sup>29</sup> Ultimately Mariame has evinced satisfaction with her life, in spite of challenges.

For Maurice,\* successful reintegration is directly linked to money, both for financial stability and in order to have a wider social and community impact. “I want to become a rich man [to be successful]. [...] The way that migrants come back, I want to be able to do something for them. There are people here, what can I say? Disabled people, and ... there are many people like this, but if you have financial means, you can help them.”<sup>30</sup> Since his return, he has mainly received support from family. Although he also returned from Niger with IOM’s support after facing obstacles on the journey northwards, Maurice has expressed more frustration at IOM’s slow support. Promised motorbikes upon return in order to work in transportation, he is still waiting seven months later: “They said they would give us motorbikes, but until now we are still waiting. Even myself, if I call the woman in the [IOM] office, she says ok, that we are tiring her, that we can’t call them every day to ask about this. So we said ok. [...] I don’t count on IOM anymore; all I want is what God can provide me. Because I left, I came back, I am doing ok. But if they said they were going to provide something, they should provide it,” although he did express gratitude for initial support provided.<sup>31</sup> Currently living with his family, Maurice has no wish to re-migrate, and is instead contemplating joining the army.

Sophie\*, an engineer by training, returned to the Republic of Guinea after her marriage of almost two years to a Belgian man fell apart, leaving her undocumented and in a situation of stress and irregularity in Belgium. Voluntarily returning to Conakry from Brussels with the support of IOM’s AVRR programme, Sophie defines success after return as the ability to achieve one’s individual goals: “For me, success is the ability to implement a project [*entreprendre un projet*], to find opportunities here at home. It’s true that it’s not easy. I know that because I had to deal with many challenges before, I reached that. But we need to tell ourselves that we can really succeed. What does this mean? To fight, to find opportunities, to face challenges until we reach our personal objective.”<sup>32</sup> As someone with a degree in engineering and who qualifies as highly skilled, Sophie

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27 *ibid.*

28 *ibid.*

29 *ibid.*

30 SSI3 Returnee Male. September 2020

31 *Ibid.*

32 SSI2 Returnee Female. September 2020

noted that IOM's financial support upon return was appreciated but minor compared to the need to access relevant work for someone with her skills: "I don't think that [financial] support is necessarily the thing that is most needed. I had a meeting with IOM, I explained this to them. It's not just the fact of financially supporting return migrants [that makes reintegration]. Since they have partnerships between member states, I think IOM should expand these partnerships for people who have diplomas, who want to return... because I know they are several who want to return, but because the financial support and salaries is lower...it is what it is. So at least for people who have diplomas, they should help them, find employment for these people. That would be better, that is my point of view [on reintegration support]."<sup>33</sup>

Finally, Mohamed\*, who returned from Libya with IOM's support in 2017, defines a successful life after reintegration as being able to work towards achieving his own specific personal objectives: "It's when I reach my objectives – for me my dream is to work for the United Nations. That is one [form of success]. And on the other hand, it's also simply when I can reach a standard of living that is a bit higher. For instance, when it comes to financial matters, when I reach a level where I can take care of myself on my own and be able to help my brothers and my family. That would also be the second thing."<sup>34</sup> Mohamed also experienced a disconnect between the support he expected to receive from IOM and the reality: "I was expecting to receive money from IOM when I returned, because that was promised over there [in Libya]. [...] But when we returned, we found that it was different. The 2000 euros [that they had promised] was actually only 1000, and they did not give it in cash. This was the reintegration support." Instead, Mohamed was asked if he wanted to benefit from the cash-for-work programme, a transitional activity organized by IOM in the Republic of Guinea at the time which allowed returnees to earn a bit of money while also meeting other returnees (see Box 6 below for more detail). While temporary, the work and the network it created has led to other opportunities according to Mohamed, who has benefited from several trainings and has worked as a volunteer with IOM. Eventually, with other returnees who he had met through this programme, they started their own returnee association, the OGLMI, and this was a success, and remains one of IOM's key local partners in the Republic of Guinea: "We even forgot that we had our own reintegration to take care of, things were going so well."<sup>35</sup> And through this association, which is partially supported by IOM, he has been able to receive funding to pursue his studies, and is currently studying for an MBA.

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33 Ibid.

34 SSI4 Returnee Male. September 2020

35 Ibid.



## 3.

# RRR Programming in Guinea: Challenges and Opportunities

## 3.1 Reintegration Specific Programming

Workshop discussions highlighted the importance of distinguishing reintegration not only across three dimensions but also at three spatial levels: that of the individual, that of the group, and that of the wider community. Ongoing RRR programmes in the Republic of Guinea – almost all reintegration focused – are summarised in Table 4.

Table 4. RRR Programmes in the Republic of Guinea

Programme	Implementer	Funder	Timeline	Types of Service Provided	Target Group	No. of Beneficiaries	Programme Focus
<b>EU-IOM Joint Initiative</b>	IOM	EU	2017-ongoing	Individual and collective interventions including: in-kind support, transitional work, start-up packages, psychosocial counselling, vocational training, awareness raising activities	Voluntary Returnees	15,754 returnees received reintegration support since 2017	Return; Reintegration
<b>Assisted Voluntary Return and Reintegration (AVRR)</b>	IOM	IOM Member States	2000-ongoing	Financial and logistical support to return home; pre-departure support; individual in-kind reintegration assistance; individual trainings; counselling	Voluntary Returnees	14, 809 returnees have received return assistance between 2013-2019	Reintegration
<b>ORION Pilot Mentoring Project</b>	IOM	FCDO (formerly DFID)	2018-2020	Individualized mentoring (psychosocial support, referrals to existing services)	Vulnerable AVRR beneficiaries	58 returnees as of January 2020 (5 communities in the Republic Guinea)	Reintegration
<b>OFII Programme for Reintegration</b>	Agence Autonome d'Assistance In-tégrée aux Entreprises/OFII	French Government (OFII). Small number of beneficiaries (8) from other countries also assisted under ERRIN	2009-ongoing	Coaching and development of business plans, reintegration grants of up to EUR 5000, individualized mentoring, psychosocial support	Returnees from France/ small number of returnees from other EU countries	90 individual projects have been supported by OFII for Guinean returnees between 2016 and 2020. Includes 8 beneficiaries under ERRIN.	Reintegration
<b>REAG/GARP</b>	IOM	German Ministry of Interior (BMI)	2000-ongoing	Flight or bus ticket, travel costs up to EUR 200, medical support, one time cash support up to EUR 1000 per person (EUR 3500 for a family)	Voluntary Returnees from Germany	Unknown – voluntary returns under REAG/GARP paused in 2020 due to Covid-19	Return
<b>StarthilfePlus: Supplementary reintegration support in the destination country</b>	IOM	German Ministry of Interior (BMI)	2017-ongoing	Second financial start-up assistance 6-8 months after arrival	REAG/GARP beneficiaries	Unknown – voluntary returns under REAG/GARP paused in 2020 due to Covid-19	Reintegration
<b>Swiss Return and Reintegration Assistance</b>	Swiss Government, with various local sub-contractors	Swiss Government	2009-2012	Initial cash support of 1000 CHF (USD 1125), possibility of grant of up to 4000 CHF (USD 4500) for revenue generating project. Some vocational training for returnees who require it.	Voluntary returnees from Switzerland	401 returnees	Reintegration

Existing evaluation reports and other programme documentation was unavailable from most implementing partners in the Republic of Guinea. However, previous research and discussions with key informants highlight the fact that existing programmes – especially programming supported by IOM in the country – have **largely focused on collective approaches to reintegration support**, for example, in the form of group entrepreneurship programming, where a group of returnees will jointly train to own a business, and then split the proceeds.

Government actors noted that individual support under IOM AVRR and the EU-IOM Joint initiative for returnees is also a key element of this programming, highlighting instances of in-kind support such as the purchase of a motorcycle for returnees to run a taxi service. However, where reintegration projects may be larger or costlier, they also highlighted that collective approaches, bringing together groups of four to six individuals, is often preferred, in order to maximize value for money.

This allows for a larger numbers of returnees to be supported and access employment, while providing them a visible and productive role within the community they have returned to. Noting the visit of a delegation from Burkina Faso to learn from the Guinean model to implement effective reintegration programming, key stakeholders recognised this as a successful way to address needs of a larger number of returnees while also providing benefits to the community.

Recent research has highlighted key programmes that adopt this collective approach and have the potential to be considered among the good practices. For example, a soap making initiative under the IOM-EU Joint Initiative programme in one Guinean community has trained returnees together as a collective, jointly building a soap making business and sharing profits.<sup>36</sup> Formal training and in-kind support from IOM has been **complemented by municipal support efforts, highlighting a key good practice** to be strengthened in future programming: municipal support and involvement (in the form of providing free locations for trainings or programmes, follow up, and general facilitation) achieves the dual purpose of providing both material support and a sense of social and psychosocial inclusion.<sup>37</sup>

However, returnee perceptions of **collective approaches vary**. While some **acknowledge the support that the approach provides, others note anecdotally that its effectiveness can vary depending on group composition**. As one returnee who benefitted from IOM reintegration support described it, trust in other group members is a key element to ensuring the success of collective approaches, and where this trust is lacking collective approaches can implode: *“Sometimes the other group members are not good. They will take the equipment provided, they will sell it, they will leave. If you trust the people it can work, I admit. You can group yourself with people who you know will not betray you, you trust. But if you don’t, then it’s not easy.”*<sup>38</sup>

Interviews with local implementing partners highlighted the **need to link the return and reintegration processes**, notably by addressing the lack of institutional mechanisms to create **transition activities** for returning migrants while they wait to receive support or build skills for longer term

36 IOM/Samuel Hall (2020). *Mentoring Returnees: Study on Reintegration Outcomes Through a Comparative Lens*

37 *ibid.*

38 SSI1 Female Returnee. September 2020

reintegration. “We need to put in place a transitory activity for the returnee before he returns. We should already know [when he returns] where we want to orient him, and especially how we can pay him [for training or work] during this transition time. This is where legal and policy structures governing work can be strengthened.”<sup>39</sup> The government therefore has a stronger policy role to play when it comes to operationalising and linking initial return processes to longer term reintegration programming support, although IOM has sought to address this transitional gap between return and reintegration through a cash-for-work programme that has proved largely effective (Box 5).

#### **Box 5. Cash for Work: A Success Factor for Transitional Reintegration Activities and Community Inclusion? Lesson from IOM**

Highlighted as a good practice by IOM, the cash-for-work programme in the Republic of Guinea, under the EU-IOM Joint Initiative, provides beneficiaries with initial immediate temporary employment while waiting to elaborate and implement longer term reintegration plans.<sup>40</sup> Selected beneficiaries include both returnees and community members, who are provided paid public service employment five days a week, such as cleaning up beaches or other public spaces.

This employment is temporary – usually around 45 days – and includes an awareness-raising component, as well as incentives to encourage beneficiaries to reinvest savings in collective reintegration projects. Incentives include additional reintegration support. Beneficiaries receive their wages on a weekly basis, with one third paid in cash and the other two thirds deposited in a bank account.

A rapid assessment of programme outcomes from 2018 highlighted that over 400 Guinean returnees and local community members had benefited from five different cash-for-work projects, and highlighted the positive impact of the programme. Most notably, this positive impact included immediate access to “much needed”<sup>41</sup> cash during the transitional period following their return, as well as improved social cohesion through the involvement of community members. According to IOM, “many” returnees further made the decision to re-invest savings in collective reintegration projects, also supported by IOM.<sup>42</sup>

One returnee spoken to for this study also highlighted the positive benefits of the cash-for-work programme in the Republic of Guinea, sharing that not only was the cash a key element in addressing immediate material needs upon return, but that working with other returnees and community members as part of the programme helped build social networks that led to future employment.

**Slow bureaucratic and administrative processes can cause delays in receiving promised reintegration support**, negatively impacting effectiveness and trust in programming, affecting not only returnees’ economic stability, but also their psychosocial well-being. One civil society key inform-

39 KII CSO. September 2020

40 KII IOM; IOM (2018) *Practice #1: Cash-for-Work, Guinea*

41 IOM(2018)

42 KII CSO. September 2020

ant described delays of several months to a year in receiving support, noting the negative impact not only on the returnee's ability to address their immediate needs (which may be supported via transitional work, as described in Box 5), but also on morale and trust in the institutions and programmes meant to support them.

While the bulk of Guinean returnees who are supported receive this support via the larger programmes implemented by IOM, a much **smaller number of returnees receive targeted support based on the country from which they are returning**. A key example of this is the reintegration support programme implemented by the French OFII for returnees coming back voluntarily from France. Between 2016 and 2020, 90 returnees in the Republic of Guinea have been supported through this programme – around 20 returnees per year, according to OFII staff.

This very small number of beneficiaries has allowed OFII teams and their partners to identify the elements that contribute to the success of their reintegration programme. KIIIs with OFII staff highlights the following success factors:

- **Appropriate amounts for start-up activities:** While specific grant reintegration amounts vary according to returnee projects and needs, these are usually in the EUR 3000-5000 range per returnee. KIIIs highlighted that anything less than EUR 3000 was likely to be insufficient to ensure sustainability of a returnee business in the long term, and that recognition of this was a key factor in ensuring success and sustainability of reintegration programming through support for returnee enterprises.
- **Indirect distribution of grant funds:** Reintegration grants distributed under the OFII programme are not provided as a lump sum directly to the beneficiary, but rather through a local contracted implementer, who closely accompanies the beneficiary, identifies with him which purchases are necessary, and provides financial support in *tranches* based on justification and link to the returnee's business plan.
- **Close mentoring and individualized support to the returnee:** The returnee is supported through the development of his business plan with an individual "coach," who follows up directly with the returnee, provides assistance and technical knowledge on developing a business plan, including facilitation of a small-scale market assessment and feasibility studies for each returnee project. This ensures that even returnees who do not have entrepreneurial experience can develop a project that is relevant and sustainable within their context, and provides them with personal business support on an ongoing basis. OFII staff themselves are in close communication with their local implementers, and conduct visits to individual returnees as well.
- **Inclusion of psychosocial support in the form of individual counselling:** For returnees who need it, close and individualized counselling support is provided. This allows those who were not psychologically ready to set up and operate a business to address trauma or stress factors and build towards a business within six months, according to key informants spoken to for this study.



While the OFII programme in the Republic of Guinea has shown lower levels of success than in other West African countries (e.g., in Burkina Faso, there was an 82% rate of returnee businesses according to OFII staff spoken to for this study), the majority of returnees in the Republic of Guinea supported by the programme do find long term stability through this support: 58% of Guinean returnee businesses supported through the OFII programme were deemed successful in the long term according to internal evaluation reports, and 61% of beneficiaries of the programme declared that they had an income stream that allowed for financial independence.

Overall, a crucial element facilitating the success of the OFII programme is the smaller number of beneficiaries, which allow for higher levels of funds per returnee as well as programming and support that is individualized and adapted for each beneficiaries' unique profile and needs. This allows for flexibility also exhibited in past Swiss programming (Box 6), and highlights the unique advantage of smaller scale programmes. However, some of these success factors and good practices may be difficult to replicate, both financially and logistically, for programmes that have significantly higher beneficiary numbers to manage and if the appropriate infrastructure is not in place. Small- and large-scale programmes need an enabling structure in place to be successful. Moreover, programmes with different scales and scopes have their own advantages and are able to offer services that are mutually reinforcing. Therefore, a diversity of implementing partners is needed to capitalise on collective strengths.

#### **Box 6: Lessons Learned and Good Practices from the Swiss Return and Reintegration programme?**

From 2009 to 2012 the Swiss Return and Reintegration programme for persons returning to the Republic of Guinea provided initial financial support along with a limited level of livelihoods training for Guineans in Switzerland voluntarily agreeing to return.<sup>43</sup> An evaluation report examining the impact of the programme upon its end noted that, in spite of relatively low beneficiary numbers (401 over three years), the implementation of return assistance improves quality of return compared to those who receive nothing. This extends not only to the immediate arrival moment, but in the long-term reintegration process as well: "all returnees visited [for the evaluation] have used their reintegration allocation to start a small enterprise or to realise an investment in the family's agricultural activities."<sup>44</sup>

A key learning and good practice from this programme was its flexibility. As highlighted by the evaluation report, this was a key factor to its success: programme implementers used ongoing monitoring efforts to assess how programme outcomes were progressing in real time, and to make key adjustments before the end of the programme. This included, for instance, flexibility of funding disbursement as needs arose.

The study however highlighted the difficulty of assessing long-term durability of programming and noted that improved information sharing on programming as well as increased financial support was needed in order to have a wider and longer-term impact.<sup>45</sup>

43 Kessler, D (2013). *Return and Reintegration Assistance: External Evaluation – Country Study Guinea*

44 Ibid.

45 Ibid.

## 3.2 RRR in Development Planning – A Key Gap?

Beyond RRR-specific programmes, Guineans have access to welfare and support programmes available for all Guinean citizens. **While there has been no explicit inclusion of returnees in overall development planning to date**, stakeholders identified a need for strengthened legislative, institutional, and funding frameworks to effectively create buy-in on the part of local development actors to integrate migration planning into local development plans at community levels. National government stakeholders clarified that in order to do this effectively, emphasis must be put on ‘win-win’ strategies which can facilitate the implementation of development/migration planning at three levels:

- **Identifying and mobilizing** returnees with skills that are likely to be a positive force for development in their overall communities
- **Integrating specific concerns related to RRR** in all stages of development planning, including at programming and implementation stages
- **Including indicators related to RRR** and returnee reintegration needs in overall monitoring and evaluation frameworks for development projects

**Implementation of these strategies has yet to occur in planning on a coordinated and national level.** Some national development actors have begun to include special adaptations for returnees in their overall programming. For instance, the *Office National de Formation et de Perfectionnement Professionnelle* (ONFPP), the state structure which manages support mechanisms for employment and livelihood trainings, provides specific guidance on finding employment and applicable trainings, as well as serves on a committee with other government actors and IOM to manage migrant groups with a specific entrepreneurial project or wishing to take up employment within a specific sector.

**These efforts have the potential to lead to a more systematic discussion linking reintegration with local economic development** as highlighted in previous research.<sup>46</sup> This will require further investment in reinforcing the links between local, regional and national actors. At a community level, relationships between local authorities, cooperatives, community-based associations that have strong access to youth as well as to women, can enhance awareness and facilitate engagement with key demographic groups.<sup>47</sup>

**Returnees interviewed for this study evinced low levels of knowledge regarding government social support services** targeted to them, most of them noting that the only support available to them was through IOM. Returnees often only see the implementing partner on the ground, and knowledge of the government’s role in this programming is minimal. As one returnee described it: “we can say that the government has very much forgotten migrants, because even what we get with IOM and all of that, it’s the IOM agents who are on the ground. When it comes to psychoso-

<sup>46</sup> Samuel Hall (2018), *Cartographie et profil socio-économique des communautés de retour en Guinée*, IOM.

<sup>47</sup> *ibid.*

*cial support normally it's Action Social [i.e. the Ministry of Social Action and Vulnerable People] who should be there. And it's true, they provide this a bit, but it's really weak because they don't really have the knowledge ["ils ne s'y connaissent pas en la matière"]. We feel completely abandoned by the government."*<sup>48</sup> This perception is a recurring theme in discussions with returnees, highlights the much-needed link with and awareness of available national services.

This perception was not limited to returnees, but also **reflected in discussions with community members**, reflecting wider challenges in implementing development planning and access to social services as a whole.

### 3.3 Community Needs and Perceptions: Key Insights from the Field

Although the scope of this study did not allow for in-depth representative fieldwork in returnee communities, four returnees and four community members in communities of return in each country were spoken to; in the Republic of Guinea these interviews provide an indicative window into a return and reintegration phenomenon that is widespread and recognized within communities.

Feedback from government actors put forth three key trends which influence the migration, return, and reintegration experience in the Republic of Guinea, and which align with indicative findings from case study interviews:

1. **Economic Trends:** Financial distress is among the key drivers of movement from the Republic of Guinea and a desire to achieve successful livelihoods. This remains a key priority upon return: when asked to identify top three priorities from a list of nine, all returnees indicated livelihoods and financial stability as key.
2. **Gender/Age Trends:** In line with trends across the region, the feminization of migration and the rising numbers of unaccompanied minors on the move show the importance of acknowledging and adapting to the needs of specific demographic groups.
3. **Family Trends:** National stakeholders see a "*recurrent resignation of parents from their traditional responsibilities of supervision and education on the norms governing the life of their society*" as a factor in youth migration; this was unsubstantiated in interviews conducted for this study and requires further exploration to be able to frame such a narrative in practice.

Interviews with returnees, while conducted on a small scale and indicative in nature, revealed more nuanced narratives of their migration journey and its impact on their return and reintegration processes. By examining this experience through three key lenses – of needs, of human rights, and of community perceptions –, case study findings allow for an **examination of on-the-ground factors that influence successful return and reintegration outcomes**.

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48 SSI3 Male Returnee. September 2020

**Key Insight 1:** Returnees highlight the way key needs intersect across dimensions, impacting possibilities for reintegration in multiple ways. **Financial liquidity and access to employment is an obvious priority across the board; beyond providing means to provide for oneself and family on a material level, this also has a direct impact on social inclusion and psychosocial well-being:** *“I have my own equipment, I get up early in the morning, I go to work, even if it’s difficult... people see me get up early to go to work, and I like this, that people see me going to my job.”*<sup>49</sup> Consequently, employment not only provides a pathway to material stability but a social standing, and a long term sense of self-worth during the reintegration journey.

**Key Insight 2:** Returnees in the Republic of Guinea also spoke of the importance of **shelter and access to documentation** as core needs for achieving sustainable reintegration in their area of return. The first of these is linked to psychosocial stability and social inclusion; as one returnee describes it: *“When you return, it is like you have lost everything. And so many returnees refuse to go back directly into their communities of departure because they will face a difficult social reinsertion. So these migrants, they need to find shelter somewhere – today we can thank IOM who has constructed a centre for migrants, and so most sleep there. But if they don’t have access to this, shelter it is very difficult.”*<sup>50</sup> It was pointed out though, while it provides for immediate protection, this shelter falls short of being able to be called a “home”. Similarly, **access to documentation is a key issue of justice, which can impact both socio-political and psychosocial reintegration, as well impeding possibilities for finding stable employment.**

**Key Insight 3:** While community members emphasise the importance of livelihoods and financial stability, they also evinced a focus on **education** which was not the case for returnees. Education for community members is seen as an opportunity for children’s success, even as they highlight concerns over the quality of education. Returnees, on the other hand, if they mention education at all, do not see it as a path to success but rather as a missed opportunity, perhaps due to the fact that some returnees have had relatively high levels of education but continue to struggle in finding work.

## 3.4 Human Rights in Return, Readmission – Modalities of Return and Effect on Reintegration

Stakeholders and returnees showed high levels of concern for the consideration of Guinean returning migrants’ human rights. *“We need a higher level of respect for human rights, to not mix up someone who has committed a crime and a migrant – a migrant in a condition of irregularity should not be put in prison or treated like a criminal.”*<sup>51</sup>

49 SSI1 Female Returnee. September 2020

50 SSI3 Male Returnee. September 2020

51 Workshop Participant Government. September 2020

Stakeholders noted the trauma faced by returnees who have experienced human rights violations, particularly those returning from North African countries. Returnees highlighted **difficult situations abroad and the impact this had on their ability to reintegrate upon return**. One migrant described his experience after he returned from detention in Libya as follows: “[after my return] the trauma of it kept coming in my head, so I would hide at home for one month. You see? I spent more than one month in my room without leaving, without speaking to anyone except for those who came to find me. I spent more than six months behind closed doors.”<sup>52</sup> The trauma for those who experienced instances of detention, torture, or witnessed other forms of violence has an impact on reintegration upon return; psychosocial support for these cases needs to be robust and be linked to wider family and social support.

Beyond providing stronger programmatic support for returnees with specific psychosocial needs on the ground, **government stakeholders are committed to address the underlying issue of inhumane treatment and de-criminalization of migrants** in the region, in transit, in detention or during their return journey home, through diplomatic and advocacy channels between countries and regions.

## 3.5 Community Perceptions of Return and Returnees

Non-migrant **community members acknowledge that returnees have specific needs due to their status as a returnee, agreeing unanimously that special support mechanisms and legal frameworks should be in place to support returnees**, including specific needs such as shelter: *“For return migrants, knowing that they were not able to realise their dream, if I was in power, I would insist that they be well treated, that is that each returnee for instance receive shelter.”*<sup>53</sup>

However, non-migrants also highlighted **the existence of stigma and community discrimination for returnees who come back without having achieved their migration objectives**. One community member described this perceived sense of failure vis-à-vis returnees: “our society is one that stigmatises a lot, even when people are sick or have other problems. There are people who, when they return, are told ‘you should have fought harder, why did you give up?’ They question the why [the reason] for the return.”<sup>54</sup>

In spite of this, **returnees describe having an active role to play within their community**, especially when it comes to influencing migration dynamics in their areas of return. Most local associations conducting community awareness raising activities will actively partner with returnees to share their experiences, building a two-way street for community inclusion and information sharing.

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52 SSI4 Male Returnee. September 2020

53 SSI7 Non-Migrant Male Community Member. September 2020

54 SSI6 Non-Migrant Female Community Member. September 2020

While this **encourages social inclusion and allows returnees to transcend initial levels of stigma**, the impact of these awareness-raising activities on migration dynamics within communities is unclear. As one returnee describes it: “I can give advice to my friends, I can tell them to never try to leave via irregular paths. But maybe some won’t accept that, because I didn’t accept it myself when they told me not to leave, that it was dangerous, I didn’t believe it. I had some friends in Europe, they told me not to leave irregularly, that it was too dangerous. But I said to them ‘You went through this to arrive where you are, Now why are you telling me not to go? You don’t want my happiness.’”<sup>55</sup>

Ultimately, while acceptance of returnees may vary on individual levels, there is **a general sentiment of solidarity** apparent in discussions with non-migrants in areas of return which echoes the Guinean approach to reintegration programming through a communal approach.



## 4.

# Moving Towards Good Practices and Learning in the Republic of Guinea: Success Factors and Challenges

At national levels, stakeholders shared three good practices that could be scaled up:

- The establishment of a **national coordination framework on migration (Cadre de concertation national sur les migrations)** to identify gaps, define national development actors who can be tasked with the management of migration flows, and to encourage a coherent policy approach.
- The **establishment of a registration system of migration flows (MIDAS) at land and air entry and exit ports**, which has permitted an initial mapping of migration flows for future programming.
- The creation of the **Guinean Migration Observatory (OGM)** linking to the objectives of the Global Compact on Migration (GCM), which the Republic of Guinea adopted under the Marrakech Agreement. This agreement aims to create an evidence-based coordination framework and may in the future serve as a model and good practice to build evidence-based platforms for the development of effective and sustainable policies and programming.

When it comes to success factors and lessons learned linked to specific programmes, the findings of this report are summarized in Table 5 and the analysis below.



**Table 5. Programming Success Factors and Lessons Learned in Guinea.**

		AVRR	IOM- EU JI	ORION Mentor- ing Pilot	OFII	REAG/ GARP	Strathilfe Plus	Swiss Return and Reinte- gration Assis- tance
<b>Success factors</b>	Pre-Departure Preparation	X			X	X		X
	Immediate return cash assistance						X	X
	Cash-For-Work (Transitional Work Programme)		X					
	Collective Programming		X	X				
	Individualized mentoring/ coaching			X	X			
	Linking business plan with market assessment (individualized)				X			
	Flexible Programming							X
	Links Between Programming	X	X	X		X	X	
<b>Challenges &amp; Lessons Learned</b>	Delays in receiving reintegration assistance		X	X			X	
	Need for more individualized support	X	X	X		X		X
	Lack of Long Term Evaluation and Follow Up (More than 1 year)	X				X	X	X
	Trust between Returnees: Challenge to Communal Approaches		X					
	Limited Market Opportunities/ Limited Linkages with Employers	X	X	X		X	X	X
	Linkages between RRR programmes and other development programming	X	X	X	X	X	X	X

\*Based on stakeholder perceptions; formal assessment not yet completed

\*\* It should be noted that collective programming were highlighted as a potential good practice, but one which was not always effectively functional depending on how implemented

This table summarises the key success factors that merit increased attention and the challenges to be addressed for strengthened reintegration programming in the Republic of Guinea.

Success factors are outlined to facilitate their even and systematic integration in reintegration programmes. The priority in the Republic of Guinea is to harmonise success factors across programming, including linking collective programming with individualised support and strengthening flexibility and linkages between programmes.

Key remaining challenges in the Republic of Guinea can be identified as either:

- a. challenges to implementing a specific success factor, or
- b. structural or administrative factors which can affect the likelihood of success as a whole.

**Challenges to successful implementation** include, for example, trust issues reported by returnees when it comes to communal approaches to programming, and the levels of trust and familiarity within a specific project group that is needed if this approach is to succeed. Administrative or logistical delays in receiving reintegration assistance for specific programmes – including the EU-IOM Joint Initiative – also impact the material ability of returnees to meet their immediate needs, as well as the morale and trust of returnees in existing support systems. While this is a challenge that can be addressed through support for other potential success factors such as transitional employment (as in the Cash-for-Work programme, which has been largely seen as effective), this is a key issue that links to other practices such as flexibility and funding.

**Wider structural lessons learned** which affect success of reintegration across programmes include elements such as navigating limited market opportunities and building stronger relationships with private sector actors. Programming under OFII can serve as a lesson for addressing these challenges with some level of success, in particular in their inclusion of market assessments and feasibility studies tailored to each individual returnee project. In general, a key challenge for many programmes remains both individualised support in the long term – including close personal contact and mentoring. While this requires significant resources to do well, the success of programmes such as OFII's coaching and the ORION pilot mentoring approach indicate that these can be resources well spent. On the other hand, programmes that have shown success in individualised support on a small scale – such as the OFII programme – have not taken wider-scale communal and community programming into account.

This highlights a gap in linkages between programmes and between types of implementation. While each programme exhibits at least one “success factor”, the positive impact these may generate is often limited in practice due to implementation challenges or structural gaps. One of these key structural gaps is the minimal level of follow-up and data sharing, making it difficult create synergies across programmes. Harmonisation of indicators across actors – as has been done by IOM using, for example, its Reintegration Sustainability Survey (RSS) programme – can serve as an effective tool to build this synergy and help partners work better together.



## 5.

# Conclusion and Recommendations

In spite of existing challenges and the need to further improve coordination and develop partnerships, the Republic of Guinea offers **good practices to be further examined**. First, the **community approach to reintegration**, while not perfect, provides an effective model for including returnees in wider ecosystems; and second, relatively high levels of linkages with CSOs and local associations showcase the potential positive impact of locally-led programmes.

## The Republic of Guinea Recommendations

Based on the above summarised challenges and lessons learned, recommendations for the Republic of Guinea have been categorised by theme and are described in Table 6 below.

**Table 6. Thematic Recommendations on RRR in Guinea**

<b>Regional and National Cooperation</b>	1. Workshop participants urged <b>the African Union and RECs to take a leadership role on advocacy between regional groups</b> , especially when it comes to facilitating dialogue with North African countries where many Guinean migrants are detained and return from under difficult conditions. This included suggestions trainings for human rights' protection and discrimination reduction, as well as the creation of opportunities for cross regional exchange. The AU is seen as the key actor to take a leadership role in advocating for the human rights of migrants, in leading awareness raising on this – they are perceived as having the authority to engage in this diplomacy between regions and countries.
	2. <b>Strengthened linkages and targeted partnerships with development actors, in particular with the Ministry of Agriculture:</b> Agricultural activities account for a significant percentage of livelihoods activities in the Republic Guinea, and existing national programmes designed to support youth in agribusiness enterprises can be of relevance to returnees. Lead actors on return should continue to build on their inclusion of the MoA in policy discussions and move towards the signing of an MoU providing support for the targeted inclusion of returnees (for instance through a quota system) in order to ensure <b>effective impact of national development programming on returnee populations</b> .

<b>Flexible Funding and Capacity Building</b>	<ol style="list-style-type: none"> <li><b>1. Recommendation on Flexible Funding:</b> Flexible funding is a key element to being able to react to stakeholder needs – by allowing funding mechanisms that are more flexible, <b>donors can ensure that programmes can be adapted to specific individual and contextual needs.</b> Working with national governments to <b>co-finance reintegration support</b> mechanisms can increase ownership and investment on both sides.</li> <li><b>2. Training, sensitisation, and capacity building focused specifically on joint planning and design of RRR programming</b> can help to address perceived funding gaps and build on existing government capacity. This can take the form of a joint initiative between government, implementing actors, and donors, and serve as an ongoing multidirectional learning opportunity.</li> </ol>
<b>Inclusion of Community Actors/ Locally Led Initiatives</b>	<ol style="list-style-type: none"> <li><b>1. Inclusion of local actors, including civil society and private sector actors in developing the national migration policy framework through participatory processes:</b> The Republic of Guinea is currently drafting its national migration policy framework. This provides a key opportunity to include participation from local actors at national planning levels – including both civil society and private sector actors to ensure coherence with realities on the ground. The national migration policy should provide specific provisions for the roles of these actors and how they can be included in national planning mechanisms.</li> <li><b>2. Improved coordination with intra-nationals and localisation of implementing support:</b> Local and regional administrations are already involved on an ad hoc level in the Republic of Guinea; formalising these local relationships towards a more explicitly decentralised approach can better leverage this existing local engagement and strike a balance between adapting programmes to real needs on the ground in different contexts and ensuring coherence with national reintegration objectives.</li> <li><b>3. A mapping of local organisations and community-based organisations</b> is required to ensure that commitments made at national levels trickle down to greater awareness among organisations on the ground, and to allow them to provide feedback and information, e.g. on skills, relevant to key target groups (including youth and women). Research has shown the lack of technical and financial capacity among such organisations, which remains, to a large extent, focused on awareness raising rather than reintegration programme implementation.</li> </ol>
<b>M&amp;E and Data Management</b>	<ol style="list-style-type: none"> <li><b>1. Strengthening M&amp;E and data management mechanisms:</b> A reliable evidence base on returns in the Republic of Guinea (as elsewhere) remains lacking. While the development of the Guinea Observatory on Migration is a step in the right direction, government actors and relevant partners should already plan for practical steps in how learning from the observatory can be applied to policy and programming, and deployed to improve learning at sub-national as well as national levels.</li> <li><b>2. Standardisation of indicators and assessment mechanisms,</b> based on existing tools.</li> </ol>



# Annex 1.

## List of Key Informants and Workshop Participants

Key Informants and workshop participants spoken to for this study are identified by institution and not individual in order to protect participants' anonymity. These are outlined in **Table 7** below.

**Table 7.** High Level Study Participants

<b>Key Informants</b>	IOM Guinea (2)
	Ministère de la Protection Civile et de la Sécurité (2)
	OGLMI
	Ministère de l'Action Sociale et des personnes vulnérables
	Partenariat des Jeunes pour le Développement Durable
	OFII West Africa (covers Guinea)
<b>Workshop Participants</b>	Bureau d'Accueil, d'Orientation et de Suivi du Ministère des Affaires Etrangères et des Guinéens de l'Etranger
	Ministère de l'Enseignement Technique, de la Formation Professionnelle et de l'Emploi
	Ministère de l'Action Sociale et des Personnes Vulnérables
	Ministère de l'Action Sociale et des Personnes Vulnérables
	Ministère de l'Administration du Territoire et de la Décentralisation
	Organisation Guinéenne pour la lutte contre la migration irrégulière -OGLMI
	Responsable des Opérations et AVRR de la Mission OIM- Guinée
	Organisation Guinéenne pour la lutte contre la migration irrégulière



## Annex 2.

# Labour Market Opportunities and Challenges

### Opportunities

A climate favourable to agricultural production can provide a platform for innovative agro-initiatives

Rich natural resources, including in the mining sector, represent the largest hydropower potential in West Africa, that remains untapped.<sup>56</sup>

Strategic location as a coastal country can provide opportunities for business development.<sup>57</sup>

### Challenges

Rapid urbanization affects job opportunities in urban areas, even as these urban areas remain the preferred destination for both returnees and youth.

Slow economic growth and low agricultural productivity have impacted development growth and access to and quality of services

As a country, the Republic of Guinea presents opportunities for overcoming labour and growth stagnation. A country with a wealth of natural resources – including the world’s “largest untapped iron-ore mine” and significant water resources<sup>58</sup> – the country has nonetheless struggled to leverage these natural resources into economic growth.

Agriculture is the primary sector of work in the country; however subsistence agriculture remains the norm, and inadequate infrastructure as well as limited access to “agricultural extension services” and other technical or capacity support have resulted in limited agricultural productivity.<sup>59</sup> In spite of its vast agricultural population, the country continues to import rice, and cereal yields have been stagnant for many years; agricultural production is low when compared to its other West African neighbours.<sup>60</sup>

56 World Bank (2018). *Republic of Guinea: Overcoming Growth Stagnation to Reduce Poverty*

57 Ibid.

58 Ibid.

59 FAO (n-d) *Factsheet: Integrated Production and Pest Management in West Africa: Guinea*

60 World Bank (2018) .

Rapid urbanization and slow economic growth have also left their mark: the ad hoc nature and lack of planning prevalent in the Guinean urbanization context – combined and affected by rapid movements to the cities – have contributed to a negative urbanization effect, in part identifiable by the fact that the Republic of Guinea’s GDP has not kept pace with urban growth.<sup>61</sup> This has created conditions where access to jobs and quality of living in urban areas remains low, even as these areas remain favoured and populations continue to move, drawn by a feeling of potential for opportunities and a sense of stagnation in rural areas.





## Annex 3.

# Selected Bibliography

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Malawi

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**Country Brief**





# Table of Contents

<b>Acronyms</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
Country Level Methodology	4
<b>1. Legal, Policy, and Governance Context on RRR in Malawi</b>	<b>6</b>
1.1 Malawi Legal Frameworks and Provisions for RRR	6
1.1.1 Current State of Legal Frameworks on Return	7
1.1.2 Current State of Legal Frameworks on Readmission	8
1.1.3 Current State of Legal Frameworks on Reintegration	8
1.2 Implementing Legal And Policy Provisions In Malawi	10
<b>2. Definition of Sustainable Reintegration – Key Take-Aways</b>	<b>12</b>
2.1 Defining Reintegration: Study Definition	12
2.2 Defining Reintegration: Stakeholder Perceptions	12
<b>3. RRR Programming in Malawi</b>	<b>16</b>
3.1 Overview of RRR Programmes in Malawi	16
3.1.1 Good Reintegration Practice in Malawi: Designing Programming Based on Community Inputs	18
3.1.2 COVID-19: Support Provided During Times of Crisis	21
3.2 Moving Towards Effective and Sustainable Reintegration in Malawi?	22
3.2.1 Community Perceptions of Return and Reintegration	22
3.3 Moving Towards Good Practices and Learning in Malawi: Success Factors and Challenges	28
<b>4. Conclusion and Recommendations</b>	<b>30</b>
<b>Annex 1. Key Informants and Workshop Participant List</b>	<b>32</b>
<b>Annex 2. Labour Market Opportunities and Challenges</b>	<b>33</b>
<b>Annex 3. State and Non-State members of the TWG</b>	<b>35</b>
<b>Annex 4. Selected Bibliography</b>	<b>37</b>

# Acronyms

<b>AU</b>	African Union
<b>AUC</b>	African Union Commission
<b>AVRR</b>	Assisted Voluntary Return and Reintegration
<b>C2CMMD</b>	AU-EU Continent to Continent Migration and Mobility Dialogue
<b>CADECOM</b>	Catholic Development Commission Malawi
<b>CSOs</b>	Civil Society Organisations
<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>COVID-19</b>	Coronavirus Disease 2019
<b>DFID</b>	Department for International Development
<b>EU</b>	European Union
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>GDP</b>	Gross Domestic Product
<b>ICMPD</b>	International Centre for Migration Policy Development
<b>ICT</b>	Information and Communications Technology
<b>IDP</b>	Internally Displaced Person
<b>IOM</b>	International Organization for Migration
<b>KII</b>	Key Informant Interview
<b>MEDF</b>	Malawi Enterprise Development Fund
<b>OAU</b>	Organisation of African Unity
<b>PPE</b>	Personal Protective Equipment
<b>RECs</b>	Regional Economic Communities
<b>SADC</b>	Southern African Development Community
<b>SME</b>	Small and Medium-sized Enterprise
<b>TEVETA</b>	Technical, Entrepreneurial and Vocational Education Training Authority
<b>TVET</b>	Technical and Vocational Education Training
<b>TWG</b>	Technical Working Group
<b>UNDP</b>	United Nations Development Programme
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UN</b>	United Nations



# Introduction

This country brief presents the return, readmission, reintegration (RRR) context in Malawi. The Country Brief is produced under the “Study on Return, Readmission and Reintegration Programmes in Africa”, commissioned by ICMPD to Samuel Hall in the framework of the AU-EU Continent-to-Continent Migration and Mobility Dialogue (C2CMMD). The study is being implemented on behalf of the African Union Commission and is funded by the European Union.

## Key Takeaway 1:

Malawi is in the process of drafting a national migration policy, which can be a catalyst for legislation and government programming related to RRR.

## Key Takeaway 2:

The recently completed ‘Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration’ developed the capacity of government actors to address return and reintegration. However, financial constraints inhibit government take-over.

## Key Takeaway 3:

Building greater synergies between existing services and reintegration programming will provide a cost-effective method of improving community-level interventions.

**Reliable statistics on migration in Malawi are difficult to collect and are often incomplete.**<sup>1</sup> However, from the data available, it can be deduced that Malawi is an important country of origin as labour migration from Malawi to neighbouring countries is on the rise. In particular, a cross-section of Malawians regularly ‘emigrate to South Africa to seek various jobs in the burgeoning informal sector and for trade purposes.’<sup>2</sup>

“When most of the people are leaving, they say that they are going to South Africa to go look for work. Most of the people are usually travelling to South Africa. This form of travelling has increased in recent years. When they are leaving as I have said they say they are going to look for work because the currency in South Africa is more valuable than the Malawian money.”<sup>3</sup>

Most Malawian migrants who live in South Africa enter the labour market through relatively low-level skilled jobs.<sup>4</sup> Labour migration from Malawi to the Republic of South Africa has been driven by several factors such as: lack of employment opportunities in Malawi, low income, poor working conditions coupled with large wage differences between South Africa and Malawi, with the former generally offering higher wages.<sup>5</sup>

1 United Nations Population Division. World Population Prospects: 2019 Revision. Malawi - Net migration

2 C Banda ‘Migration from Malawi to South Africa: A Historical and Cultural Novel’

3 Female Returnee. August 2020

4 Redson Phindu, PhD ‘Social protection for Malawian migrants in Johannesburg: Access, exclusion and survival strategies’ African Human Rights Law Journal (2011)

5 Elliott P. Niboye International Labour Out-Migration in Mzimba District, Malawi: Why Persistent? & Anglewicz. P and Myroniuk. W. T (2018) Shocks and Migration in Malawi



Whilst some Malawians may hold travel documents as they travel by road to South Africa and neighbouring countries for economic opportunities, they often tend to overstay their visa time-frame<sup>6</sup>, and others may not have travel documents but enter South Africa illegally through bribes<sup>7</sup>, or take advantage of porous border spots. Our research confirmed this dynamic as nearly all of the Malawian returnees interviewed had migrated to South Africa with the right documentation but end up in an irregular situation by over-staying their visa. Recent upsurges in xenophobic attacks over the last decade have also resulted in many Malawians returning home in order to escape violence.<sup>8</sup>

**Malawi is a popular country of transit and destination for East African migrants travelling along the Southern Migration Route** from the East and Horn of Africa to South Africa. In 2017, 66 % of returnees from East Africa returned from Malawi, whilst in 2018, 20% of total returns under the IOM AVRR Programme in Southern Africa were from Malawi.<sup>9</sup> COVID-19 has seen a spike in assisted returns of Malawian migrants from South Africa, with the IOM facilitating over 400 returns in August this year.<sup>10</sup> Our research has found that non-assisted returns of Malawian migrants are occurring due to the harsh socio-economic repercussions engendered by the strict lockdown in South Africa, but official numbers are difficult to ascertain.

## Country Level Methodology

Fieldwork in Malawi was conducted in August and September 2020. Thanks to the easing of travel restrictions and an improved health situation in Malawi following the COVID-19 pandemic at the time of fieldwork, interviews were conducted in person. Full health precautions were taken during interviews, with participants and interviewers wearing appropriate personal and protective equipment (PPE). A workshop with key national stakeholders was held in a conference room in Lilongwe, allowing key stakeholders to meet and findings of this review discuss in person.

**Table 1. Fieldwork in Malawi**

Type of Participant	Male	Female	TOTAL
Key Informant Interviews	4	2	6
Returnee	2	2	4
Non-Migrant Community Member	2	2	4
Workshop Participants	5	6	11
<b>TOTAL</b>			<b>25</b>

6 Redson Phindu, Phd 'Social protection for Malawian migrants in Johannesburg: Access, exclusion and survival strategies' African Human Rights Law Journal (2011)

7 See Lowani Mtonga 'Malawi: How Malawians Travel to South Africa Without Documents'

8 See VOA News (2019) 'Malawi Repatriates Citizens Targeted in South Africa'

9 IOM Assisted Voluntary Returns and Reintegration (AVRR) Key Highlights (2017) & (2019)

10 See IOM (2020) 'Stranded Malawian Migrants Return Home from South Africa'

**Box 1. Methodological Challenge: Availability of Programming Data and Limitations on Programme Analysis**

Evaluation of programme outputs, objectives and impact of the Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration were made available to the Samuel Hall research team through various documents and meeting minutes shared by the Ministry of Homeland Security. Moreover, details of the *DFID/IOM project on Humanitarian Response to Vulnerable and Stranded Migrants in Southern Africa Region: COVID 19* were provided by an internal project presentation shared by the Ministry of Homeland Security. Subsequent attempts to reach the IOM office in Malawi were not successful.

# 1.

## Legal and Policy Context on RRR in Malawi

### 1.1 Malawi Legal Frameworks and Provisions for RRR

**Malawi is one of the few African countries with a national migration policy, albeit in draft form.** Despite undergoing revisions since 2003, the policy has yet to be finalised and adopted. The draft policy is progressive and includes provisions related to return. For example, it advocates for the attraction and retention of high-skilled Malawian migrants abroad to participate in key sectors of the country such as healthcare.<sup>11</sup> Moreover, the document advocates for the safe and dignified return of all migrants, refugees, and asylum seekers<sup>12</sup>, but lacks specific provisions and guidance on how to achieve this. **Malawi lacks a returnee-specific legal instrument.** Rather returnees can rely on the interpretation of select legal instruments or policy documents to loosely claim certain provisions related to return and protection. These documents are listed in table 2.

**Table 2. Legal Frameworks and Provisions on RRR In Malawi**

Name of Law/Legal Framework	Description
Immigration Act of (1964) <sup>13</sup>	Regulates the entry, stay and exit of foreign nationals. It however also contains provisions that protect stateless individuals seeking to enter or return to Malawi.
The Citizenship Act of 1966 <sup>14</sup>	Enables Malawian nationals to regain their citizenship
Refugee Act (1989) <sup>15</sup>	Provides legal protections for refugee reception and treatment
The Constitution of the Republic of Malawi, (1994) <sup>16</sup>	Supreme law of the land. Contains provisions that safeguard the wellbeing of returnees, and therefore provides a legal basis for returnees to receive reintegration support.
Employment Act of 2000 <sup>17</sup>	Provides the legal ground for positive discrimination of vulnerable groups to secure employment.

11 Policy Priority Area 6 of the Draft National Migration Policy

12 Ibid

13 Immigration Act of (1964)

14 The Citizenship Act of (1966)

15 Refugee Act (1989)

16 Constitution of Malawi (1994)

17 Employment Act of (2000)

### 1.1.1 Current State of Legal Frameworks on Return

Malawi has three legal instruments related to the return of Malawian migrants; they are as follows:

#### ***The Immigration Act (1964)*<sup>18</sup>**

The Immigration Act regulates the entry of persons into Malawi and includes provisions related to the prohibition of entry and deportation of ‘undesirable persons’. The Immigration Act is under review, and it is anticipated that a more human rights-based approach will be incorporated in the provisions. In its current form, provisions relating to return, readmission and re-integration remain inadequate. Section 43 of the Immigration Act makes provision for Malawian citizens absent from Malawi for two years to report their return. However, there are no legal provisions stipulating the necessary protection and procedures for the returnees, including any measures for sustainable reintegration. The Immigration Act also makes a slight reference to readmission under section 12(ii), by providing that no migrant shall have illegal status in accordance with any scheme of recruitment and repatriation approved by the Minister. This would generally allow for repatriated migrants to be readmitted back into the country. No further legal safeguards and protections are provided.

#### ***The Citizenship Act (1966)*<sup>19</sup>**

Under section 27 of the Citizenship Act, provisions include the restoration of citizenship to any Malawian national who has lost citizenship voluntarily or involuntarily. This provides adequate cover for returnees who may have previously rescinded their citizenship willingly or unwillingly. Section 6 of the Citizenship Act (as amended in 2018) now recognises dual citizenship. Furthermore, subsection 5 allows the reclamation of the Malawian citizenship for individuals who acquired the citizenship of another country during the period when dual citizenship was prohibited.

#### ***Refugee Act (1989)*<sup>20</sup>**

In 1989, Malawi passed the Refugee Act which provides for the reception, admission, and treatment of refugees. The Act has been the subject of review for the past decade. A draft refugee law is in place and intends to provide proper legal safeguards for people seeking international protection and intends to domesticate provisions of the 1951 UN Convention that are currently not provided for. The Refugee Act focuses largely on the legal protection of refugees and asylum seekers, and includes safeguards to ensure respect for the principle of non-refoulement.

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18 The Immigration Act (1964)

19 The Citizenship Act (1966) f

20 Refugee Act (1989)

## 1.1.2 Current State of Legal Frameworks on Readmission

**Malawi currently does not have any readmission agreements**, nor does it have any legal provisions related to the readmission of Malawian migrants. Malawi also currently lacks a legal instrument that addresses and includes specific provisions related to sustainable reintegration. However, there exist legal provisions that can broadly be interpreted to cover matters of reintegration.

## 1.1.3 Current State of Legal Frameworks on Reintegration

**Malawi does not have a specific legal instrument for the reintegration of returnees.** However, some legal instruments and policy documents can be referred to, to bolster the development of legal/policy provisions specific to reintegration initiatives in the country, such as:

### *The Constitution of the Republic of Malawi (1994)<sup>21</sup>*

The Constitution of Malawi does not make specific reference to RRR. However, it provides general safeguards that could be interpreted to cover returnees. For example, Section 20 prohibits discrimination of persons due to any status including nationality and further provides that legislation may be passed to address inequalities. It is also worth noting that in certain provisions under the Constitutional Bill of Rights Chapter, the Constitution deliberately refers to 'all persons' and not 'citizens of Malawi' or 'people of Malawi.' Furthermore, under section 25, all persons are entitled to education; section 29 guarantees 'every person' the right to freely engage in economic activity, including to work and to pursue a livelihood anywhere in Malawi; section 19 provides that dignity of all persons shall be inviolable and section 30 provides that all persons and peoples have a right to development and enjoyment of socio-economic development. Section 30 (2) further states that the State shall take all necessary measures for the realization of the right to development, including equality of opportunity for all in their access to basic resources, health services, food, shelter, employment and infrastructure.

A generous interpretation of these provisions can be utilised for legal protection enabling safe and dignified protection for returnees and readmitted persons. Similarly, provisions relating to the right to economic activity and the right to development would supplement sustainable reintegration initiatives for returnees. However, many social and economic rights in the Constitution of Malawi do not fall under the Bill of Rights but rather under Principles of National Policy, which require the progressive realisation of such rights. These include the right to health, the right to food, the right to education and socio-economic principles concerning rural communities, children, the elderly, the disabled etc. Therefore, there is a caveat in the extent to which certain social and economic rights can be enforced immediately to support reintegration efforts. Furthermore, the Constitution of Malawi recognises international law under section 211 but requires domestication of the law.

### **Employment Act (2000)<sup>22</sup>**

Sub-section 2 of Section 5 of the Employment Act provides for positive discrimination in any provision, programme or activity that intends to improve conditions of disadvantaged persons. These provisions act as a legal basis for reintegration programmes that may apply affirmative action or special initiatives to enable returnees access employment.

#### **Box 2. Policy Framework to aid sustainable return and reintegration in Malawi**

Malawi has a National Migration Policy in draft form that, once finalised and adopted, will have specific provisions related to sustainable return and reintegration of Malawian migrants. In addition, Malawi has adopted policies that are not specific to return and reintegration but nonetheless contain provisions that supplement the implementation of sustainable return and reintegration initiatives, as seen below:

##### **The Malawi Diaspora Engagement Policy (2017-2022)<sup>23</sup>**

Under section 3.4.1, the policy advocates for developing and strengthening existing initiatives to retain, attract, encourage, and support permanent or temporary return of migrants with high-level expertise. Moreover, under section 3.7, the document acknowledges the challenges of 'life upon returning home', and indicates that the Malawi government intends to ensure the provision of support to returnees.

##### **National Housing Policy (2019-2024)<sup>24</sup>**

The National Housing Policy advocates for increased access to adequate, durable and affordable housing for all income groups with particular attention to vulnerable households. Though it does not give specific attention to the aspect of returnees and sustainable reintegration, it can arguably follow that returnees would constitute a vulnerable group requiring housing-related interventions.

##### **Disaster and Risk Management Policy (2015)<sup>25</sup>**

The Disaster and Risk Management Policy advocates for strengthening the capacities to effectively prepare for response and recovery. Although the language in the document frames disasters as comprising of natural events the ambit of its application can be much broader. In practice, the department responsible for disaster management has intervened in situations involving mass migration from South Africa due to e.g. xenophobic attacks and COVID-19.

Regarding international instruments pertaining to RRR, Malawi is a signatory of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol<sup>26</sup>, acceding to the Convention on 10 December 1987. However, Malawi also made reservations to several articles of the 1951 Conven-

22 Employment Act (2000)

23 The Malawi Diaspora Engagement Policy (2017-2022)

24 National Housing Policy (2019-2024)

25 Disaster Risk Management Policy (2015)

26 1951 Convention Relating to the Status of Refugees and its 1967 Protocol

tion.<sup>27</sup> Malawi has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).<sup>28</sup> Malawi has ratified the 1954 Convention relating to the Status of Stateless Person<sup>29</sup> in 2009 but has yet to accede to the 1961 Convention on the Reduction of Statelessness<sup>30</sup>.

In relation to continental agreements, Malawi has signed and ratified the 1969 Organisation of African Unity (OAU) Convention Governing the Specific Aspects of Refugee Problems in Africa<sup>31</sup>, as well as the 2009 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)<sup>32</sup>. Malawi does not have domestic legislation regarding internally displaced persons (IDPs) and refugees, and can therefore not fully implement the provisions contained in both AU treaties. However, the national migration policy is expected to resolve these gaps concerning migrants, refugees and IDPs once finalised.

## 1.2 Implementing Legal And Policy Provisions In Malawi

IOM is the lead implementor of return and reintegration initiatives in Malawi, however some government actors also provide core support to returnees and govern return migration. These actors are listed below:

**Table 3. Key Actors Currently Involved in RRR in Malawi**

Type of Actor	Name of Actor	Role
<b>Government</b>	Ministry of Foreign Affairs	Manages diplomatic channels and coordinates lead actors on return and reintegration
<b>Government</b>	Ministry of Gender	Provides returnees with counselling, psychosocial services, and family tracing
<b>Government</b>	Ministry of Homeland Security	Responsible for border management
<b>Government</b>	Ministry of Health	Provides medical support to returnees.

27 Article 7 Exemption from Reciprocity; Article 13 Movable and Immovable Property; Article 15 Right of Association; Article 19 Liberal Professions; Article 22 Public Education; and Article 24 Labour Legislation and Social Security.

28 International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).

29 Convention relating to the Status of Stateless Person (1961)

30 Ibid

31 The OAU Convention Governing the Specific aspects of Refugee Problems in Africa (1969)

32 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)



<b>Government</b>	Technical, Entrepreneurial and Vocational Education Training Authority	Provides skills training to returnees
<b>International Organisation</b>	IOM	Implements return and reintegration support and initiatives

These actors form the core of the country's thematic working group on return and reintegration and the Inter-ministerial Steering Committee during the EU/IOM Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration from 2017-2020, which is currently chaired by the Ministry of Homeland Security. More details on this specific programme and its effects on coordinating key national stakeholders can be found in the subsequent section. Moreover a full list of state and non-state actors which make up the TWG can be found in Annex 3.



## 2.

# Definition of Sustainable Reintegration – Key Take-Aways

## 2.1 Defining Reintegration: Study Definition

Inception discussions with key stakeholders involved while conducting research for the present study highlighted the need for an examination and comparison of definitions of sustainable reintegration to establish a baseline definition for the study at the inception phase. This definition is critically re-examined in this section through insights and stakeholder perceptions from the Malawi research, to establish whether research findings provide any additional insights for defining sustainable reintegration.

With this in mind and building on past definitions, this section reviews the following working definition of reintegration used for this study.

### *WORKING DEFINITION OF REINTEGRATION FOR THIS STUDY*

*“Sustainable reintegration can be achieved when returnees rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.”*

## 2.2 Defining Reintegration: Stakeholder Perceptions

Key national stakeholders were in agreement with the definition proposed but raised concerns regarding the feasibility of every criterion. Discussion around the definition highlighted two key points for further consideration:

**Government capacity:** Participants cited the lack of technical and financial capacities of government institutions to adequately ensure each dimension of reintegration is met and to build the capabilities of returnees to facilitate their integration. Some participants raised the question of

whether a definition should aim to capture the ideal scenario or strive to be practicable, considering the resource constraints of many African States.

**Questioning the relevance of mentioning irregular migration:** This raised a second concern related to whether the ability for returnees to cope with the drivers of irregular migration should be included in the definition – citing the lack of resources currently to combat the drivers of irregular migration in Malawi.

This feedback confirms the importance of determining and **clarifying the ‘who’** - beyond the individual returnees, who is responsible for supporting their capabilities, and more broadly, for providing adequate services? While service provision to citizens is a responsibility of governments, participants in Malawi shared their concern that the government may not be technically or financially equipped to meet the expectations exposed in this study.

The collaboration with lead implementors such as IOM and the series of capacity building initiatives in both the Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration (2017-2020) and the Humanitarian Response to Vulnerable and Stranded Migrants in the Southern Africa Region is a step in the right direction in providing national, regional and local government institutions with the tools to run programmes that build on an integrated approach to sustainable reintegration. Creating the conceptual understanding and technical know-how to mainstream the elements of sustainable reintegration into national development plans is a priority in Malawi.

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Four returnees<sup>33</sup> were consulted to provide their feedback on such a definition as well. For these respondents, successful reintegration was linked to livelihoods and family **stability**, the ability to make life decisions **freely and with dignity**, and the ability to find **fulfilment and personal satisfaction** in one’s daily work. The extent to which this was achieved upon return, and whether lack of achievement would lead to re-migration varied. These components re-affirm **the focus of the definition on safety, dignity and stability**, and on the returnee’s own aspirations and capabilities.

Brenda\* returned from South Africa due to the economic contraction as a result of COVID-19. Brenda had stayed in South Africa for a year and struggled to find regular employment during the period that she was there. As economic opportunities became scarcer as a result of the COVID-19 restrictions, her only option was to return home. Brenda received no support from any organisation and explained the hardships she initially faced when she returned, unemployed and saddled with debt. *“So as soon as people found out that I was back they started coming to collect what was due to them. They all thought that I would give them back their money.”*<sup>34</sup> When we spoke to Brenda her fortunes had improved; *“life is better off now because I have started a business.”* However, despite the business, she does not feel that she is capable of achieving the life she wants; *“At the moment I do not feel like I am capable of living a life that is worthy of respect because I*

33 Names of interviewees, marked with (\*), are pseudonyms to uphold the anonymity of the interviewed individuals

34 Female Non-Returnee. August 2020

*cannot even depend on myself to live a good life*<sup>35</sup>. Brenda cited financial support, such as increased access to finance to purchase a house and to pay back her debts as the most important tools to helping her secure the life she wants, describing a successful life as follows: *“so for me that would mean having enough food, having a place to live in and having a cash flow. That is success, because then you do not lack a thing. You are living a healthy life.”*<sup>36</sup>

Felix\* returned from South Africa after a long period away. “I stayed there for a year and three months. However, there was no significant change in my life as I was working to find money to sustain myself and also the people that I had left back home.”<sup>37</sup> Felix is a beneficiary of the Assisted Voluntary Return and Reintegration (AVRR) programme, and through IOM has received support in the form of start-up capital and business training. Thanks to this, Felix has been able to set up his own business and considers himself to be living a successful life. “Now that I have come back home from South Africa and after starting the business, I can say that my life has changed. It has changed tremendously because I have been able to settle down here in Malawi. I have people who work for me and moreover, I have been able to buy land. I depend on myself and I am a person that other people depend on. I am a respected person in the society.”<sup>38</sup> Not stopping there, Felix’s aspirations are linked to his view of success, he aims to expand his business so that he can support the people that depend on him. “Success.... Because people think differently from me to say I am successful, I need to have things that would put me in a position to be able to meet my needs and the needs of the people who depend on me without straining myself.”<sup>39</sup>

Pricilla\* returned from South Africa after spending more than a year there unemployed. Unable to continue living on her family’s support, Pricilla decided to return back to Malawi. This gave her a greater sense of freedom; *“the good thing about leaving a foreign land and coming back home is that I am free to live my life as I desire because this is home.”*<sup>40</sup> Pricilla has received no support from any organisation; *“I have not received any kind of support since returning back home”*<sup>41</sup>, and therefore relies on the support of her family. She cites the lack of finances as a barrier to living a successful life, citing food security as an issue despite owning a farm. *“Food security is also a challenge in my life. You know that we farm. However, I find it difficult to access loans in order to buy inputs for my farming.”* Therefore, financial support in the form of accessible loans were suggested as means to improve her living condition and meet her aspirations of farming and tailoring. Despite the tribulations she has faced upon return, she has no desire to migrate lamenting the heavy cost of her initial migration. *“The things that made me leave in the first place have not actually improved, however, I say I will not go back because of what I experienced when I went there. I lost a lot of money travelling to and from.”*<sup>42</sup>

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35 Female Non-Returnee. August 2020

36 Female Non-Returnee. August 2020

37 Male Non-Returnee. August 2020

38 Male Non-Returnee. August 2020

39 Male Non-Returnee. August 2020

40 Female Non-Returnee. August 2020

41 Female Non-Returnee. August 2020

42 Female Non-Returnee. August 2020

Chiso\* stayed a year in South Africa with illegal status, before being detained and deported by South African authorities. Upon returning to Malawi, Chiso received no support from any organisation or even his family. *“No, I have not received any kind of support since coming back into the country. There has not been any organisation or any government department that has provided me with support since my return into the country. As for my family, my parents are not well to do, so I did not receive any support from them either.”*<sup>43</sup> Chiso cited access to loans with favourable repayment options as the support he would benefit the most from. This is because access to finances would enable him to develop his business idea and attain his conception of a successful life. *“Success to me. If it happened that I have started getting the money. For example, houses people need to give you money [rent] month after month, or after three months or six months. So if I started getting the money, then I would reinvest the money into the business buying other houses. This to me would entail success.”*<sup>44</sup>

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43 Male Non-Returnee. August 2020

44 Male Non-Returnee. August 2020



## 3.

# RRR Programming in Malawi

## 3.1 Overview of RRR Programmes in Malawi

Information on a list of RRR programmes (Table 4) was obtained through a comprehensive desk review, as well as discussions with key focal points and national stakeholders at a workshop in October 2020.

Table 4. RRR Programming in Malawi

Name of Programme / Support Mechanism	Implementing Actor	Funder	Service Provided	Timeline	Target Group	No. of Beneficiaries	Programme Focus
Assisted Voluntary Return and Reintegration (AVRR)	IOM	IOM Member States	Financial and logistical support to return home; individual in-kind reintegration assistance; Individual trainings; counselling	2000-ongoing	Vulnerable and stranded migrants who would like (but are unable) to return to their country of origin. Returns can take place from any of the 173 IOM Member States	736 returnees have received return assistance between 2013-2019	Return; Reintegration
Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration	IOM	EU	Financial and logistical support to return home; individual in-kind reintegration assistance; community development interventions; trainings	2017-2020	Vulnerable and stranded migrants from South Africa and community members in high return areas.	486 returnees received return assistance and 446 returnees received reintegration assistance.	Reintegration
Humanitarian Response to Vulnerable and Stranded Migrants in Southern Africa Region: COVID 19.	IOM	FCD0 (formerly DFID)	In-kind individual reintegration support; skills training; community infrastructure upgrading; health service linkages	2020-ongoing	Returnees (forced or voluntary) returning from: South Africa and Community Members in high return areas in Malawi	175 returnees and community members to receive reintegration support	Reintegration
REAG/GARP	Implemented by: IOM Funded by: the Ministry of Interior (BMI) and the respective German Federal States' Ministries as well as the EU's Asylum, Migration and Integration Fund			2000-ongoing	Voluntary returnees from Germany <b>Persons from non-EU countries:</b> <ul style="list-style-type: none"> <li>who are currently in the asylum procedure</li> <li>whose asylum application has been rejected and are clearly obliged to leave the country</li> <li>who are entitled to asylum or have discretionary leave to remain (based on humanitarian or political grounds)</li> </ul> <b>Persons from the EU:</b> <ul style="list-style-type: none"> <li>who have become victims of human trafficking or forced prostitution.</li> </ul>	Unknown	Return; Reintegration



### 3.1.1 Good Reintegration Practice in Malawi: Designing Programming Based on Community Inputs

IOM, in partnership with the government, is the lead implementor of return and reintegration programming in Malawi, facilitating the three main return and reintegration programmes in the country. The flagship among these is the AVRR programme which provides individual-level support to returnees in three dimensions: economic, social, and psychosocial. Linked with AVRR, 'The Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration', is an EU-funded IOM project that ran between 2017 and 2020 to contribute to the development of community-based reintegration approaches in targeted communities of return<sup>45</sup>. The project had three specific objectives: <sup>46</sup>

1. To **support targeted countries of origin, transit and destination** to enhance national structures and capacities to facilitate a dignified and sustainable return and reintegration process.
2. To **support national authorities in targeted countries** in the provision of dignified voluntary return assistance to stranded and vulnerable migrants.
3. To support targeted countries to enhance the sustainability of returnees' economic, social and psychosocial reintegration through tailored individual and community-level assistance.

The project was in line with commitments set out in the Valetta Action Plan, the EU Action Plan on Return and the EU Partnership Framework with third countries whereby voluntary returns are given preference over forced returns and sustainable reintegration is prioritised in return initiatives<sup>47</sup>. The project worked with the following target groups:

- Government institution at the national, regional, and local levels that work on migration management
- Stranded and vulnerable migrants
- Communities in high return areas
- Civil society organisations (CSOs) and the media

This pilot programme was the first of its kind in Malawi to provide both individual and community support targeting both returnees and non-migrant community members in areas of return. The intervention was deemed successful in evaluation follow-ups, largely due to in-depth consultations with returnees and community members, which led to the design of interventions that were chosen by the communities themselves according to their needs<sup>48</sup>.

<sup>45</sup> The Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration' shared by Ministry of Homeland Security

<sup>46</sup> Ibid

<sup>47</sup> The Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration'(2017-2020) Factsheet shared by Ministry of Homeland Security

<sup>48</sup> Minutes of the Meeting of the TWG of the Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration'(2017-2020) shared by Ministry of Homeland Security

District Executive Councils were set up and interventions selected based on dialogue with the community members and the projects proposed.<sup>49</sup> This engendered a greater sense of ownership resulting in long term participation and engagement from beneficiaries. The programme has provided individual support to returnees in the form of assistance for return paired with longer-term reintegration packages, and also **included community-based development interventions** in the form of a livestock raising scheme in Chikwawa, Mangochi, Mzimba, Nkhotakota, and Nsanje districts and an irrigation project in Salima<sup>50</sup>.

Key outcomes included the following:

- 486 returnees (out of a target of 500) returned safely and were satisfied with travel arrangements<sup>51</sup>
- 446 returnees (334 male and 110 female) were provided with in-kind and collective assistance and at the end of project evaluation, they responded that they considered themselves reintegrated into their communities of return<sup>52</sup>
- 91% of beneficiaries -both returnees and community members- stated that they were satisfied with the intervention, whereas 9% were dissatisfied with the interventions, citing the fact that the actions did not meet their expectations<sup>53</sup>

**A further good practice identified is the synergy between different programmes that aim to build on past initiatives.** For example, the *DFID/IOM project on Humanitarian Response to Vulnerable and Stranded Migrants in Southern Africa Region: COVID 19* aims to build a warehouse in Salima in order to complement the irrigation scheme established under the Pilot Programme and improve food security within the region.<sup>54</sup> Implementation of this has not been completed.

Key national stakeholders further confirmed that the project model was effective and successful. Participants lauded the community-level intervention and perceived this approach to be more beneficial than support provided to individuals alone. While project achievements are noted, the project raises key questions of sustainability when it comes to reintegration programming<sup>55</sup>.

One of the key outcomes of the pilot programme was the formation of the Technical Working Group (TWG) consisting of both government and non-government actors that would regularly meet in order to coordinate service delivery for returnees among different actors. During the implementation of the pilot programme, the IOM functioned as Secretariat for the group, and once the pilot programme had come to an end in March 2020, the Ministry of Homeland Security took over the role of the Secretariat, thereby handing over the responsibility for running the pro-

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49 Ibid.

50 Ibid.

51 Minutes of the Meeting of the TWG of the Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration' (2017-2020) shared by Ministry of Homeland Security

52 Ibid.

53 Ibid.

54 From internal Project Presentation shared by the Ministry of Homeland Security

55 Ibid.

gramme to the government.<sup>56</sup> Although the TWG continued to meet in 2020, the lack of funding to maintain programming – including a missing link to the national budget which prevented the government from accessing funds until the next budgetary cycle – has impacted the transition and has effectively stalled project activities<sup>57</sup>. As a result, stakeholders of the programme have to wait until the next national budgetary cycle in order to earmark funds for the programme or appeal to donors to continue financing the programme.<sup>58</sup> **The reliance on external funding – and forward planning for the handover of the three-year pilot – is a key lesson learned** for addressing obstacles to sustainable reintegration programming.

### 3.1.1.1 Enhancing Government Role in Community-level Interventions

Returnees and community members cited the government and formal institutions as largely absent from providing reintegration support. *“No, there were no such organisations or institutions that provided me or other returnees like me with support in this community. And I have not even heard of the existence of any such organisations. If I knew of such institutions, I would have already sought them out to ask for assistance.”*<sup>59</sup> Such statements, common in the field, indicate the gap to be filled between national and community actors, given i) a low level of capacity of government agencies to implement reintegration initiatives in return areas, ii) lack of awareness among community members of available support mechanisms, and iii) the need to scale up existing support services provided by community-based organisations.

Participants spoke of faith-based organisations such as CADECOM and the Catholic Church providing some support to returnees. However, this support does not adequately address a key need for returnees and community members, which is access to finance. All the respondents interviewed cited village banks called *Banki m’khonde* as providing crucial access to finance through the pooling of resources of the collective and lending to their members. The frequent citation of village banks by participants indicates its popularity and its use. *“Institutions, I should not lie, what I see here that helps is basically what they call Banki m’khonde [village banks]. It is that association that basically helps in this community. The support comes in the form that people [members] are given a little something at the end of every month. So, when people receive the little something, they are able to use the money to either buy food or re-invest in their businesses”*<sup>60</sup>.

Participants mentioned community members receiving loans from the Malawi Enterprise Development Fund (MEDF), a government-owned micro-finance institution.<sup>61</sup> However, none of the interviewees had accessed the loans and only knew a few people who had. Government agencies that participated in the workshop all agreed on the effectiveness of community-based interventions in areas of return as opposed to individual assistance provided to returnees. However, the same government representatives lamented the lack of financial and technical capacity to

<sup>56</sup> Ibid

<sup>57</sup> Ibid

<sup>58</sup> Participant remark in workshop held in Lilongwe with government and non-government actors in October 19, 2020.

<sup>59</sup> Female Returnee. August 2020

<sup>60</sup> Female Non-returnee. August 2020

<sup>61</sup> Malawi Enterprise Development Fund (MEDF) <https://www.medf.mw/about/>

continue successful community-level initiatives such as The Pilot Action on Voluntary Return and Sustainable Community-Based Reintegration (2017-2020).

If technical and financial constraints hinder the ability of the government to continue programmes run on donor funding, an alternative solution would be to scale up existing services available. **Greater synergies need to be built between the 'Agri-business/Fertiliser Loan' under MEDF and reintegration assistance provided to returnees.**<sup>62</sup> Most returnees interviewed who owned productive assets, such as land, still cited food insecurity as a major challenge, due to the inability to afford fertiliser and increase the productivity of their land. **Moreover, returnees running their own business cited the lack of market for their product as a bottleneck to their success.**<sup>63</sup> Stakeholders recommended for the government to fill the gap by creating a market for certain businesses by awarding small-scale tenders to successful returnee businesses, as one interviewee remarked: *"The markets that I want for myself would be through contracts with the government, it may be that the government is building a hospital somewhere and they contract me to make them doors maybe 50 doors."*<sup>64</sup>

In this way, the government can align national development plans with local responses and community needs, focusing, for instance, on infrastructure development with returnees and community members who have received economic training under a reintegration programme. Creating avenues to mainstream returnees and communities of return in national development plans is within reach. Creating greater synergies between existing services and the needs of return communities can be a fruitful way of overcoming technical and financial shortfalls that inhibit the continuation of donor-funded programmes.

### 3.1.2 COVID-19: Support Provided During Times of Crisis

COVID-19 has had a disruptive effect on migrants, returnees, and communities in return areas. IOM has been working together with the Malawian government to facilitate the return of over 400 migrants from South Africa<sup>65</sup>. Recognising that support cannot end once return has been achieved, DFID is collaborating with IOM on a project to economically support returnees and community members in return areas that have suffered due to the pandemic. The project has three objectives:<sup>66</sup>

**Objective 1:** Provide assistance to migrants and migration-affected communities

**Objective 2:** Provide context-specific, and correct information on COVID-19 prevention measures

**Objective 3:** Support national authorities to meet the needs of vulnerable and stranded migrants

<sup>62</sup> Ibid

<sup>63</sup> For more on market access challenges for farmers. See: Manuel. J. L, Kondwani. K & Tapfumaneyi. K (2019) Negotiating new institutional logics : Market access amongst smallholder farmers in Zambia and Malawi

<sup>64</sup> Male Returnee. August 2020

<sup>65</sup> See IOM (2020) 'Stranded Malawian Migrants Return Home from South Africa'

<sup>66</sup> DFID/IOM Humanitarian Response to Vulnerable and Stranded Migrants in Southern Africa Region: COVID 19(2020) Project PowerPoint Presentation- shared by Ministry of Homeland Security

**Figure 1. DFID/IOM Humanitarian Response to Vulnerable and Stranded Migrants in Southern Africa Region: COVID 19- Target Activities Based on Project Objectives**



The three projects related to return and reintegration all have a strong component of activities to enhance the sustainable reintegration of returnees in Malawi. Understanding what sustainable reintegration means to key national stakeholders was a key part of this research and shall be explored further in the subsequent section.

## 3.2 Moving Towards Effective and Sustainable Reintegration in Malawi?

### 3.2.1 Community Perceptions of Return and Reintegration

The perspectives from returnees and community members in return areas are essential in designing better policies, laws and programmes related to return, readmission, and reintegration. Below are major challenges of return and reintegration from the perspective of returnees and the communities to which they return. These key insights are derived from interviews conducted in the field.

“It’s only a few who come home and fully participate in what is happening in the community and it’s also a few who come back for real. It’s because a lot of people do not come home in the right and proper manner. They come home whilst struggling. (...) They come back without plans.”<sup>67</sup>

67 Male Non-Returnee. August 2020

Besides these indicative views of what successful reintegration looks like for individuals and how programme assistance or lack thereof may support this, additional discussions with community members and returnees provides an overview into general perceptions of return and reintegration which may be utilised for the design of better programming.

**Key Insight 1:** Modality of return affects the returnee's experience, including the level of support received and/or level of preparedness. Forced returnees are not provided with adequate information when detained by South African authorities, nor are they provided with sufficient support by the State or other organizations when they arrive back in Malawi. An interviewee lamented his inability to prepare for return due to the lack of information provided. "In between detaining us and arriving in Malawi we were not told anything as to how and when our journey back home would happen. We just saw things and experienced those as they were happening in real-time."<sup>68</sup> Moreover, forced returnees are not provided with essential support immediately after arrival. As a result, they often have to sell the assets they managed to possess before deportation to afford transportation back to their homes. "So, what usually happens is that if you have something like a phone or anything you sell those things to find money to get you home. Wherever your home is whether in the north or anywhere you have to make a plan to make sure you get there."<sup>69</sup>

**Unassisted returns from South Africa to Malawi during COVID-19 also suffered from a similar lack of information.** "We were actually not informed of anything that would happen once we arrived in Malawi. What they did was give us forms to fill." Moreover, returnees suffered stigma from community members who perceived them to be carriers of the virus. "People were already saying that the government should not have allowed us to come back because we were coming back with the virus."<sup>70</sup>

**Returnees who received assistance to return to Malawi had a much higher level of preparedness.** They were provided with adequate information on the details of their return regarding dates of departure and arrival, as well as the level of support they were about to receive processes that needed to be followed, as one interviewee recounts: "IOM helped me a lot. When we were leaving South Africa, they explained that when we arrive in Malawi we will fill business plans for businesses that we would like to do"<sup>71</sup>

**Key Insight 2:** The majority of returnees experience incomplete and unfulfilled migration journeys. Returnees come back in an altered financial and psychological condition from before they left. This is due to the fact that returnees sold physical assets or took out loans in order to obtain the capital needed to travel to South Africa. Once there, returnees - often unaware of the economic challenges in South Africa - are unable to find employment and therefore spend the remaining capital they have to survive. Long periods of unemployment are not uncommon: "I should not lie, I did not find any kind of work from the time I went to South Africa to the time I decided to come back. And I stayed there for a very long time. It was close to twelve months or more that I did not do any kind of work."<sup>72</sup>

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68 Male Returnee. August 2020

69 Male Returnee. August 2020

70 Female Returnee. August 2020

71 Male Returnee. August 2020

72 Female Returnee. August 2020

During this time, returnees spend both time and capital looking for employment opportunities that are often scarce. As a result, some returnees regret having left in the first place, due to the amount of capital that was spent in order to finance their migration cycle. In hindsight, many believe they could have better invested their previously held capital or assets instead of choosing to migrate; “However, at the moment I regret choosing to go, if I had decided at the time not to go and remain in my village my life would have been a lot different from what it is now. I would have started a business or done something else that would have elevated my life.”<sup>73</sup>

### Box. 3 Gender Specific Challenges Related to the Reintegration of Female Returnees

Female returnees often return financially worse off than when they left, due to the amount of capital required to fund their migration journey. “Here at home, we end up falling into more debts with associations, as I am talking now I have found a stack of debts waiting for me that I left because I could not manage to pay the owners back.”<sup>74</sup>

Moreover, the reintegration of some female returnees can be more challenging due to the difficulties of readjusting to potentially more limiting norms and traditions back home.

**Female returnees interviewed spoke of food security and access to finance as common challenges they face.** The two problems are often intertwined, either female migrants gave up their farm before leaving and thus have no farm to return too, or they don’t have the capital to obtain inputs to boost the productivity of the farm they own, therefore leading to increased food insecurity<sup>75</sup>. “Food security is also a challenge in my life. You know that we farm. However, I find it difficult to access money, to finance my farming. I cannot successfully farm without fertiliser and in my current financial standing it is difficult to procure such to put in my land.”<sup>76</sup>

Generally, the support offered to returnees is scarce. The fact that a significant number of households are led by females tends to be overlooked, which partially explains the absence of gender-specific reintegration support.<sup>77</sup> “From where we live people say that men are the ones who are supposed to take care of the home. However, in this community a lot of homes are being headed by women.”<sup>78</sup> The design of gender-specific economic support is crucial to increasing the ability of women in the community to cope with the drivers of re-migration. “Yes, the kind of help that is given must differ according to gender, for a woman, she will need financial support so that she may be able to take care of her home are children, since most women go there to work so as to send back money to their children”<sup>79</sup>.

73 Male Returnee. August 2020

74 Female Returnee. August 2020

75 This is also a particular challenge for rural youth. See: Chisinga. B & Chasuwuka. M (2018) Agricultural Policy, Employment Opportunities and Social Mobility in Rural Malawi

76 Female Returnee. August 2020

77 Fewer women are also invited to agricultural training. See: Mudege.N.N (2019) The Role of Gender Norms in Access to Agricultural Training in Chikwawa and Phalombe, Malawi

78 Female Non-returnee. August 2020

79 Female Non-returnee. August 2020



**Key Insight 3:** Government and formal institutions have been cited as being largely absent by both returnees and non-returnees in return areas. This lack of awareness results in returnees unable to resume their lives where they left off, leaving the majority of returnees worse off upon return. Faith-based organisations attempt to fill the gap by providing some support to returnees. “There are different religious groupings but mostly I would say CADECOM, a Roman Catholic grouping does a lot to help alleviate these challenges.”<sup>80</sup> However, without more formal support the majority of returnees struggle to restart their lives, as one interviewee laments. “Nothing is working in the lives of most of the returnees that I know in this area. Most of them are not doing anything and they have not and are not receiving any kind of support at the moment. We are all just living the village life.”<sup>81</sup>

The situation is worse for forced returnees, who receive the least support and are unable to return with the assets they had in South Africa, therefore living a life of extreme hardship, as one community member describes: “They generally go back to the life of struggling. I feel sorry for these people because they are mostly struggling and living like slaves.”<sup>82</sup>

**Key Insight 4:** Access to finance is a key need among returnees, who often describe the financial stress they are under and the negative effects this has on their resilience and well-being. Community members also lament the difficulty returnees face in accessing finances to get back on their feet; “For returnees to find a little money to go start a business is also a problem. They are unable to find money to start a business. This is a general occurrence for most people who return.”<sup>83</sup> Moreover, the lack of finance negatively impacts food security by making it more difficult for returnees who own land to purchase inputs such as fertiliser that can increase agricultural productivity for sustenance and to take to the market. “I find it difficult to access loans to buy inputs for my farm. I cannot successfully farm without fertilizer.”<sup>84</sup>

The majority of returnees and non-returnees spoke of village banks offering vital support to community members in high return areas. These community-based institutions are widely used, especially by women. “Ladies gather in groups of maybe ten or 20 and they contribute money and start their own banks; they loan the money out to each other and use that money to start businesses on interest. At the end of the year, they share the interest. I can say that many of them get helped when they receive this money.”<sup>85</sup>

Loans from the Malawi Enterprise Development Fund were mentioned more by community members than returnees, this could be due to lack of awareness among returnees on the availability of this service.

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80 Female Non-returnee. August 2020

81 Female Returnee. August 2020

82 Female Non-returnee. August 2020

83 Male Non-returnee. August 2020

84 Female Returnee. August 2020

85 Female Non-returnee. August 2020



**Key Insight 5: Social ties and relationships in communities of return have been re-shaped.** Participants spoke of increasing inequality in their communities resulting in the dilution of community ties and the emergence of boundaries based on income status. “Things have also changed with regards to the manner in which we live. In the past, we would all do things together but as time went by there was a status divide that came about. At the moment people who are poor do their own things and people who have money - those that are rich - also do their own thing.”<sup>86</sup>

Returnees recount the difficulty of long periods away from their spouses and the challenges that are compounded when they return without any improvement in material or financial wealth. “There is joblessness there. I once stayed for six months without a job or working two days in a month for an entire six months. This affects your relationships back home, for sometimes if you left a wife you may find that your marriage is over.”<sup>87</sup>

**Incomplete and unfulfilled migration journeys can result in stigma from friends and family,** who had unrealistic expectations of success, causing large psychological challenges for returnees. “You know that in the village [or at home] when someone has left the country, let’s say like to South Africa, people have expectations that when you are coming back you will come back with something. So, it’s not surprising that I was looked down upon, and people were talking about me behind my back.”<sup>88</sup>

**Key Insight 6: Lack of education and housing is a major challenge among communities of return.** Interviewees pointed out the low levels of education among children and youth within their communities. “No one ever finishes school.”<sup>89</sup> The dropout rate is significantly high for both girls and boys, resulting in very few members of the community reaching tertiary education. Interviewees mentioned the increasing cost of housing and the difficulty in obtaining a house. Returnees often face the prospect of being homeless as one participant observes: The first form of support that they [returnees] need is money, because if the person left the country, but had built a house, then it is most likely that he will not find that house when he’s returning back home.”<sup>90</sup>

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86 Female Non-returnee. August 2020

87 Male Returnee. August 2020

88 Male Returnee. August 2020

89 Male Returnee. August 2020

90 Female Non-returnee. August 2020

#### Box 4. The Intersection between Gender, Education and Livelihoods as a Driver of Migration

**Access to education and education outcomes are particularly low in the return areas visited.** Several participants cited the lack of opportunities for education as a driver of migration. Due to the negative effect this has on their ability - or that of their children- to make a decent living, this results in driving them or their children to migrate to South Africa. *"I really do think sending my children out of the country is one form of me finding something for them to do with their lives. I've been thinking about this, that I should find something for my child to do, he should go outside and find work there."*<sup>91</sup>

**The intersection between gender, education and livelihoods is present in the communities of return.** Young girls receive help from organisations to attend school, however the majority of them drop-out due to the pressure of generating income for their families -often resulting in early-marriage as a way of offsetting the financial burden - or from getting pregnant at an early age. *"For the girls, there have been organisations that have come up to support them in their education. However, the disappointing thing is that for most of the girls they start the studies in Form One only for them to drop off and get pregnant or married along the way regardless of the help that they were getting from the organisations."*<sup>92</sup>

**Key Insight 7: Most returnees interviewed aspire to run their own business, rather than to be provided with a job.** A beneficiary of the IOM AVRRI programme commended the business training that accompanied the financial support, citing this intervention as a primary reason for his success upon return. *"I believe that if the organisation had not given us this education, a lot of us who received the financial support would not have reached where we are."*<sup>93</sup> However, the same participant also pointed out the frustration of not being able to pursue the business they had in mind but rather had to follow the business recommended by IOM. *"Our interests collided, I realised that what they wanted and the support that I had envisioned that I was going to get was very different."*<sup>94</sup> **Ensuring that returnees increase their capabilities involves responding to their needs and aspirations** - focusing on one without the other, will hinder the implementation of holistic interventions.

**Key Insight 8: Lack of data is a bottleneck for the design of impactful policy and programme interventions that address specific needs.** Key Informants lament the lack of data available to make informed policy decisions. For instance, a Knowledge Management Hub was established under the EU-funded *Pilot Action on Voluntary Return and Sustainable, Community-Based Reintegration* with the aim of improving monitoring and evaluation tools to assess the impact of EU-IOM interventions. However, despite the setup of this institution, lack of data and under-developed data retrieval techniques hinder the effectiveness of the Hub in accumulating and rendering data for policymakers to utilise.<sup>95</sup>

91 Male Non-returnee. August 2020

92 Female Non-returnee. August 2020

93 Male Returnee. August 2020

94 Male Returnee. August 2020

95 KII. European Delegation to Malawi. January 2021

### 3.3 Moving Towards Good Practices and Learning in Malawi: Success Factors and Challenges

This table summarises the key success factors that merit further attention and the challenges to be addressed for strengthened reintegration programming:

Success factors have been identified to facilitate their even and systematic integration in reintegration programmes. Table 5 summarises these identified success factors explored in this report and provides an overview of key gaps and achievements.

The **priority for programmes in Malawi is to ensure that progress made on government takeover of programmes is leveraged and built upon.** Moreover, programmes should be designed to better address gender specific vulnerabilities of female returnees and create greater synergies with existing services whether formal such as government development funds for SME's or informal such as village banks which provide crucial finances. Past reintegration programmes have improved government ownership of programmes and improved the technical capacity to take over programmes. However, national budget shortfalls inhibit the government from effective takeover.

**Improvements in RRR** can be made by the adoption of a whole of government approach to improved data collection, monitoring and evaluation. This will not only enable reintegration outcomes to be determined, but will allow more informed decision-making on which existing services can be leveraged to improve return and reintegration programming.

**Table 5. Success Factors, Challenges, and Lessons Learned – RRR Programming in Malawi**

		IOM -AVRR	EU-IOM Pilot Action on Voluntary Return and Sustainable Community- Based Reintegration	DFID- Humanitarian Response to Vulnerable and Stranded Migrants in Southern Africa Region: COVID 19	REAG/ GARP
<b>Success factors</b>	Pre-Departure Preparation	X	X	X	X
	Two-tier screening process	X	X	X	X
	Effective business training	X	X	X	
	Capacity building of government agencies		X	X	

	Community-level economic interventions		X		X	
	Inclusion of the community in the decision-making process of community- interventions		X			
	Formation of a Technical Working Group		X			
	Tailored in-kind individual reintegration support	X	X		X	X
<b>Challenges &amp; Lessons Learned</b>	Lack of Long Term Follow Up (i.e. more than one year)	X	x		X	X
	Low inclusion of SME/informal Employment actors	X	X		X	X
	Lack of effective data collection techniques among key actors	X	X		X	X
	Lack of government funding in order to take up implementation of programmes	X	X		X	X
	Returnees pursuing businesses that do not match with their interest	X				
	Relatively few gender-specific programmes that target the specific needs of female-headed households	X	X		X	X
	Weak linkages with existing complementary programmes and institutions	X	X		X	X

# 5.

## Conclusion and Recommendations

Malawi only has limited frameworks in place to address RRR directly – however, government actors have evinced a high level of goodwill to improve and work towards putting these frameworks in place, including through the drafting of a national migration policy.

Malawi has recently focused on reintegration programming through the lens of community initiatives. Furthermore, while funding turnover remains a key obstacle to the sustainability of implementation, the government has remained committed to maintaining coordination structures and working to identify alternate funding mechanisms.

Based on initial fieldwork findings, key recommendations for Malawi are relevant across contexts; these are outlined by theme in Table 6 below:

**Table 6. Recommendations from the Malawi Case Study**

<b>On Improving Protection of Forced Returnees</b>	1. Forced returnees cited lack of information and support during deportation. Improved information and basic support packages through existing cooperation between South Africa and Malawi will provide better levels of protection and preparedness, including immediate services to returnees upon return, such as the provision of transport back to their homes.
<b>On Building Greater Synergies with Existing Services to Increase Market and Financial Support for Farmers</b>	<p>2. Returnees cited the lack of available markets as an obstacle to their business success. <b>Including returnees in government development plans in areas of return, through the use of tenders catered for small businesses can open up a different market for burgeoning businesses.</b></p> <p>3. Returnees and community members cited food insecurity as a major challenge to reintegration and a driver of migration. This was the case among participants that owned land, due to their inability to purchase fertilizer. The Malawi Enterprise Development Fund offers loans to purchase fertilizer. <b>Building greater synergies between this existing service and reintegration programmes/support will increase the scope and impact of this intervention.</b></p> <p>4. Only 29% of agricultural land in Malawi is significantly irrigated (see annex 2). <b>Forging greater partnerships with the private sector on irrigation schemes</b> in return areas will boost the productivity of farmers and improve food security leading to better reintegration outcomes.</p> <p>5. Formalise relationships with community-based organisations/associations such as village banks who provide vital services to communities of return. <b>Greater efforts to formalize, scale-up and strengthen their legitimacy will make them more efficient and impactful.</b></p>

<b>On Monitoring and Evaluation</b>	6. <b>A whole of government approach for the improvement of data collection</b> will engender a more informed discussion among policymakers and programme implementers. Increased training and capacity building related to data collection, storage and analysis, supplemented by a harmonized data collection policy across different government agencies involved in migration governance will lead to better monitoring and evaluation of programmes, and linkages to existing ancillary services.
<b>On Gender Specific Programming</b>	7. An increasing number of households are headed by women. Moreover, mothers cite the ability to provide for their children by obtaining employment abroad as a key motivation to migrate. <b>Designing economic interventions that are gender-specific and account for the acute challenges faced by women in communities of return can increase the ability of women returnees to cope with reintegration challenges upon return</b> and reduce the financial burden of households which tends to prompt girls to drop out of school early.
<b>On Improving the National Regulatory Environment</b>	8. <b>Finalise the national migration policy</b> , including the institutionalisation of government procedures and principles around return migration governance as well as the inclusion of migrants into development plans.
<b>On Regional Programming</b>	9. The SADC is in the process of developing a regional migration policy framework, once concluded and adopted <b>the SADC should provide technical assistance</b> for other regional bodies -with overlapping members such as COMESA- to develop complementary frameworks. 10. The government of Malawi must ensure that funds are sufficiently allocated to the implementation of the recently adopted SADC Labour Migration Action Plan (2020-2025)



# Annex 1.

## Key Informant and Workshop Participant List

Key Informant	Jobs Centre
	Tilitonse Group
	One Acre Fund
	Ministry of Health
	Child Rights Advocacy and Paralegal Centre
	Ministry of Labour
	European Union Delegation to Malawi
Workshop Participant	Malawi National Commission for UNESCO
	Human Rights Consultative Committee
	Ministry of Homeland Security
	IOM
	African Technology Policy Studies
	The Ministry of Finance, Economic Planning & Development
	Ministry of Health
	Job Centre
	National Statistics Office
	Ministry of Information
	Human Rights Consultative Committee
	TEVETA



## Annex 2.

# Labour Market Opportunities and Challenges

### Opportunities

SME's are an engine for innovation and job creation

Higher educational attainment of young people can lead to increased job creation in manufacturing and service sector.

Improving market access and irrigation to boost productivity of agricultural sector

Telecommunications sector can produce positive externalities in other sectors.

### Challenges

Agricultural sector is still the largest employer

Low wages are driving emigration

Lack of labour migration agreements to foster adequate knowledge transfer and skills matching

Malawi's economy has yet to achieve significant reforms that lead to a structural transformation of the economy.<sup>96</sup> The economy is dominated by the agricultural sector making Malawi among the 15 most agriculture-dependent countries in the world.<sup>97</sup> The agricultural sector in Malawi faces the following challenges: vulnerability to weather shocks; poor management of land, water and soils; low adoption of agricultural technologies; low access to finance and farm inputs; low mechanization and technical labour skills; a limited irrigation system and weak linkages to markets.<sup>98</sup> Moreover, Malawi is one of the youngest countries in the world with 45% of the population under the age of 15. This results in sector that is currently under-productive, unstable and characterised by low wages yet employs 64 percent of the population<sup>99</sup> and will absorb majority of the population when they reach working age.

96 Danish Trade Union Development Agency (2019) Labour Market Profile

97 IFPRI (2018) MALAWI'S CHANGING EMPLOYMENT LANDSCAPE: SOME IMPLICATIONS FOR YOUTH AND ECONOMIC GROWTH

98 JICA (2020) Malawi Agriculture Sector Paper

99 Ibid



However, education attainment levels are improving across the country leading to an increase in employment in the service sector.<sup>100</sup> The country has to leverage on this positive trend by investing heavily in the manufacturing sector which is still only employing 4.1% of the population as well as improving access to finance of SME's. Small and medium enterprises make up about 1.7 million people, equivalent to 38% of Malawi's total working age population and contribute 16% to the country's GDP.<sup>101</sup> This is a sector of the economy that has the potential to be an engine of growth for the country, especially because women make up 46% of those employed in the SME sector.<sup>102</sup> Improving access to finance and the ease of doing business can boost productivity, employment and revenue in this sector.

Investments in the ICT sector can lead to an increase in jobs and a shift of labour towards a more productive sector that has positive externalities for other sectors of the economy such as agriculture. The telecommunications sector is still underdeveloped and mobile penetration in Malawi remains the lowest in the SADC.<sup>103</sup> Increasing investments in skills training and telecommunications infrastructure will support an industry that can improve access to finance through mobile money, improve agriculture through the development of smart apps and spur innovation in other sectors. Lastly national stakeholders can increase investments in improving market access of farmer and improving irrigation of agricultural land which currently only stands at 29%.<sup>104</sup> Both measures would create jobs and improve the productivity of the largest sector in the country.

100 IFPRI (2018) MALAWI'S CHANGING EMPLOYMENT LANDSCAPE: SOME IMPLICATIONS FOR YOUTH AND ECONOMIC GROWTH

101 Business fights poverty (2014) Effective MSME Strategy in Malawi

102 Ibid

103 ICED (2018) Malawi Infrastructure Sector Overview

104 JICA (2020) Malawi Agriculture Sector Paper



## Annex 3.

# State and Non-State members of the TWG

### Government Ministries, Departments and Agencies

Ministry of Home Affairs and Internal Security

Ministry of Labour, Youth, Sports and Manpower Development

Ministry of Foreign Affairs and International Cooperation

Ministry of Gender, Children Disability and Social Welfare

Ministry of Finance, Economic Planning and Development

Ministry of Industry, Trade and Tourism

Ministry of Local Government and Rural Development

Ministry of Health

Ministry of Education, Science and Technology

Ministry of Civic Education, Culture and Community Development

Ministry of Information Communication and Technology

Ministry of Land, Housing and Development

Department of Immigration and Citizenship Services

National Statistics Office

Malawi Police Service

Malawi National Commission for UNESCO

TEVETA

<b>UN Organisations</b>	UNDP
	UNHCR
	FAO
<b>Non-Government Organisations</b>	The Hunger Project
	Council for Non-Government Organisations in Malawi
<b>Private Sector</b>	Jobs Centre
	Malawi Confederation of Chambers of Commerce and Industry
<b>Civil Society Organisations</b>	Human Rights Consultative Committee
	Malawi Congress of Trade Union
	Malawi Human Rights Commission



## Annex 4.

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Mauritius

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**Country Brief**







# Table of Contents

<b>Acronyms</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
Country Level Methodology	4
<b>1. Legal, Policy, and Governance Context on RRR in Mauritius</b>	<b>5</b>
1.1 Mauritius Legal Frameworks and Provisions For RRR	5
1.1.1 Current State of Legal Frameworks on Return	7
1.1.2 Current State of Legal Frameworks on Readmission	7
1.1.3 Current State of Legal Frameworks on Reintegration	8
1.2 Implementing Legal and Policy Provisions in Mauritius	9
<b>2. Definition of Sustainable Reintegration – Key Take-Aways</b>	<b>11</b>
2.1 Defining Reintegration: Study Definition	11
2.2 Defining Reintegration: Stakeholder Perceptions	11
<b>3. RRR Programming in Mauritius</b>	<b>13</b>
3.1 Overview of RRR Programmes in Mauritius	13
3.1.1 Returnees in development planning: Mauritian Diaspora Scheme	15
3.1.2 Responding to Returns in During the COVID-19 Pandemic: Effective Coordination for Emergency Programming	16
3.2 Highlights from Case Study Interviews with Returnees and Community Members	17
3.2.1 Community Perceptions in a Changing World: Gender, Age, and Class Dynamics	17
3.3 Overview of Community Insights on Return and Reintegration Dynamics	20
<b>4. Moving Towards Good Practices and Learning in Mauritius: Success Factors and Challenges</b>	<b>22</b>
<b>5. Conclusion: A Standard Setting Context for Return and Reintegration</b>	<b>24</b>
5.1 Policy and Programmatic Recommendations	25
<b>Annex 1. Key Informant and Workshop Participant List</b>	<b>26</b>
<b>Annex 2. Labour Market Opportunities and Challenges</b>	<b>27</b>
<b>Annex 3. Selected Bibliography</b>	<b>29</b>

# Acronyms

<b>AFFORD</b>	African Foundation For Development
<b>AU</b>	African Union
<b>AUC</b>	African Union Commission
<b>AVRR</b>	Assisted Voluntary Return and reintegration
<b>C2CMMD</b>	AU-EU Continent to Continent Migration and Mobility Dialogue
<b>COMESA</b>	Common Market for Eastern and Southern Africa
<b>COVID-19</b>	Coronavirus Disease 2019
<b>CSO</b>	Civil Society Organisation
<b>EC</b>	European Commission
<b>EDB</b>	Economic Development Board
<b>EEZ</b>	Exclusive Economic Zones
<b>EU</b>	European Union
<b>EUDiF</b>	European Union Global Diaspora Facility
<b>FCDO</b>	Foreign, Commonwealth and Development Office
<b>GDP</b>	Gross Domestic Product
<b>ICMPD</b>	International Centre for Migration Policy and Development
<b>ICT</b>	Information and Communications Technology
<b>IOC</b>	Indian Ocean Commission
<b>IOM</b>	International Organization for Migration
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MiEUX</b>	Migration EU Expertise
<b>MS</b>	Member States
<b>RRR</b>	Return, Readmission and Reintegration
<b>RSS</b>	Reintegration Sustainability Survey
<b>SADC</b>	Southern African Development Community
<b>PIO</b>	Passport and Immigration Office
<b>PMO</b>	Prime Minister's Office
<b>SME's</b>	Small and Medium-sized Enterprises
<b>PPE</b>	Personal Protective Equipment
<b>UN</b>	United Nations



# Introduction

This country brief presents the return, readmission, reintegration (RRR) context in Mauritius. The Country Brief is produced under the “Study on Return, Readmission and Reintegration Programmes in Africa”, commissioned by ICMPD to Samuel Hall in the framework of the Continent-to-Continent Migration and Mobility Dialogue (C2CMMD). The study is being implemented on behalf of the African Union Commission (AUC) and is funded by the European Union (EU).

## Key Takeaway 1:

Mauritius has a large highly skilled diaspora abroad – efforts to incentivise diaspora to return form a key component of Mauritian discussions around return. However generational shifts in return expectations may require continuous thinking about reintegration.

## Key Takeaway 2:

Returnees to Mauritius are self-sufficient; specific programming targeted at reintegration is rare, and stakeholders emphasise instead the wealth of services available to all Mauritians. Returnees are commonly considered to be “like other Mauritians” with no perceived migration-specific vulnerabilities or needs.

## Key Takeaway 3:

Mauritius has been highly successful in working with embassies and consulates abroad and in managing inter-ministry coordination, to effectively respond to situations of return in times of crisis, such as in light of the COVID-19 pandemic. Transnational planning around return and reintegration is a good practice to be replicated.

Mauritius is a rapidly evolving country of origin and destination. Since the 1980s, the country has established a history of labour migration to Europe, which continues to this day with several labour migration agreements with European countries, primarily the United Kingdom, Italy and France,<sup>1</sup> in addition to agreements with Australia and Canada<sup>2</sup>. The country benefits from a long period of political and economic stability and experiences lower levels of irregular migration of its nationals compared to other countries in the region.

This context is reflected in the return and migration policy and legal landscape of the country: laws and policy related to RRR are minimal and the International Organization for Migration (IOM)’s Assisted Voluntary Return and Reintegration (AVRR) programme constitutes the main reintegration initiative in the country. A national policy on migration and development was developed in June 2018 and this could present an opportunity for the country to enhance its provisions related to RRR.

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1 Lincoln D (2006) Beyond the Plantation: Mauritius in the Global Division of Labour

2 Global Forum on Migration and Development (2018) Examples of good practices on regional mobility cooperation - Mauritius

## Country Level Methodology

Fieldwork in Mauritius was conducted in September 2020.<sup>3</sup> Due to the COVID-19 pandemic, full health precautions were taken during interviews, conducted either via phone or in appropriate socially distanced settings, wearing appropriate personal and protective equipment (PPE). The workshop was held in a conference room in Port Louis<sup>4</sup>, allowing key stakeholders to meet and discuss the findings of this research in person.

**Table 1. Fieldwork in Mauritius**

Type of Participant	Male	Female	TOTAL
Key Informant	1	2	3
Returnee	2	2	4
Non Migrant Community Member	2	2	4
Workshop Participants	6	2	8
<b>TOTAL</b>	<b>11</b>	<b>7</b>	<b>19</b>

### Box 1. Methodological Challenge: Availability of Programming Data and Limitations on Programme Analysis

Detailed evaluation reports and other internal monitoring documentation from implementing partners beyond beneficiary numbers were not made available to the research team upon request. Literature focusing on specific RRR programmes in Mauritius is also limited.

Evaluation of programming and identification of best practices and lessons learned is therefore largely dependent on stakeholder perceptions, previous literature (where available), as well as a limited number of returnee interviews.

<sup>3</sup> Please consult this studies synthesis report for full details on methodology, including country selection, sampling strategy etc.

<sup>4</sup> The workshop was organised with the assistance of the African Union focal point: Mr Ravi Shankar Sonea, Permanent Secretary, Prime Minister's Office. In attendance were representatives from: The Prime Minister's Office – Migration Unit, Ministry of Foreign Affairs, Regional Integration and International Trade, Passport and Immigration Office, Human Rights Division of the Ministry of Foreign Affairs, Regional Integration and Trade, the Ministry of Labour, Human Resource Development and Training, the Ministry of Social Integration, Social Security and National Solidarity (Social Integration Division) the Attorney General's Office and IOM Mauritius. The workshop was held on October, 23, 2020 in Port Louis, Mauritius.

# 1.

## Legal and Policy Context on RRR in Mauritius

### 1.1 Mauritius Legal Frameworks and Provisions For RRR

The existing national legal framework pertaining to the return, readmission and reintegration of irregular migrants is minimal. Policy has largely focused on circular migration and reintegration of labour migrants, as well as diaspora engagement. Between 2012 and 2017, Mauritius developed a National Migration and Development Policy, with the support of the International Centre for Migration Policy Development (ICMPD), as part of the EC-Funded MiEUX programme.<sup>5</sup> The Policy is set to have three main axes: i) facilitating safe, regular and orderly migration; ii) maximising the socio-economic and human development impact of migration and minimising its negative consequences, iii) strengthening the country's domestic migration governance framework.<sup>67</sup> The Government formally endorsed the policy on 1 June 2018<sup>8</sup>, but the policy has yet to be made public.<sup>9</sup>

**Table 2. Legal Frameworks and Provisions Relevant to RRR in Mauritius**

Name of Law/Legal Framework	Description
<b>The Constitution of the Republic of Mauritius (1968)</b>	<p>The supreme law of the Republic of Mauritius. It contains provisions related to the freedom of movement for nationals of Mauritius including the right to return. There is no mention of readmission or reintegration.</p> <p>Although there is no specific mention of the terms “readmission or reintegration”, Section 15 of the Constitution provides, inter alia, that no person shall be deprived of his freedom of movement, which includes the right to move freely throughout Mauritius, the right to reside in any part of Mauritius, the right to enter Mauritius, the right to leave Mauritius and immunity from expulsion from Mauritius. It is underlined that section 15 refers to ‘persons’ and not ‘citizens’, thereby widening its ambit of application.</p>

5 MiEUX (2018) Mauritius II: National Migration and Development Policy

6 AFFORD/EUDIF (2020) Diaspora Engagement Mapping: Mauritius

7 AFFORD/EUDIF (2020) Diaspora Engagement Mapping: Mauritius

8 IOM (2018) Migration Governance Snapshot: the Republic of Mauritius

9 AFFORD/EUDIF (2020) Diaspora Engagement Mapping: Mauritius

<b>Deportation Act (1968)</b>	This Act provides for, amongst others, the issuance of a Deportation Order in relation to non-citizens. It also sets out the procedures for a deportation order in respect of a convicted person, an undesirable person, a destitute person or a prohibited immigrant under the Immigration Act. There are provisions as to the detention in custody pending decision; how deportation orders are to be executed; and for deportation orders in respect of persons undergoing a sentence of imprisonment; as well as for expenses of or incidental to deportation of a person.
<b>Mauritius Citizenship Act (1968)</b>	The Mauritius Citizenship Act provides for the various means of acquisition of the Mauritian citizenship. The Act also provides for specific circumstances where a person may be deprived of the Mauritian citizenship. Notably, the relevant Minister may, by Order, deprive a citizen of Mauritius who has acquired citizenship by registration or naturalisation where he is satisfied that the registration or certificate of naturalisation in relation to that citizen, was obtained by means of fraud, false representation or the concealment of any material fact. The Act contains a clear prohibition to deprive a person of his Mauritian citizenship where that person may become stateless.
<b>Passports Act (1969)</b>	The Passports Act does not contain the words 'readmission' or 'reintegration', however it does set out the parameters and outlines the procedures to be followed for the issue of passports, together with the grounds on which entry into Mauritius may be permitted or refused.
<b>Immigration Act (1973)</b>	The Immigration Act and the corresponding regulations govern the entry, stay and exit of foreign nationals in the territory of the Republic of Mauritius. The Act does not contain specific provisions related to readmission or reintegration.
<b>Recruitment of Workers Act (1993)</b>	<p>This Act seeks to regulate the recruitment sector by setting out a licensing mechanism. It applies to the recruitment of workers for employment abroad as well as in Mauritius. It sets out the requirement of a minimum age of the prospective worker and the persons' consent to the recruitment. There are no specific provisions relating to readmission and reintegration and the provisions of the act apply to 'persons'. The Act also imposes a significant sentencing range in case of contravention of any provision of this Act.</p> <p>The regulations promulgated under the Act provide for, inter-alia, procedures and criteria in respect of the recruitment of workers, both citizens and non-citizens, by employment agencies, the terms and conditions to be included in contracts of employment, and the fees that may be applicable.</p>
<b>Readmission Agreement between France and Mauritius (2007) &amp; The Circular Migration of Professionals Agreement between France and Mauritius (2008)</b>	The Readmission Agreement defines the legal obligations of each state to facilitate the return and readmission of country nationals. The Readmission Agreement does not contain provisions on reintegration however, the Circular Migration of Professionals Agreement does contain some provisions related to the reintegration of illegal and legal migrants under certain conditions explained in more detail under section 1.1.2
<b>Extradition Act (2017)</b>	The Extradition Act complements the Deportation Act and provides, inter alia, for specific categorisation of extraditable and non-extraditable offences. It also provides that an offender shall not be surrendered to a foreign State where the offence in respect of which the request for his surrender is one of a political character; where the Minister has reasonable grounds for believing that the request for surrender is being made for the purpose of prosecuting or punishing the offender on account of his race, caste, place of origin, nationality, political opinions, colour or creed; or where the Minister is satisfied that it would be unjust, oppressive or too severe a punishment to surrender the offender, amongst others. The procedure to be adopted for extradition is also set out in detail therein.



### 1.1.1 Current State of Legal Frameworks on Return

Section 15 of the Constitution of the Republic of Mauritius guarantees, *inter alia*, that no person shall be deprived of his freedom of movement, which includes the right to leave and the right to return to Mauritius, for every citizen of Mauritius. The imposition of restrictions may be applied, subject to them being provided for by law, on the right of any person to leave Mauritius in, *inter alia*, the interests of defence, public safety, public order, public morality or public health, or of securing compliance with any international obligation of the Government. As in any other jurisdiction, proper identification is a prerequisite for returning or entering Mauritius. The Passports Act makes provisions for the issuance and renewal of passports, and the imposition of such restrictions as may be applicable. The Act also subjects the entry of a stateless person into Mauritius, to the issue of a visa delivered by the Mauritian authorities, if all relevant criteria are satisfied. Section 4 of the Immigration Act provides namely that subject to the Act, a citizen, a permanent resident, a resident or an exempted person, shall be allowed to enter Mauritius or, being in Mauritius, to remain there so long as he holds his status of citizen, permanent resident, resident or exempted person, as the case may be. Under the Recruitment of Workers Act (1973) the State is obligated to bear the costs of returning a citizen of Mauritius who was sent abroad under the following conditions: i) their services are no longer required; ii) their contract has expired; iii) they have sustained serious injury at work or are deemed no longer fit to work for health reasons; iv) there is a state of war in the country of employment.<sup>10</sup>

In regard to international legal instruments, Mauritius is a member country of the Cotonou Agreement (2000). The draft post-Cotonou Agreements provide for the return of irregular migrants, as countries of origin are obligated to receive nationals illegally present on another member country's territory<sup>11</sup>. Countries of origin are obligated to identify their nationals for readmission and to ensure that returns occur in a safe and dignified manner, including the promotion of voluntary returns.<sup>12</sup>

### 1.1.2 Current State of Legal Frameworks on Readmission

**Under the 2007 readmission agreement, the governments of Mauritius and France have an obligation to readmit one of its nationals who are in an irregular situation in either territory.**<sup>13</sup> The agreement contains guidance on processes and procedures to determine the nationality of the individual in an irregular situation, including which documents are pertinent, such as expired passports or birth certificates and moreover, how to proceed with the return to the country of origin.<sup>14</sup> One of the safeguards present in the agreement is the time restrictions on readmission applications which can only be submitted to the competent authority within one year of establishing the irregular status of a French or Mauritian national and readmission applications once sub-

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<sup>10</sup> Ibid

<sup>11</sup> Draft post-Cotonou Agreement (2020)

<sup>12</sup> Ibid

<sup>13</sup> Government of Mauritius (2007) Accord entre le gouvernement de la république de Maurice et le gouvernement de la République française relatif à la réadmission et au transit des personnes en situation irrégulière

<sup>14</sup> Ibid



mitted need to be replied to within four days of receipt.<sup>15</sup> The readmission agreement does not mention any provisions related to the reintegration support available or provided to returnees.<sup>16</sup>

### 1.1.3 Current State of Legal Frameworks on Reintegration

Mauritius has legislation regulating the entry, stay and departure from its territory. It has statutory safeguards, which prohibit a decision being taken at the level of the relevant Minister, which would reasonably lead to a person becoming stateless. Although there is no national law which specifically addresses 'reintegration' of migrants, a person seeking to enter, reside, work and remain in Mauritius would be covered by the applicable legislation. Regional instruments that could provide a framework for the reintegration of migrant groups such as the Kampala Convention (2009) and Refugee Convention (1969) of the African Union are not signed or ratified by Mauritius. As a sovereign democratic State, an internal assessment of international instruments is usually undertaken prior to deciding on the way forward as regards these instruments.

However, Mauritius is a signatory of an agreement between the governments of Mauritius and France concerning the circular migration of professionals signed in 2008. Under article 3.1 of the agreement, Mauritians who are legally or illegally established in France as well as those who have stayed in France under the 'skills and talents' residence permit or a temporary long-stay visa, can receive economic reintegration support if they plan on starting an economic project that guarantees job creation.<sup>17</sup> If eligible, beneficiaries will receive vocational training as well as material and financial assistance for the launch and monitoring of their economic project.<sup>18</sup> The implementation of this assistance is managed by public French institutions which are in charge of this scheme. The governments of Mauritius and France commit to consult each other regularly on the implementation of this assistance and make efforts to devote substantial resources to the public institutions that manage the scheme.<sup>19</sup>

**The Post-Cotonou agreement -which has not been formally adopted or ratified and remains currently in draft form – presents an opportunity to reinforce the policy landscape concerning reintegration of irregular migrants in Mauritius. The draft agreement obliges parties to the agreement to cooperate and explore ways to facilitate the sustainable reintegration of migrants, particularly the vulnerable such as children, older persons, persons with disabilities and victims of trafficking. This provision provides a foundation and incentive for Mauritius to develop legal or policy instruments that pertain to RRR.**

15 Ibid

16 Ibid

17 Government of Mauritius (2008) Accord entre le Gouvernement de la République française et le Gouvernement de la République de Maurice relatif au séjour et à la migration circulaire de professionnels

18 Ibid

19 Ibid

## 1.2 Implementing Legal and Policy Provisions in Mauritius

Workshop attendees and informants for this study noted the presence of a **large and highly skilled diaspora population living abroad**, as an effect of “brain drain” in Mauritius. Consequently, many of the country’s policies concerning the return of Mauritians is **focused on creating pathways to attract highly skilled Mauritians to come home**; explicit inclusion of other categories of returnees in policy planning has been minimal. Instead, the Mauritian government has emphasised its **equal minded approach to all Mauritians**, whether they are returnees or not - there are no distinctions made and all Mauritian citizens are treated the same.<sup>20</sup> Stakeholders further emphasised the multitude of welfare services (“we are a welfare state”) available to all Mauritians. There is no single body focused on return/reintegration issues exclusively; however, several actors focus on migration governance general, including the management of administrative return processes (Table 3).

**Table 3. Key Actors Currently Involved in RRR in Mauritius**

Type of Actor	Name of Actor	Role
Government	Prime Minister’s Office	Focal Point for migration issues
Government	Ministry of Foreign Affairs Regional Integration and International Trade	Responsible for the negotiation of readmission agreements and first point of contact with migrants.
Government	Passport and Immigration Office	Responsible for the arrival screening of returnees, border control, monitors visa overstay, enforces immigration laws
Government	National Human Rights Commission	Monitoring of human rights and inquiry of violations of human rights enshrined in Chapter II of the Constitution
Government	Ministry of Foreign Affairs, Regional Integration and International Trade – (Human Rights Division)	Ensures appropriate actions are taken and implemented for the State to meet its international reporting obligations regarding human rights and International Humanitarian Law (IHL).
Government	Ministry of Labour, Human Resource Development and Training	Responsible for monitoring the Mauritian labour market and facilitates the employment of Mauritian nationals abroad.

<sup>20</sup> Workshop Participant. October 2020

<b>Government</b>	Ministry of Social Integration, Social Security and National Solidarity (Social Integration Division)	With its ongoing poverty alleviation and empowerment programmes, the Ministry through the National Empowerment Foundation (NEF), which operates under its aegis, are ensuring maximum coverage of vulnerable families eligible under the Social Register of Mauritius (SRM), in order to provide them with the necessary support and empower them to facilitate their social integration in a sustainable manner.
<b>Government</b>	Mauritius Revenue Authority	Responsible for the Returning Resident Scheme by granting allowances on household and personal effects to eligible returning citizens of Mauritius as well as allowing them to import either a motor vehicle or a motor cycle at a concessionary rate of duty under the provision of item 3 Part IA of the First Schedule to the Excise Act.
<b>Government</b>	Attorney General's Office	The Central Authority under the Extradition Act is the Attorney-General
<b>Government</b>	Economic Development Board	Responsible for the implementation of the Mauritian Diaspora Scheme
<b>International Organisation</b>	IOM	Lead implementer of return and reintegration programmes inter-alia, the Assisted Voluntary Return and Reintegration (AVRR)



## 2.

# Definition of Sustainable Reintegration – Key Take-Aways

## 2.1 Defining Reintegration: Study Definition

Inception discussions with key stakeholders involved in the implementation of the present study highlighted the need for an examination and comparison of definitions of sustainable reintegration to establish a baseline definition for the study at the inception phase. This definition is critically re-examined in this section through insights and stakeholder perceptions from the Mauritius research, to establish whether research findings provide any additional insights to define sustainable reintegration.

With this in mind, and building on past definitions, this section reviews the following working definition of reintegration used for this study.

### *WORKING DEFINITION OF REINTEGRATION FOR THIS STUDY*

*“Sustainable reintegration can be achieved when returnees<sup>21</sup> rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.”*

## 2.2 Defining Reintegration: Stakeholder Perceptions

The Mauritian government does not adopt a specific definition of reintegration. Returning Mauritians are considered within the context as Mauritians with no special status given to them upon return; stakeholders noted several times in workshop discussions the fact that all Mauritians are treated on equal footing regardless of migration or return status<sup>22</sup>.

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21 Returnees for this study were defined as individuals who have returned back to their country of origin in the past 5 years through (voluntary) assisted, forced or spontaneous returns.

22 Workshop Participants. October 2020

Reactions of stakeholders to the study's definition of reintegration reflected overall migration and return dynamics in a country where the return is one of highly skilled or of relatively less vulnerable populations. Noting that the core elements of the definition were clear, workshop discussions emphasised the fact that they could also be simplified, questioning the necessity of the inclusion of the notion of expanded capabilities in a context where many returnees do not require significant levels of support.

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Returnees<sup>23</sup> were consulted to provide their feedback on the study's definition as well. For these respondents, successful reintegration was linked to **employment and financial security**, the **ability to make life decisions freely and in dignity**, and the ability to find fulfilment and **personal satisfaction** in one's daily work. None of the returnees spoken to were beneficiaries of formal reintegration programmes nor did they display vulnerabilities. However, the success of achieving the desired life varied as illustrated in these two accounts.

**Louis\*** returned from Croatia after failing to renew his visa. Once back in Mauritius he received no formal reintegration support. Well-educated, Louis experienced a mismatch in the skills he obtained abroad and the demand in the labour market. *"I came back to Mauritius and then they didn't accept my degree because I have an engineering degree here for marine engineering that includes all elements for construction and repairs and operations, all the engineering work on ships and the towers basically every mechanical component on the ship's. I can make them, I can design them, I can construct them. But in Mauritius we only repair them."*<sup>24</sup> The inability to land a job that matched his skill set made it more difficult to manage expectations from friends, family and members of the community. *"I don't have so much support because everybody expected that as soon as I come back, I would have a great job and a great paycheck and the whole expectations for people coming in from abroad that didn't happen."*<sup>25</sup> Louis doesn't feel as if he is fully capable of reaching his aspirations as a result re-migrating is an option. *"I might be forced to migrate. It's not a personal choice that I would like to take because I would like to see and stay in Mauritius but that's now declining, you know the plan at the start was that I stay here and work."*<sup>26</sup>

**Emilienne\*** returned from the United Kingdom. As a former employee of the public sector, she could resume the job she had before she migrated. While economically secure, she has struggled to reintegrate socially, due to the misperception of superiority that returnees sometimes carry. However, being financially secure Emilienne feels she has all the tools to lead a successful life. *"About having the power to make my decisions, I will say yes that I feel capable of attaining a good life. Living abroad sort of grooms you and makes you stronger."*<sup>27</sup>

The feedback from both institutional and individual stakeholders confirms the need for the definition to **be broad enough** to allow for different socio-economic development contexts – Mauritius being on the more developed spectrum– with an emphasis on the ability for returnees to live their chosen life in safety, dignity, and with financial security.

23 Names of interviewees, marked with (\*), are pseudonyms to uphold the anonymity of the interviewed individuals

24 Male Returnee. September 2020

25 Ibid

26 Ibid

27 Female. Returnee. September 2020

# 3.

## RRR Programming in Mauritius

### 3.1 Overview of RRR Programmes in Mauritius

A mapping of the return and reintegration programmes operating in Mauritius is provided (Table 4) based on a comprehensive desk review, key informant and returnee interviews, and a workshop with national stakeholders held in October 2020.

**Table 4. RRR Programming in Mauritius**

Programme	Implementer	Funder	Timeline	Type of Services Provided	Target Group	No. of Beneficiaries	Programme Focus
<b>Assisted Voluntary Return and Reintegration (AVRR)</b>	IOM	IOM Member States	2000-ongoing	Financial and logistical support to return home; individual in-kind reintegration assistance; Individual trainings; counselling	Vulnerable and stranded migrants re-turning from: Belgium, Italy, Ireland, France, Switzerland and the UK	158 returnees have received return assistance between 2013-2019. <sup>28</sup>  Between 2018 and 2020 35 returnees received reintegration assistance (11 benefitted from business creation assistance, 29 benefitted from social reintegration assistance) <sup>29</sup>	Return; Reintegration
<b>Mauritius Diaspora Scheme</b>	Economic Development Board	Government of Mauritius	2015-ongoing	Tax Incentives; Arrangements for Permanent Resident Status; Training and certification	Highly skilled diaspora	Unknown	Reintegration

28 IOM (2019) Return and Reintegration Key Highlights Annexes

29 KII.IOM. December 2020

**Many Mauritians return home on their own accord. As a consequence, the return and reintegration programmes, while few, are proportional to the number of assisted returns.**<sup>30</sup> Those who are deemed vulnerable and in need of support for return and longer-term reintegration can benefit from IOM's AVRR programme, however numbers remain relatively low: AVRR supported the return of 150 returnees to Mauritius between 2013 and 2018;<sup>31</sup> relative to other countries these numbers remain small, with 17 supported for return in 2017 and 15 in 2018<sup>32</sup>.

Due to the low number of returns, the IOM office in Mauritius – unlike other IOM offices in high return countries- **do not have a dedicated programme on return and reintegration.** Rather, they collaborate with IOM offices and National Authorities in the countries of destination that are facilitating returns to Mauritius and implement reintegration support. As one key informant confirmed, the IOM Mauritius office does not have a specific or dedicated programme, rather they have different projects based on the different IOM offices in the country of destination.<sup>33</sup> However, IOM Mauritius does implement the standard integrated approach (which covers economic, social and psycho-social dimensions) to reintegration support that is in-kind and tailor-made to the needs of specific returnees.<sup>34</sup> This form of support is in the form of individual packages, collective support and community-based interventions are not carried out by IOM in Mauritius, due to the consistently low number of returnees and the absence of high-return areas.<sup>35</sup>

**This unique institutional structure is an outcome of the low returns that IOM Mauritius conducts on a yearly basis.** As a key informant explains, not all countries have a constant AVRR programme, rather, countries that have a high number of returns - for example, Nigeria- have a dedicated national programme. In Mauritius, the numbers are relatively low on an annual basis, therefore making it difficult to justify having a dedicated programme, with permanent staff working on reintegration exclusively. As a result, staff members are trained in providing return and reintegration support but support is provided when and if the need arises.<sup>36</sup>

Regarding economic support, the IOM provides 6-12 months individual start-up capital and business development support for viable business ventures conceptualised by returnees, which includes training, skill certification and the development of business plans<sup>37</sup>. **Whenever necessary and as appropriate, the IOM links returnees with existing government and non-governmental programmes and structures that can provide businesses with more long-term support.**

**Creating greater synergies with the government is an identifiable best practice as it allows for the transfer of technical knowledge and raises awareness on some of the reintegration concerns of returnees that might not have been high on the political agenda.** Despite the increased interest

30 For example, between 2013-2019 158 Mauritians received return assistance under the IOM's AVRR programme, as compared to 738 Malawians during the same period. Data retrieved from IOM (2019) Return and Reintegration Key Highlights Annexes

31 IOM (2019) Return and Reintegration Key Highlights Annexes

32 Ibid.

33 KII. IOM. December 2020

34 Ibid

35 Ibid

36 Ibid

37 Ibid



in return and reintegration, capacity-building among government actors needs to be undertaken to improve understanding of thematic issues, which translates into better policy design. For example, while the national migration and development policy includes the mention of return and reintegration, this is not comprehensive and the policy document lacks specific provisions that can improve the regulatory environment in which return and reintegration take place.

**One drawback of the unique institutional structure of the AVRR programme in Mauritius is the lack of standardisation when it comes to monitoring and evaluation.** As one key informant explained, due to the low number of cases, evaluations reports are written for each beneficiary but the methodology used may vary according to the requirements of the donor and the IOM office in the country of destination<sup>38</sup>.

### 3.1.1 Returnees in development planning: Mauritian Diaspora Scheme

Mauritius has a large, highly skilled diaspora around the world. **Many African countries are developing policies and laws to utilise the diaspora as a contributing factor to development.** Attracting high-skilled members of the diaspora is part of the Diaspora Scheme implemented by the Mauritius Economic Development Board. The scheme also provides incentives to highly skilled Mauritian migrants living abroad, who, before March 2015, had been living and working outside Mauritius and have the necessary skills, talent and experience to make a positive impact on the socio-economic development of the country. The scheme is being implemented since October 2015 in Mauritius by the Economic Development Board, together with several government agencies such as: the Prime Minister's Office, the Passport and Immigration office, Ministry of Finance, Economic Development and Planning, Mauritian Revenue Authority, Mauritian Customs, and the Civil Status Division. The involvement of so many government agencies is a signal to the seriousness of government intentions to attract talent back into the country. This is because, as one key informant explains, the Mauritian Diaspora is a precious asset that can contribute positively to the economy and development goals of the country<sup>39</sup>.

**The scheme offers several incentives in order to attract high-skilled Mauritian migrants abroad, such as a 10-year income tax break, the waiver of excise duties on a personal car and the status of a permanent resident, and is available to two groups: professionals and self-employed.<sup>40</sup> Most professional applicants work in the financial, hospitality, real estate and ICT sectors<sup>41</sup>, a signal of the skills needed to match the needs of the economy, which is largely service-based and driven by ICT<sup>42</sup>, and upcoming field such as E-commerce<sup>43</sup>.**

**The Scheme offers a means to improve the synergy between private sector needs and government development planning.** A key informant explained that knowledge obtained from various

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38 Ibid

39 KII. EBD. December 2020

40 For more information on incentives provided see: <http://www.diaspora.mu/incentives.aspx>

41 KII. EBD. December 2020

42 AFDB (2019) Mauritius Economic Outlook

43 Ibid



market assessments conducted over the past 10 year shows that Mauritius has a comparative advantage in certain sectors such as ICT, but the country faces human resource constraints that engender a skills-mismatch in emerging and traditional sectors<sup>44</sup>. By developing policies that attract high-skilled members of the diaspora to fill the demand for certain labour, it prevents a chicken and egg scenario outlined by a key informant as a situation whereby the government and the private sector presume the other party will make the first step, leading to an impasse<sup>45</sup>.

**Age is a variable that augments the motivation for applicants to return.** As explained by one key informant, applicants above the age of 60 tend to have already completed their careers abroad – especially if they were in Europe – and their motivation to return is related to family rather than professional aspirations.<sup>46</sup> On the other hand, younger returnees are motivated by their growing professional aspirations, or their motivation to return is based on the inability to cope with living conditions abroad and to which the scheme offers a reprieve and an added incentive to return home.<sup>47</sup>

**Moreover, the programme can suffer from poor outcomes regarding the retention of high-skilled migrants.** This is because there have been cases where beneficiaries of the scheme have found it difficult to reintegrate and as a result, have gone back to the country from which they returned<sup>48</sup>. **One explanation for this is the fact that reintegration outcomes are neither considered during the application process nor during the evaluation stage due to the absence of any risk or needs' assessments**<sup>49</sup>. Indeed, the scheme does engage in monitoring and evaluation exercises which focus more on the applicants' economic impact since their return rather than their reintegration outcomes. For instance, successful applicants project the expected revenue obtained over 3 years based on their business plan and therefore, annual monitoring is focused on ensuring successful applicants are capable of reaching this financial goal, rather than measuring reintegration outcomes across different dimensions<sup>50</sup>.

This is an area that should be addressed because even if beneficiaries of this scheme are high-skilled returnees with lower levels of vulnerabilities, reintegration outcomes should not be neglected.

### 3.1.2 Responding to Returns in During the COVID-19 Pandemic: Effective Coordination for Emergency Programming

The government takes **decisive action to support returns in sensitive situations, as exemplified by the effective and coordinated response during the COVID-19 pandemic**. Stakeholders highlighted the coordinated response for Mauritians needing to return due to COVID-19 as an example of success in managing returns. As soon as the country went into lockdown in mid-March 2020, the government began to return Mauritians on a phased basis in close coordination with

44 KII. IOC. December 2020

45 Ibid

46 Ibid

47 Ibid

48 Ibid

49 Ibid

50 KII. EBD. December 2020

consulates and embassies around the world. This allowed them to manage the return of ultimately more than 7,000 Mauritians needing to come back due to COVID-19.

Beyond a well-coordinated response to supporting voluntary returnees, the government also facilitated health responses and facilities for migrants after return, including the provision of quarantine facilities free of charge to all Mauritian returnees. This involved close and effective coordination with the Ministry of Health and Wellness, in charge of testing all returnees in a timely and controlled manner, and allowing people to return to their communities after quarantine without causing further health consequences to the population at large.

This **positive response to large scale returns in a crisis is attributed to transnational, pre-existing and positive relationships and coordination platforms between actors and with Mauritian institutions abroad**. One key informant explains that the government had a high level of coordination among different national stakeholders and Mauritian consulates abroad due to existing structures that made the intensification of collaboration to respond to the COVID-19 crisis easier<sup>51</sup>. This constitutes a key example of a best practice, one founded in pre-existing platforms of coordination and communication channels between key stakeholders.

## 3.2 Highlights from Case Study Interviews with Returnees and Community Members

The perspective from returnees and community members in return areas are essential in designing better policy, laws and programmes related to return, readmission, and reintegration. Returnees spoken to for this study reflected the wider demographics of return in Mauritius: they included higher-skilled migrants who had left to study abroad, and discussions with non-migrant community members also observed the return of many retirees. Described below are additional key insights from these indicative discussions.

### 3.2.1 Community Perceptions in a Changing World: Gender, Age, and Class Dynamics

Returnee profiles in Mauritius are generally more highly skilled and educated relative to other countries; movement abroad for higher education is relatively common, and there is a well-established history of labour migration from Mauritius to other countries.<sup>52</sup> However, community members described the **evolution of migration as industries have changed and as the country has experienced very rapid development**: *“even the sugarcane and tea have completely lost their place for the benefit of Information Technology and tourism [...] And that in itself is a radical change as our island is merely a small dot in the world.[...] It has always been the case that people leave. Long ago the people who did it were mainly people who could afford to leave everything*

51 KII. EBD. December 2020

52 Vuddamalay and Thi Keng (1989) [https://www.persee.fr/doc/homig\\_1142-852x\\_1989\\_num\\_1126\\_1\\_1372](https://www.persee.fr/doc/homig_1142-852x_1989_num_1126_1_1372)

and settle in another country, but now there are more people who do, because owing to the experience of others that they heard of, they were tempted to give it a little try.”<sup>53</sup> As contexts change, and as Mauritians adapt to this new context, the discussion around return and reintegration should remain vigilant to shifting migration dynamics and needs.

Case study interviews provide a **categorisation and differentiation of returnee and host profiles**, each with key dynamics to take into account when examining return and reintegration in the Mauritian context.

**Women returnees:** There is a **contrast between gender perceptions on the part of community members and the realities of female returnees spoken to for this study**. Non-migrant community members highlighted sexist perceptions of women’s capabilities as being reinforced if a woman has failed in her migration project: *“People would be more likely to belittle [a woman returnee] and not believe in her potential as much as they would believe in a man’s potential. And if unfortunately the woman returned and did not manage to succeed in her life, people might start thinking that this turned out as expected from a woman as women are the weaker sex.”*<sup>54</sup> Pressures on women who migrate seem to be high, with similar pressures upon return and in their reintegration process. However, interviews with two female returnees presented **case studies of highly accomplished, self-sufficient, and skilled returnees**. In one case return was directly related to the COVID-19 pandemic, and the returnee found herself able to continue her high-skilled occupation remotely.

**Youth and high-skilled returns:** Returnees highlighted the importance of educational accomplishments and early career experiences driving the initial migration – full scholarships to university in Europe, recipient of a YALI fellowship, or internships. In such cases, return home reflected well on them. These highly skilled returnees highlight the importance of choice in sustainable return and reintegration – returning without feeling obligated and without pressing material needs, one returnee highlighted the following attitude to remigration: *“as a person, I love to travel and I definitely see myself going to other countries where I can.... I don’t know, depending on the country I would stay for a couple of years but I would want to come to Mauritius and settle here. I don’t know. Right now, I am keeping my options open.”*<sup>55</sup> This ability to *keep options open* becomes a key signifier of class for returnees who have ‘made it’.

**Retired returnees:** Others left a generation earlier to work along labour agreements, coming back after they have retired. Discussions with older community members highlight the fact that aspirations for higher education were not always key factors. As one community member remembers: *“I knew some youngsters who left at 18 years old. They were not those with rather high academic qualifications. The maximum level of class they attended was S.C (School Certificate) and they knew for themselves that they would not pursue their studies or they did not have the potential to learn more. And in Mauritius, it is difficult to get a decent job. So, they heard of small, well-paid jobs, abroad and they are those who left to seek that life overseas. They stayed over for 10 years*

53 SSI3 Male Community Member Non-Migrant. September 2020

54 SSI4 Female Community Member Non-Migrant. September 2020

55 SSI6 Female Returnee. September 2020

and they achieved much success.” In many cases, this category of migrants becomes a returnee at retirement, returning to Mauritius to live comfortably from savings made abroad.

***Involuntary immobility or host ‘stayers’:*** This can however also be a source of alienation for community members who were never able to leave. A Mauritian community member provided a succinct overview of the class tensions and the sense of alienation present in community perspectives of returnees, dividing the latter into two categories which speak to the **class dynamics and mobility – but also to social alienation – which can be wrought by the migration and return movement:**

*“The first category is people who practice self-privilege. They give a lot of importance to themselves. Every little opportunity, every chance that they will find, will be to show that it is not the same abroad or that he has been leading a much more happening life than the local citizen. He will try his best to show that the foreign country he resided in, to whatever extent, was superior to Mauritius.*

*The second category is comprised of ill-fated and unfortunate people who, no matter how much they struggle to bring about changes to make their dream come true, to materialize their projects, were not able to do so. There are many situations, for instance when they were unable to cope with the country. There are some countries where they face too much racism and that affects their mental health. They cannot handle it. They have tried. They try to leave their country and attempt living abroad so that they can bring about a better life for themselves. These are the factors that they did not expect, or they were not educated enough or knowledgeable about, which made them change their mind and return to their country. Here, I believe that these people deserve a second chance, matter how they need help, the government needs to try to help them.”<sup>56</sup>*

This rift was also evinced by returnees, who highlighted tensions and feelings of jealousy from colleagues upon return due to their professional success: *“The most difficult part of my return has been reconnecting with colleagues, I feel that there is a sense of jealousy and envy after I came back which does not make the work atmosphere so conducive [...] when I came back I also lost lots of friends, or if I may put it this way, my friend circle has become much smaller.”<sup>57</sup>*

These categories, including, for instance, the gender or generational gaps highlight the shift in needs and expectations that has accompanied return as the Mauritian context itself has changed, and the effect of these changes on reintegration processes.

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56 SSI4 Community Member. September 2020

57 SSI7 Female Returnee. September 2020

### 3.3 Overview of Community Insights on Return and Reintegration Dynamics

In addition to highlighting returnee stories and definitions of successful life after reintegration, additional interviews with community members highlight key insights into dynamics of return and reintegration which may impact design of effective RRR programming.

**Key Insight 1 - Migration abroad, which was once perceived to be determined by class dynamics, is now more accessible** - “It has always been the case that people leave. Long ago the people who did it were mainly people who could afford to leave everything and settle in another country but now there are more people who do, because owing to the experience of others, and that they heard of, regarding other people who have they were tempted to give it a little try<sup>58</sup>.”

**Key Insight 2 - A large demographic of returnees include both youth and retirees (the opposite trend for a lot of African countries)** - “Post their retirement, meaning, they have worked since a very young age abroad. They are retired, their pensions and all are credited into their accounts from the country where they’ve worked and they can live here thanks to the money they have accumulated.”<sup>59</sup>

**Key Insight 3 - Returnees are often reluctant to share their experiences of the events that disrupted their migration cycles with community members** - “We live in a rural area/village. Some people might say that he/she failed in his/her attempt to go live abroad. Others might say that they returned because they are now tired of working abroad. There are many critics. We have not been in their shoes. They may have their own reasons. They do not want to share the reasons behind their return to Mauritius. It might be due to personal problems or non-renewal of their contract. They are not ready to share<sup>60</sup>.”

**Key Insight 4 - Returnees have had a big impact on shifting the culture of work and forging new economic opportunities** - “With a culture of working day and night abroad, here it is different. When they meet up with somebody, they talk about the difference in time zones. Now, they think about possible job offers where they can make extra money, like call centres, where they can work at odd hours. They can negotiate with countries such as France. Then we can see new businesses being set up. When the new businesses are being set up, food to cater for these new businesses has to be available. As such, food courts in shopping malls have been extending their services till midnight. A normal person sleeps at home at this time while the returned migrants can still work at this time. They have transport facilities. The companies are employing night drivers for their employees. People are getting facilities in terms of technology; laptops; personal laptops. The mindset is changing in Mauritius. People no longer want to work in the more traditional sectors, for example in sugarcane fields. We have moved with time. Returned migrants who had experience working in restaurants abroad, now work in local restaurants till late at night. This is

58 Male Returnee. September 2020

59 Male Returnee. September 2020

60 Male Non-returnee. September 2020

changing little by little. Earlier, we did not have fuel pump stations working 24/7, now we have it. You need petrol, you can get it instantly. There is also the option of getting a subway at the pump station itself. You may buy food as take away<sup>61</sup>."

**Key Insight 5 - Successful migration cycles can support social mobility** - "Except for those who failed in their ventures, people that came back, returned much more well-off than locals and they can afford to perceive themselves as the higher class in society. Or, people [in the area of return] can perceive them as in the higher class<sup>62</sup>".

**Key Insight 6 - Returnees with disrupted migration cycles return worse off than when they left** - "there are several other cases of people who left the country and then came back with nothing. They came back as zero if I may put it that way. Even if they have come back with a little more money, the money is sufficient only for a small period of time, it serves them only temporarily and they are able to eat, drink and live comfortably. But soon after, they run out of the money that they came with and then they have to knock on other peoples' doors to find jobs or even beg other people to make them have a job<sup>63</sup>".

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61 Male Non-returnee. September 2020

62 Female Non-returnee. September 2020

63 Female Non-returnee. September 2020



## 4.

# Moving Towards Good Practices and Learning in Mauritius: Success Factors and Challenges

This table summarises the key success factors that merit increased attention and the challenges to be addressed for strengthened reintegration programming:

Success factors have been identified to facilitate their even and systematic integration in reintegration programmes. Table 5 summarises these identified success factors explored in this report, and provides an overview of key gaps and achievements.

The **priority for programmes in Mauritius is to strengthen M&E and sharing of best practices and lessons learned**, including in the long-term. Interventions should continue to consistently cover pre-departure assistance, to build synergies and effective cooperation between ministries, and to tailor individual support. While success factors are present, they can be further reinforced, and there is an added value to be found in strengthening business training programmes and synergies with local administrations.

**Improvements in RRR** will also be made and key knowledge gaps will be filled thanks to improved M&E, and when the success factors inherent to the Mauritian context can be shared on an ongoing and wider level. While improvements to data collection and M&E follow up, as well as risk and needs' assessments and more flexible funding could be even further integrated, best practices, such as the Mauritius diaspora scheme, provide ways forward to systematically address these.

**Table 5. Success Factors, Challenges, and Lessons Learned – Mauritius**

		IOM -AVRR	Mauritius Diaspora Scheme
<b>Success factors</b>	Pre-Departure Preparation	X	X
	Two-tier screening process	X	X
	Effective business training	X	X
	Building synergies among different government agencies		X
	Tailored in-kind individual reintegration support	X	X
<b>Challenges &amp; Lessons Learned</b>	Lack of Long Term Follow Up (i.e. more than one year)	X	X
	Lack of effective data collection techniques among key actors	X	X
	Relatively few gender-specific programmes that target the specific needs of female returnees	X	X
	Improve capacity building and knowledge transfer with government agencies.	X	X
	Standardise monitoring and evaluation practices	X	
	Conduct risk and needs assessments during the application process		X
	Develop a regional envelope for disbursement of funds to cover unexpected spikes in number of returns	X	

*\*Based on stakeholder perceptions; formal assessment not yet completed*

*\*\* It should be noted that referral mechanisms were highlighted as a good practice, but one which was not always effectively functional*





## 5.

# Conclusion: A Standard Setting Context for Return and Reintegration

The Mauritian legislation does not have a specific enactment with explicit terms relating to RRR, but it does have comprehensive rules and regulations applicable to entry, stay, residence and work in the Mauritian territory. The subject of this legislative framework is generally placed on the person per se. Such legislation would necessarily capture migrants and RRR. The absence of a legislation specifically mentioning RRR is not necessarily a sign of a key gap in policies or programming; instead, it remains coherent with the overall migration and return realities of the country, which involve larger numbers of highly skilled diaspora, spontaneous returns with existing resources, returning retired Mauritians, and small numbers of vulnerable returnees in need of special support.

In addition, stakeholders emphasised the fact that strong social systems, services, and social safety nets are in place for all Mauritians, and those specific mechanisms specifically targeting reintegration are not needed at a large scale. This is mostly corroborated by returnees and community members spoken to for this study, who reflected these dynamics. However, several programmatic and policy recommendations can be implemented to improve the sustainability of returnees and the utilisation of return migration in boosting the nation's development plans.

The Mauritian case study highlights the importance of levels of economic development and governance as a key factor affecting return and reintegration. Levels of economic development can also be closely tied to return and reintegration: the Mauritian context in its functionality provides an example of the standards to be set on RRR that can be adopted by all AU Member States, as well as how these can tie to institutional elements such as diaspora outreach and effective circular migration programming, where the context allows.

## 5.1 Policy and Programmatic Recommendations

Even though the Mauritian case offers a nominally easier context within which to implement RRR support, it nonetheless allows to identify key lessons that are crucial regardless of development context, and to identify common lessons applicable to all AU Member States. Recommendations from the Mauritian case study are relevant across contexts and are outlined by theme in Table 6 below.

**Table 6. Recommendations from the Mauritius Case Study**

<b>On Diaspora Engagement</b>	<p>1. <b>Successful applicants of the Mauritius Diaspora Scheme should undergo further screening to determine if reintegration support is necessary.</b> Successful applicants suffer from reintegration challenges that force them to re-migrate. “There have been some cases of people who have used the diaspora scheme to come back, but found it difficult to reintegrate, and have then gone back to the country they migrated from. They were not happy here and found things difficult and preferred to stop staying in Mauritius.”<sup>64</sup> Assessing what needs successful applicants may have in terms of reintegration support will allow for greater levels of retention. Moreover, since various government agencies are involved to varying degrees in the Diaspora Scheme, providing the necessary assessment and reintegration support can transfer technical knowledge and build capacity among government actors regarding the return and reintegration of migrants whether skilled or unskilled. This will bridge the knowledge gap that is currently present among government actors on return and reintegration, which is still a relatively new concept.</p>
<b>On Monitoring and Evaluation</b>	<p>2. <b>Standardised forms of monitoring and evaluation of IOM AVRR beneficiaries can allow for crucial cross-country comparisons<sup>65</sup>.</b> Monitoring and evaluation methodologies should not be dependent on donor requirements but rather on a common institutional framework that is adhered to, regardless of a high or low number of returnees. One way to achieve this is by ensuring that the IOM RSS survey is systematically used to monitor and evaluate all IOM reintegration programmes in Mauritius.</p>
<b>On Locally Led Programming</b>	<p>3. <b>Greater synergies can be built between existing return and reintegration programming and other development initiatives.</b> For example, the government can partner together with private sector actors involved in Fintech solutions to extend the function of the diaspora scheme to include diaspora crowdfunding platforms which can increase access to finances for SMEs (see annex 2). Moreover, the government can promote circular migration agreements that develop and improve the human capital necessary to reap the full potential of the blue economy (see annex 2).</p>
<b>On Regional Programming</b>	<p>4. <b>The lessons learned and best practices on return and reintegration in Mauritius can be integrated into the development of a regional instrument</b> on return and reintegration led by SADC as the country’s unique return migration context can be applied to the islands of Comoros, Madagascar, Réunion and Seychelles.</p>



# Annex 1.

## Key Informant and Workshop Participant List

Key Informant	IOM
	Indian Ocean Commission
	EDB – Mauritian Diaspora Scheme.
Workshop Participant	Ministry of Foreign Affairs, Regional Integration and International Trade
	IOM
	Passport and Immigration Office
	Migration Unit – Prime Minister’s Office
	Human Rights Division
	Ministry of Labour, Human Resource Development and Trade
	Attorney General’s Office



## Annex 2.

# Labour Market Opportunities and Challenges

### Opportunities

Financial services to SME's can spur job creation

Agro-processing can provide a diversification of manufacturing industry

### Challenges

Tourism has suffered from COVID-19

Agriculture sector - Lack of interest in agriculture among young Mauritians

Financial Sector does not take into account SMEs

Mauritius has been a success story in terms of its economic transformation since gaining independence. Now recognised as a high-income country<sup>64</sup>, it has been a development model for other African countries. The service industry is the largest employer and is the largest contributor to the growth of the country's GDP.<sup>65</sup> There is a need for Mauritius to diversify its service sector, particularly in the midst of the contraction of tourism services due to consequences of the COVID-19 pandemic. One of the opportunities the country can capitalise on is increasing sea transport services, which remains underexploited.<sup>66</sup> The country can leverage on a regional approach and utilise the combined Exclusive Economic Zones (EEZ) of Mauritius (2.3 million km<sup>2</sup>) and Seychelles (1.3 million Km<sup>2</sup>)<sup>67</sup>, to boost services related to maritime transport.

The financial sector contributes significantly to the GDP of Mauritius and is the second most developed in Africa<sup>68</sup>. However, one of the limitations of this sector is the prioritisation of big corporations and the neglect of SMEs, which are struggling to access finances, which further impedes

64 World Bank (2020) Mauritius Overview

65 The Government of Mauritius (2020) Mauritius: Economic Outline

66 Bolaky.B (2020) Operationalising Blue Economy in Africa: The Case of South West Indian Ocean

67 Cadras.V.A (2020) Large Ocean Economies

68 Development Reimagined (2020) COVID-19: Economic Implications for Mauritius - challenges and ideas

the large potential for job creation.<sup>69</sup> One of the ways of improving financial inclusion for SMEs in Mauritius is the use of Fintech solutions. Platforms are currently being set up in Mauritius that offer royalty-based crowdfunding, debt-based crowdfunding and equity-based crowdfunding; these platforms offer SMEs access to services beyond traditional forms of lending.<sup>70</sup> Diaspora crowdfunding platforms offer similar benefits but are under-developed in Mauritius.<sup>71</sup> Government intervention to promote the development of such platforms will improve financial inclusion in the country and job creation.

The manufacturing sector is the second largest contributor to GDP growth<sup>72</sup>, whereby the textile industry is an important source of employment and revenue for Mauritius, and opportunities to diversify the manufacturing industry are promising, particularly in the move towards agro-processing<sup>73</sup>. However, there is a skills shortage in the agricultural sector due to the lack of young people willing to enter the sector.<sup>74</sup> One of the ways of making agriculture more attractive is utilising the country's comparative advantage in ICT services to develop innovative ways to boost food productivity and sustainability.<sup>75</sup>

Tourism was an industry that provided large employment opportunities and steady contributions to the country's GDP; however, the consequences of the COVID-19 pandemic has negatively affected the industry and rolling out a robust recovery strategy is a challenge for the government of Mauritius.<sup>76</sup> However, investing in the Blue Economy represents the future of job creation and economic development in Mauritius. Currently, the Blue Economy contributes to around 10-11% of the GDP of Mauritius<sup>77</sup> and is estimated to directly employ 20,000 individuals, excluding the tourism sector.<sup>78</sup> In order to capitalise on the large employment opportunities, the government of Mauritius together with the private sector need to invest in the following economic areas: increasing sustainable fishing, improving fish and seafood processing, increasing the development of aquacultures, improving the human capital necessary for deep-sea exploration for hydrocarbons, utilisation of ocean currents for renewable energy and research on ocean management.<sup>79</sup>

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69 African Development Bank Group (2019) Mauritius Economic Outlook

70 Mauritius Fintech Hub (2020) How Are Crowdfunding Platforms Adapting to the COVID-19 Crisis?

71 Chao, J. E (2020) Crowdfunding in Africa: Opportunities and Challenges

72 The Government of Mauritius (2020) Mauritius: Economic Outline

73 African Development Bank Group (2019) Mauritius Economic Outlook

74 StraConsut (2016) Labour Market Skills Gap Analysis Mauritius & Zambia

75 FAO (2014) Youth and Agriculture: Key Challenges and Concrete Solutions

76 Development Reimagined (2020) COVID-19: Economic Implications for Mauritius - challenges and ideas

77 Attri.N.V (2016) An Emerging New Development Paradigm of the Blue Economy in IORA;A Policy Framework for the Future

78 Nairobi Convention (2019) Blue Economy -Mauritius Country Profile -

79 Attri.N.V (2016) An Emerging New Development Paradigm of the Blue Economy in IORA;A Policy Framework for the Future



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Morocco

**Country Brief**





# Table of Contents

<b>Acronyms</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
Country Level Methodology	5
<b>1. Legal, Policy, and Governance Context on RRR in Morocco</b>	<b>6</b>
1.1 Morocco Legal Frameworks And Provisions For RRR	6
1.2 Current State of Legal Frameworks on Return	9
1.3 Current State of Legal Frameworks on Readmission	10
1.4 Current State of Legal Frameworks on Reintegration	10
1.5 Implementing Legal And Policy Provisions In Morocco	11
<b>2. Definition of Sustainable Reintegration – Key Take-Aways</b>	<b>13</b>
2.1 Defining Reintegration: Study Definition	13
2.2 Defining Reintegration: Stakeholder Perceptions	13
<b>3. RRR Programming in Morocco</b>	<b>16</b>
3.1 Overview of RRR Programmes in Morocco	16
3.2 Community Needs and Perceptions: Insights from the Field	20
<b>4. Moving Towards Good Practices and Learning in Morocco: Success Factors and Challenges</b>	<b>22</b>
<b>5. Conclusions and Recommendations</b>	<b>25</b>
<b>Annex 1. List Of Key Informants And Workshop Participants</b>	<b>27</b>
<b>Annex 2. Labour Market Opportunities and Challenges</b>	<b>28</b>
<b>Annex 3. Selected Bibliography</b>	<b>30</b>

# Acronyms

<b>ANAPEC</b>	National Agency for the Promotion of Employment and Competences
<b>AU</b>	African Union
<b>C2CMMD</b>	AU-EU Continent to Continent Migration and Mobility Dialogue
<b>CEFA</b>	Comité Européen pour la Formation et l'Agriculture
<b>COVID-19</b>	Coronavirus Disease 2019
<b>EU</b>	European Union
<b>GIZ</b>	Deutsche Gesellschaft für Internationale Zusammenarbeit
<b>ICMPD</b>	International Centre for Migration Policy and Development
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>FOO</b>	Fondation Orient Occident
<b>MRE</b>	Moroccans Residing Abroad ( <i>Marocains résidents à l'étranger</i> )
<b>OFII</b>	French Office of Immigration and Integration ( <i>Office Français de l'Immigration et de l'Intégration</i> )
<b>PPE</b>	Personal and Protective Equipment
<b>RRR</b>	Return, Readmission and Reintegration



# Introduction

This country brief presents the return, readmission, reintegration (RRR) context in Morocco. The Country Brief is produced under the “Study on Return, Readmission and Reintegration Programmes in Africa”, commissioned by ICMPD to Samuel Hall in the framework of the AU-EU Continent-to-Continent Migration and Mobility Dialogue (C2CMMD). The study is being implemented on behalf of the African Union Commission and is funded by the European Union.

## Key Takeaway 1:

There are limited programmes and organisations responding to voluntary returnees in Morocco. Coordinating between RRR programmes and actors remains a challenge in Morocco.

## Key Takeaway 2:

Government support and implementation of RRR programming is targeted at returning Moroccans Residing Abroad (MREs), in order to facilitate their return, reintegration, and relevant investment. This includes targeted services and administration, such as harnessing the power of remittances, as well as social programmes, including social housing, professional training, and medical assistance plans (RAMED).

## Key Takeaway 3:

Although RRR programmes offer psychosocial and economic support, implementers highlighted that the economic situation made it difficult for returnees to successfully reintegrate within Morocco.

Morocco is a nation comprised of 36 million people, with over 25 percent under the age of 30.<sup>1</sup> Although it has developed significantly since its independence from France in 1956, it remains a lower-middle income country, with many citizens living at the subsistence level and with a sizeable under- or unemployed youth population.<sup>2</sup> In 2018, youth unemployment levels were around 22 percent, according to the International Labor Organization (ILO).<sup>3</sup>

For most of the 20<sup>th</sup> century, Morocco was primarily a country of emigration, with an estimated global diaspora of 4 million Moroccans. During the mid-1990s, Morocco surpassed Turkey as the primary source of non-EU migration to Europe.<sup>4</sup> The profile of Moroccan migrants varies depending on the country of destination. Moroccan migrants to the United States tend to be highly educated, with 64.5 percent possessing tertiary diplomas, compared to 12.9 percent of those migrat-

1 Royaume du Maroc—Haut-Commissariat au Plan, Recensement Général de la Population et de l’Habitat de 2014 : Caractéristiques démographiques et socio-économiques de la population.

2 “Morocco,” World Bank, accessed 10 January 2020.

3 “Morocco: Youth unemployment rate from 1999 to 2019,” Statista, accessed 10 January, 2020.

4 Berriane, M., de Haas, H. and Natter, K. (2015). “Introduction: revisiting Moroccan migrations,” *The Journal for North African Studies* 20, no. 4 (2015): 506.

ing to France, 6 percent to Belgium, and 4.5 percent to Spain.<sup>5</sup> At the same time, undocumented migration increased as a result of stricter immigration policies, as migrants flocked to Europe in response to a high demand for cheap labour in the agricultural, construction, and service sectors.<sup>6</sup> At present, the Moroccan diaspora is estimated to comprise 10 percent of the population<sup>7</sup> and remittances sent back home account for 5.7 percent of the Moroccan GDP.<sup>8</sup> Thus, managing employment abroad and maintaining strong links with the Moroccan diaspora has always been a key priority for the Moroccan government.

Overall, Moroccans continued to migrate in steadily increasing numbers towards Europe throughout the late 1990s and early 2000s, with Italy and Spain overtaking France as the primary destination countries for Moroccans. Numbers have decreased following the 2008 Global Financial Crisis, which led to high unemployment rates among migrant worker populations in Europe, especially in Spain.<sup>9</sup> This had led to increasing numbers of Moroccan returnees over the last decade, given the decreased opportunities for work in Europe.

There are no official, comprehensive and detailed data and statistics on Moroccan returnees.<sup>10</sup> Estimates on returnee numbers vary, but the OECD, using data from the 2014 census, estimated that 210,000 returning migrants were reported in 2017, compared with 165,000 in 2004 and 117,000 in 1994. This figure is rather low, in comparison to the estimated 4 million Moroccan nationals abroad.<sup>11</sup> The flow of returnees is composed mainly of men – who made up around 60 percent of returnees in 2014.<sup>12</sup> The majority of Moroccan returns are from Spain (33%), Italy (30%), and France (21%).<sup>13</sup> A 2019 ILO report on RRR in Morocco found that very few Moroccan returnees benefit from institutional support in their country of origin.<sup>14</sup> The EU Migration de Retour au Maghreb (MIREM) project reported less than 4 percent of returnees benefited from institutional reintegration support upon their return to Morocco.<sup>15</sup> The majority of Moroccan returnees (71%) had a job in their country of immigration prior to their return.<sup>16</sup> Over half (56%) of the returns were involuntary. Of those who returned involuntarily, two-thirds (67%) cited difficulty finding work or facing precarious work situations, a quarter (26%) returned involuntarily due to bureaucratic reasons, and the remaining 7 percent for social reasons related to family reunification. Of the 44 percent who chose to return voluntarily, almost half (48%) did so in order to invest in Morocco and almost a third (28%) for retirement reasons.<sup>17</sup> The percentage of

5 CIF OIT (2019). Favoriser la Réintégration Sociale et Professionnelle des Migrants de Retour Nord-Africains : Une Comparaison des Cas du Maroc et de la Tunisie.

6 De Haas, H (2007), 47.

7 CIF OIT (2019).

8 World Bank (2020). "Personal remittances, received (% of GDP) – Morocco"

9 Khaldi, M. (2014). « Les Marocains d'Espagne » in Marocains de l'extérieur—2013, ed. Mohamed Berriane (Rabat : Observatoire de la Communauté Résident à l'Étranger, 2014) : 263-310.

10 ILO (2019). Favoriser la réintégration sociale et professionnelle des migrants de retour nord-africains : Le cas du Maroc (Geneva : ILO).

11 OCDE (2017), Talents à l'étranger : Une revue des émigrés marocains, Editions OCDE : Paris. DOI :

12 Ibid.

13 Bouhlahcen, A. et Taki, M. (2014), Cartographie des projets de réintégration économique des MRE de Retour et mécanismes d'appui à leur réinsertion socioprofessionnelle et la réinsertion socioéducative de leurs enfants, (MCM-REAM, OIM Maroc et Association Migration Internationale).

14 ILO (2019), 7.

15 OCDE, 176.

16 Bouhlahcen et Taki (2014), 48.

17 Ibid, 53.

Moroccans forced to return is quite significant, with consequences for reintegration support by the Moroccan state.

## Country Level Methodology

Fieldwork in Morocco was conducted in August and September 2020. Due to the COVID-19 pandemic, full health precautions were taken during interviews, conducted either via phone or in appropriate socially distanced settings, wearing appropriate personal and protective equipment (PPE). The workshop was held in a conference room in Rabat, allowing key stakeholders to meet and discuss the findings of this research in person.

**Table 1. Fieldwork in Morocco**

Type of Participant	Male	Female	TOTAL
Key Informant	4	5	9
Returnee	4	-	4
Non Migrant Community Member	3	1	4
Workshop Participants	4	1	5
<b>TOTAL</b>	<b>15</b>	<b>6</b>	<b>22</b>

### Box 1: Methodological Challenge: Availability of Programming Data and Limitations on Programme Analysis

Detailed evaluation reports and other internal monitoring documentation from implementing partners beyond beneficiary numbers were not made available to the research team upon request. Literature focusing on specific RRR programmes in Morocco is limited – available literature on irregular migrants focuses mostly on their journeys towards Europe, rather than on how they reintegrate upon their return. There is a wealth of information – particularly legal – regarding the registration and return of MREs, but those who migrate irregularly are not considered MREs by the state.

Evaluation of programming and identification of best practices and lessons learned is therefore largely dependent on stakeholder perceptions, previous literature where available, and a limited number of returnee interviews.





# 1.

## Legal and Policy Context on RRR in Morocco

### 1.1 Morocco Legal Frameworks and Provisions for RRR

The geographical position, historical context, and socio-economic realities of the Kingdom of Morocco have influenced its approach and focus on migration issues. The Kingdom of Morocco is continually expanding its legal framework on migration, to make the most of the potential presented by migration and leverage opportunities for the return, readmission and reintegration of both Moroccans abroad and foreign populations on its territory.

Legal researchers identified 19 relevant national legal instruments - laws, decrees, orders and circulars - in the field of return, readmission and reintegration (Table 2). Almost all texts explicitly address the question of return - voluntary or involuntary. A handful represent opportunities for reintegration, while almost none of the texts comment on the issue of readmission. Readmission is more present in international legal instruments, such as bilateral agreements and international conventions signed and ratified by Morocco. National legal frameworks on RRR can be organized by whether it addresses Moroccans living abroad (MRE) and foreigners on Moroccan territory. Furthermore, the majority of existing laws on RRR in Morocco concern those Moroccans who had legally migrated abroad – for work, study or family reunification – or Moroccans born abroad who wish to migrate to Morocco. The legal and state structures for irregular migrants upon their return are limited.

The Moroccan approach to RRR for citizens consists in creating a balance between 1) the maintenance and development of their human, cultural and socio-economic links with the Kingdom and the preservation of their national identity, and 2) the strengthening of ties of friendship and cooperation with the governments and societies of the countries where they reside or of which they are also citizens. With regards to foreigners on its territory, only recourse to deportation are mentioned. However, the Kingdom works closely with international organizations within the framework of programs aimed at facilitating the return and decent reintegration of foreigners to their countries of origin. Lastly, Morocco signed a draft law in 2019 to establish the headquarters of the African Migration Observatory, an AU organ, which was inaugurated in December 2020.<sup>18</sup>

18 El Ouassif, A. (2019). "Get Africa Involved: Morocco's Lead in the Management of Immigration." *Policy Center for the New South*, 30 August 2019.

The observatory is designed to be a central, unified source of data on migration for the African continent in order to advance knowledge on migration and mobility and foster exchange between African countries in order to facilitate controlled migration management on the continent.<sup>19</sup>

**Table 2. Legal Frameworks and Provisions on RR in Morocco**

Name of Law/Legal Framework	Description
<b>Constitution (2011)<sup>20</sup></b>	Contains provision that guarantees the right to leave and return to the national territory.
<b>Decree No. 2-66-646 (1970)<sup>21</sup></b>	Outlines repatriation support from the state, which includes transport costs from the point of departure to the port of disembarkation or the border station, the costs of stay at the port of embarkation. The reimbursement of return costs will either be reimbursed by the returnee or the state will forfeit them after a three year period.
<b>Law n°02-03 of 11 November 2003<sup>22</sup></b>	Law on the entry, stay, and deportation of foreign nationals into Morocco, emigration and irregular immigration. Strengthens repression against people who facilitate or organize irregular entry into or exit from the country. It also penalizes irregular immigrants or emigrants.
<b>Decree n° 2-77-862 (1977) / (Modified, decree n° 2-00-673 of 5 September 2000 - 6 jourmada II 1421)<sup>23</sup></b>	Regulates registration and tax exemption of vehicles of returning nationals and foreigners.
<b>Dahir n° 1-90-79 (1990)<sup>24</sup></b>	Promulgates Law n° 19-89 creating the Hassan II Foundation for Moroccans residing abroad, which aims to maintain the fundamental links with Morocco and alleviate difficulties encountered abroad.
<b>Order of the Minister of the Economy and Finance n° 1072-00 (2000) / (Modified by Order n° 271-08 of February 8, 2008 - 30 moharrem 1429, BO n° 5610 of March 6, 2008)<sup>25</sup></b>	Article relating to used materials and tools, to be imported free of all duties and taxes by Moroccans residing abroad having exercised a permanent gainful activity and returning definitively to Morocco, is fixed at a value of one hundred and fifty thousand dirhams (150,000 Dh).
<b>Dahir n° 1-04-22 promulgating Law n° 70-03 relating to the Family Code (2004)<sup>26</sup></b>	Governs marriage of Moroccans residing abroad, which includes submitting foreign marriage certificates to Moroccan consular services.

19 African Union (2020). "Official Inauguration in Morocco of the African Migration Observatory."

20 Kingdom of Morocco. Constitution 2011.

21 Benyahya, M. (2017). La condition juridique des Marocains résidant à l'étranger, (Rabat : CCME).f

22 Dahir n° 1-03-196 du 16 ramadan 1424 (11 novembre 2003) portant promulgation de la loi n° 02-03 relative à l'entrée et au séjour des étrangers au Royaume du Maroc, à l'émigration et l'immigration irrégulières.

23 Décret n° 2-77-862 du 25 chaoual 1397 (9 octobre 1977) pris pour l'application du code des douanes ainsi que des impôts indirects relevant de l'administration des douanes et impôts indirects, approuvé par le dahir portant loi n° 1-77-339 du 25 chaoual 1397 (9 octobre 1977).

24 Dahir n° 1-90-79 du 20 hija 1410 (13 juillet 1990) portant promulgation de la loi n° 19-89 créant la Fondation Hassan II pour les Marocains résidant à l'étranger.

25 Arrêté du ministre de l'économie et des finances n° 1072-00 du 23 Jourmada I 1421 (24 août 2000) fixant la valeur des matériels et outillages usagés à importer, en franchise des droits et taxes, par les marocains résidant à l'étranger à l'occasion de leur retour définitif.

26 Dahir N° 1-04-22 Du 12 Hija 1424 (3 Février 2004) Portant Promulgation De La Loi N° 70-03 Portant Code De La Famille.

<b>Dahir n° 1.07.208 portant création du Conseil de la Communauté Marocaine de l'Etranger (2007)</b> <sup>27</sup>	Creates the Council on Moroccans residing abroad, with a focus on creating public policies allowing Moroccans residing abroad to maintain close links with their Moroccan identity and in particular those relating to language teaching, religious education and cultural action.
<b>Decree No. 2-06-478 issued for the application of Law No. 35-06 establishing the national electronic identity card (2007)</b> <sup>28</sup>	Regulates conditions for national electronic identity cards, which includes provisions for Moroccans residing abroad.
<b>Dahir n° 1-10-07 portant promulgation de la loi n° 52-05 relative au Code de la route (2010)</b> <sup>29</sup>	Grants Moroccans previously residing abroad to use their foreign driving license on national territory for a maximum period of one year from their residence in Morocco.
<b>Order of the Minister of Equipment and Transport No. 02-11 on the exchange of foreign driving licenses for a Moroccan driving license (2010)</b> <sup>30</sup>	Contains provisions regarding returned Moroccans the ability to exchange foreign driving licenses for a national license due to reciprocal recognition agreements.
<b>Dahir n° 1-11-171 promulgating Law n° 57-11 relating to general electoral lists, referendum operations and the use of public audiovisual means during electoral campaigns and referendums (2011)</b> <sup>31</sup>	Contains provisions granting Moroccan citizens born in Morocco and residing outside the territory of the Kingdom the right to request registration on the list of the municipality or district where they, their father or grandfather, were born, or in which they have property or a professional or commercial activity.
<b>Dahir n° 1-11-165 portant promulgation de la loi organique n° 27-11 relative à la Chambre des représentants (2011)</b> <sup>32</sup>	Grants Moroccans residing abroad the right to vote in Moroccan elections.
<b>Dahir n° 1-11-173 promulgating organic law n° 59-11 relating to the election of members of the councils of local authorities (2011)</b> <sup>33</sup>	Grants Moroccans residing abroad the right to run in elections for regional, prefecture, provincial, and district councils. Any Moroccan woman or any Moroccan resident abroad invested with a governmental, elective or public mission in the country of residence is ineligible.
<b>Decree n° 2-12-596 applicable to the National Radio and Television Company (2012)</b> <sup>34</sup>	Includes provisions for media contributions to strengthening the identity links of Moroccans residing abroad with their country of origin.
<b>Dahir n° 1-15-25 promulgating law n° 63-14 relating to assets and liquidities held abroad by Moroccans residing abroad transferring their tax residence to Morocco (2015)</b> <sup>35</sup>	Regulates transfer of tax residence for Moroccans residing abroad who have returned to Morocco.

27 Dahir n° 1.07.208 portant création du Conseil de la Communauté Marocaine de l'Etranger (2007).

28 Décret n° 2-06-478 pris pour l'application de la loi n° 35-06 instituant la carte nationale d'identité électronique (2007).

29 Dahir n° 1-10-07 portant promulgation de la loi n° 52-05 relative au Code de la route (2010).

30 Arrêté du ministre de l'équipement et des transports n° 02-11 relatif à l'échange des permis de conduire étrangers contre un permis de conduire marocain (2010).

31 Dahir n° 1-11-171 portant promulgation de la loi n° 57-11 relative aux listes électorales générales, aux opérations de référendums et à l'utilisation des moyens audiovisuels publics lors des campagnes électorales et référendaires (2011).

32 Dahir n° 1-11-165 portant promulgation de la loi organique n° 27-11 relative à la Chambre des représentants (2011).

33 Dahir n° 1-11-173 portant promulgation de la loi organique n° 59-11 relative à l'élection des membres des conseils des collectivités territoriales (2011).

34 Benyahya, M. (2017). La condition juridique des Marocains résidant à l'étranger, (Rabat : CCME), 329.

35 Dahir n° 1-15-25 portant promulgation de la loi n° 63-14 relative aux avoirs et liquidités détenus à l'étranger par les marocains résidant à l'étranger transférant leur résidence fiscale au Maroc (2015).

<b>Circular N ° 2/2015 of the Office des Changes (2015)<sup>36</sup></b>	Creates accounts in foreign currencies and convertible dirhams called “Ex-MRE accounts”
<b>Dahir n ° 1-17-109 of 16 rabii I 1439 promulgating the law n ° 99-15 establishing a pension scheme for the categories of professionals, self-employed workers and self-employed persons exercising a liberal activity (2017)<sup>37</sup></b>	Establishes pension schemes and compulsory health insurance for all professionals, self-employed workers and self-employed persons.

## 1.2 Current State of Legal Frameworks on Return

Article 24, section 4 of the 2011 Moroccan Constitution grants everyone “the freedom to move and settle in, to leave and return to the national territory, in accordance with the law.”<sup>38</sup> Morocco has ratified the 1951 Refugee Convention, as well as the OUA (1969) Convention Governing the Specific Aspects of Refugee Problems in Africa<sup>39</sup>, which contains provisions that protect refugees from refoulement and saddles the country of asylum with the responsibility of ensuring the safe return of refugees who request repatriation. Morocco also signed the EU-Morocco Association Agreement in 1996, which entered into force in 2000, in which the two parties agreed to a dialogue on illegal immigration and the conditions governing the return of irregular Moroccan migrants from EU member states to Morocco.<sup>40</sup> Morocco also signed the Palermo Protocols to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000).<sup>41</sup>

Two national strategies frame the implementation of RRR programs in Morocco, namely the National Strategy for Moroccans of the World and the National Strategy for Immigration and Asylum. The National Strategy in favour of Moroccans of the World has three strategic objectives for the benefit of Moroccans of the world: the preservation of their Moroccan identity; the protection of their rights and interests; and, their contributions to the development of Morocco. Each of these strategic objectives are broken down into specific programs affecting several areas, including education/training, culture, social, legal and administrative assistance, mobilization of skills and networks, investment and solidarity development, international cooperation and partnerships (with public and private actors), and governance.<sup>42</sup>

36 Circulaire N°2/2015 de l’Office des Changes (2015).

37 Caisse Nationale de Sécurité Sociale (CNSS) (2020). *Receuil des textes législatifs*.

38 See: [https://www.constituteproject.org/constitution/Morocco\\_2011.pdf](https://www.constituteproject.org/constitution/Morocco_2011.pdf)

39 Organization of African Unity (1969). *Governing the specific aspects of refugee problems in Africa*.

40 EU (1996). Euro-Mediterranean Agreement between the European communities and Morocco.

41 UNGA (2000). UNGA A/55/383. 2 November 2000.

42 KII Ministry delegated to the Ministry of Foreign Affairs, African Cooperation and Moroccans Residing Abroad, responsible for Moroccans Residing Abroad, 14 December 2020.

## 1.3 Current State of Legal Frameworks on Readmission

Morocco does not have any national framework on readmission. However, it has entered into several bilateral agreements for nationals with Spain (1992, 2003)<sup>43</sup>, Belgium (1993)<sup>44</sup>, Germany (1998),<sup>45</sup> France (1993, 2001), Portugal (2004), Italy (1998, 1999)<sup>46</sup>, Portugal (2004), and the Netherlands (1993)<sup>47</sup>. Bilateral agreements stipulate the responsibilities and roles of each actor in facilitating the safe and voluntary return of Moroccan migrants to their country of origin. The agreements can serve as solid foundations to build readmission agreements between Morocco and African neighbouring countries. Additionally, it must be noted that legally residing MREs continue to benefit from all the rights of their country of origin when abroad.

## 1.4 Current State of Legal Frameworks on Reintegration

Constitutionally, MREs are granted the freedom to return to the national territory, to move and to settle wherever they wish. An institutional framework has been put in place over the last several decades with a view to maintaining a link of attachment to national identity, especially to national interests in order to prepare the possibility of this return. It is articulated around three key organizations: the Ministry delegated to the Minister of Foreign Affairs, African Cooperation and Moroccans Residing Abroad; the Council of the Moroccan Community Abroad; and the Hassan II Foundation for Moroccans Living Abroad.

To create an incentive framework to facilitate their reintegration, procedural facilities concerning the recognition of civil documents drawn up abroad and their full validity once back in the country have been put in place. These facilities relate in particular to birth, marriage and death certificates. Additionally, facilities for obtaining the national identity document have been planned, with the extension of the benefit of the national electronic identity card to MREs. Additional facilities relating to other documents, such as driving licenses, are included, and recognition mechanisms have been planned to facilitate the mobility of Moroccans returning to the country while holding driving licenses issued abroad.

Another incentive mechanism concerns tax exemptions for personal objects and furniture for those Moroccans who have carried out gainful activities in their host countries and who return permanently to the country. In addition, it is worth highlighting the portability of social rights of Moroccan retirees returning to the country after having worked professionally abroad.

43 See: [https://www.europarl.europa.eu/doceo/document/E-8-2018-005410\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-8-2018-005410_EN.html)

44 See: Return Migration and Development Platform, The European University Institute, "Inventory of the agreements linked to readmission: Morocco," last updated February 2013

45 Ibid.

46 Not ratified, but removals have been carried out de facto since 1998. See:

47 See: Return Migration and Development Platform, The European University Institute, "Inventory of the agreements linked to readmission: Morocco," last updated February 2013

Another mechanism regarding participation in the democratic process could incentivize to return as the right to vote as well as eligibility for local, regional and national elections is given to MREs. This includes nationals born in Morocco living abroad as well as persons of Moroccan origin born abroad.

## 1.5 Implementing Legal and Policy Provisions in Morocco

Given the governments' focus on outward migration and return, there are many actors implicated in return and reintegration of Moroccans. There is a dedicated Ministry for Moroccans living abroad, which enables MREs to keep their links to their home country, as well as facilitates their return to Morocco. However, it is worth noting that this ministry and its activities are dedicated purely to Moroccans who have migrated regularly. At the workshop held in November 2020, one of the participants mentioned that irregular migrants are not officially considered to be MREs – the Ministry for Moroccans Resident Abroad, as well as the Ministry of Interior, has not confirmed or denied this.<sup>48</sup>

### Box 2: Support and Programmes for Moroccans Living Abroad (MREs)

The Ministry of Foreign Affairs in Morocco is in charge of providing services, programmes, and support to Moroccans Living Abroad (MREs). This includes cultural, social, legal, educational, and investment programmes for MREs targeted at promoting Moroccan culture and maintaining links to Morocco for MREs. The “National Strategy in favour of Moroccans Residing Abroad” is specifically linked to Morocco’s economic development, which seeks to attract greater numbers of MREs interested in working and investing in Morocco, especially given the greater number of opportunities for work, entrepreneurship, and investment following the COVID-19 health crisis in Europe. This plan aims to mobilise 10,000 MRE investors by 2030 from various host countries and various skill sets, in order to help MREs initiate partnerships in both the public and private sectors in Morocco.

This is exemplified by the ongoing Maghrib Belgium Impulse (MRI) project (2018-2023) in partnership with ENABEL, the Belgian development agency, which aims to mobilise MRE project leaders in both Belgium and Morocco, who are given individualized support to create and market businesses in Morocco. The project is designed to mentor participants, as well as post-creation follow-up and networking activities, in order to increase their likelihood of success and willingness to invest in their country of origin.

*Sources : Marocains du Monde (2021), “Compétencies Mobilization » ; Maghrib Belgium Impulse : Appui à la mise en œuvre de la stratégie nationale en faveur des Marocains résidant en Belgique.*

48 Workshop, 16 November 2020.

Discussions with key informants revealed that long-term visions regarding support for involuntary returns of returnees to Morocco remain limited for several reasons. First, the topic of return migration in Morocco remains sensitive in nature, which makes accompaniment by local implementing partners challenging. Second, there is insufficient budget allocated to this profile of returnees, who also are likely to support their families financially upon return. Thus, returnees bear responsibility upon their return to Morocco, which they are often unable to meet immediately, given the existing gaps in support for this category of returnees.<sup>49</sup>

**Table 3. Key Actors Currently Involved in RRR in Morocco**

Type of Actor	Name of Actor
<b>Government</b>	Ministry of Interior
<b>Government</b>	Ministry of Labour
<b>Government</b>	Ministry of Foreign Affairs and Cooperation
<b>Government</b>	Ministry of Justice
<b>Government</b>	Delegated Ministry in Charge of Moroccans Residing Abroad (MRE)
<b>Government</b>	Council of the Moroccan Community Residing Abroad (CCME)
<b>Government</b>	Advisory Council on Human Rights
<b>Civil Society</b>	Association of Moroccan Youth in France (AJMF)
<b>Civil Society</b>	Migration and Development
<b>Civil Society</b>	Club of Moroccan Investors Abroad
<b>Non- Government</b>	IOM
<b>Non- Government</b>	Caritas
<b>Non- Government</b>	GIZ
<b>Non-Government</b>	Fondation Orient Occident

The majority of Moroccan ministries dealing with RRR concern Moroccans who voluntarily return from abroad, compared to those who have returned involuntarily. Other actors, such as IOM, FOO and GIZ, as well as CSOs and consulates abroad are implicated in assisting Moroccan returnees who had migrated irregularly reintegrate within society.





## 2.

# Definition Of Sustainable Reintegration – Key Take-Aways

## 2.1 Defining Reintegration: Study Definition

Inception discussions with key stakeholders involved in the implementation of the present study highlighted the need for an examination and comparison of definitions of sustainable reintegration to establish a baseline definition for the study at the inception phase. This definition is critically re-examined in this section through insights and stakeholder perceptions from the Morocco research, to establish whether research findings provide any additional insights for defining sustainable reintegration.

With this in mind, and building on past definitions, this section reviews the following working definition of reintegration used for this study.

### *WORKING DEFINITION OF REINTEGRATION FOR THIS STUDY*

*“Sustainable reintegration can be achieved when returnees rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.”*

## 2.2 Defining Reintegration: Stakeholder Perceptions

Key informants at Comité Européen pour la Formation et l'Agriculture (CEFA) and GIZ stated the importance of creating reintegration programmes for returnees that correspond to the specific needs of the individual as opposed to having a standardised approach. Although this makes programme design and implementation more labour-intensive, stakeholders mentioned finding more impactful results when programmes responded specifically to individuals and adapt to their specific vulnerabilities and return situation.



CEFA stressed that tailored accompaniment was difficult due to coordination between several partners – which prolonged waiting times for beneficiaries to receive key services and aid offered by RRR programming. The person interviewed at CEFA Morocco stated they often had to advocate for beneficiaries in order for them to access services offered by RRR programming.<sup>50</sup>

This feedback confirms the need for the definition to focus on the **individual** given the need to take into consideration individual experiences of return and reintegration and tailor programming accordingly. The question remains on **the 'how'** – with an emphasis on first, **tailored support and accompaniment** for returnees, and second, the need for **sufficient resources** to be provided to allow for coordination across stakeholders.

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For the three Moroccan returnees spoken to in this study<sup>51</sup>, successful reintegration included acceptance by their immediate families, finding gainful employment, and feeling hopeful and in control of their future and ability to provide for their families. All four returnees spoken to were male and felt that the Moroccan government assumed that returnees would easily reintegrate within their countries of origin which meant that their psychosocial, financial, and moral support needs had to be fulfilled by friends and family networks. However, many returnees alluded to trends of families rejecting returnees, as they preferred them to stay abroad in order to continue sending remittances home. These four returnees provide a snapshot of the challenges that Moroccan returnees continue to face upon their return home – highlighting a gap in RRR policy and programming and the lived experiences of returning Moroccan migrants, especially those who have returned voluntarily. The cross-section interviewed were unaware of any RRR programming and support, government or otherwise, that would be available to them upon their return to Morocco – thus illuminating a key issue.

Mehdi\* spent eight years in Spain – five irregularly and three with regular status - and found work as a seasonal agricultural labourer since his return to Morocco. Prior to his migration, he thought that Europe was a paradise, and that migrating would improve his economic situation. However, once in Spain, the reality was quite different, as he reported living in crowded quarters with his brother and uncle.<sup>52</sup> Upon his return to Morocco, he found it easy to reintegrate with his wife and children, as well as his extended family, reporting that he felt very comfortable and was content that he was able to watch his children grow up, as well as take care of them. However, he stated that he had heard many stories of other migrants who had found reintegration difficult, as their families blame them for returning and reject them, citing their return as a failure.<sup>53</sup> He was not aware of any state institutions that helped migrants with their reintegration within Morocco upon their return. He also stated that there were many challenges that remained in Morocco – job instability, high youth unemployment, and a poor health sector.

50 KII CEFA Morocco, 13 July 2020.

51 Names of interviewees, marked with (\*), are pseudonyms to uphold the anonymity of the interviewed individuals

52 SSI7, Male Returnee, 26 August 2020.

53 Ibid.

Jawad\* migrated to Spain clandestinely, working in the agricultural sector. Although he was initially able to support himself, his financial needs increased due to increased need to support his family in Morocco. In order to support himself and his family, he began stealing cars as part of a network specialized in car theft. Although he was able to support his family, he accrued several court cases related to his involvement in car theft and was denied renewal of his residency and thus had to leave the country. His return in 2016 was not voluntary, and upon return, he felt lost and abandoned by his network, especially his parents, who were against his return.<sup>54</sup> However, his wife and mother-in-law helped him reintegrate and find work. He stated that this work was able to cover his basic needs and lead a dignified life and felt he could make decisions freely and independently. Upon his return, he needed support on several levels, which included social, psychological, and economic. However, the only source of support he received came from his wife and mother-in-law, as his parents were unhappy with his return, which he stated as being common treatment of returning migrant family members in the majority of families in the region.<sup>55</sup> He felt marginalized, abandoned and neglected, like most returnees in this region, as parents are too rigid regarding their treatment of their children who had returned after migrating abroad. This feeling was also attributed to the lack of government distinction between citizens and returning migrants, which leads it to treat returnees as not having special reintegration needs.

Yassine\* immigrated to Italy when he was 18. His decision to migrate was heavily influenced by his family who lived abroad, who he felt had a higher quality of life. He worked informally for the first 2-3 years, eventually regularizing his status and becoming a citizen. He left Italy after 22 years, as he lost his job due to the economic crisis and had difficulty finding another. He migrated to Belgium to work with a friend from Italy. He decided to return to Morocco whilst on a trip home to see his family. Although he was happy to be reunited with his family, he found it difficult to readapt to Moroccan working conditions – especially the low salaries. He found it difficult to find a job given that he migrated before finishing his studies and his work experience in Italy was not sufficient to find him a well-paying job in Morocco given the different contexts. He eventually found higher paid work in a call centre with an Italian company in Morocco, given his mastery of the Italian language. In addition to the period of unemployment he experienced upon return, his parents were angry, as they wanted him to remain in Italy or Belgium, in order to continue sending them money. He felt that the Moroccan government did not prioritise return migrants, nor any association.<sup>56</sup>

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54 SSI8, Male Returnee, 11 September 2020.

55 Ibid.

56 SSI1 Male Returnee, 25 August 2020.



## 3.

# RRR Programmin in Morocco

## 3.1 Overview of RRR Programmes in Morocco

Table 4 maps the return and reintegration programmes operating in Morocco at the time of the study. Information to develop this list was obtained through a comprehensive desk review, interviews with key informants and was validated during a workshop with key national stakeholders in October 2020.

Table 4. RRR Programming in Morocco

Name of Programme	Implementing Actor	Funder	Timeline	Services Provided	Target Group	No of Beneficiaries	Programme Focus
<b>Assisted Voluntary Return and Reintegration (AVRR)</b>	IOM	IOM Member States	2000-ongoing	Assistance with customs and immigration services upon arrival, Post-arrival reception, short and/or medium term reintegration assistance, capacity-building activities	Voluntary Returnees	3,736 returnees have received return assistance between 2013-2019	Return; Reintegration
<b>REAG/GARP</b>	IOM	German Ministry of the Interior (BMI)	2000-ongoing	Financial and operational support the voluntary return and migration	Voluntary Returnees from Germany	Unknown	Return; Reintegration
<b>StarthilfePlus – Supplementary reintegration support in the destination country</b>	IOM	BAMF	2017-ongoing	Financial support in destination country	Voluntary Returnees from Germany	Unknown	Reintegration
<b>ERRIN Reintegration Programme</b>	Fondation Orient-Occident (FOO)	AMIF	2015 - ongoing	Individual support after voluntary return or forced return/repatriation, Facilitation of return and reintegration	Returnees from ERRIN Member States	45	Reintegration
<b>German-Moroccan Information Centre for Migration and Occupational Inclusion (EIMA)</b>	GIZ	German Federal Ministry for Economic Cooperation and Development		Provides information on: work and training in Morocco, support for returnees to Morocco and opportunities for work and training in Germany.	Returnees	Unknown	Reintegration
<b>EU-IOM Joint Initiative</b>	IOM	EU	2017-ongoing	Returning migrants are provided with access to reintegration support in their countries of origin	Voluntary Returnees	61 returnees have received reintegration support since 2017	Return; Reintegration
<b>ORION Pilot Mentoring Project</b>	IOM	FCDO (formerly DFID)	2018 - 2020	Pilot Mentoring	Vulnerable AVRR beneficiaries	22 returnees as of January 2020	Reintegration
<b>OFII</b>	CEFA	French Office for Immigration and Integration	2020 - ongoing	In kind psychosocial assistance, in kind employment help, and business start up assistance	Voluntary Returnees	Unknown	Reintegration

As reflected in the above table, it is clear that the focus on RRR programming remains on return and reintegration of migrants within the Moroccan territory – there is no mention of readmission programmes. The majority of programmes identified target voluntary returnees, with the exception of ERRIN, which supports all returnees – forced and voluntary.

IOM dominates implementation of RRR programming in Morocco – either via the services it offers itself, such as AVRR, or programmes it implements on behalf of EU governments, such as REAG/GARP. Conversations with the EU Migration Task Force representative for Morocco confirmed that the EU-IOM Joint initiative is the main reintegration programme for irregular migrants returning to the country. Further discussions with IOM highlight the importance of the principle of non-discrimination for returning migrants, and that linking reintegration with other development initiatives and services in Morocco, remains a priority and a key best practice for ensuring social integration.<sup>57</sup> IOM Morocco has also implemented the ORION project, which focuses on offering a mentorship approach to a small number of vulnerable AVRR returnees within the country.

GIZ is also a key actor on programming in Morocco. Based on their work in the field, GIZ informants in Morocco observed that there were considerable numbers of deported Moroccans from EU countries; however deportation statistics are unavailable, making this impossible to measure. They remarked that the identification of returnees wanting to return to Morocco and making them aware of existing support structures remained difficult – thus the lack of participation may stem from lack of access to RRR programming.

In spite of this challenge, GIZ has been able to implement partnerships with the National Agency for the Promotion of Employment and Competences (ANAPPEC). This partnership has directly impacted their decentralized approach to reintegration programming: GIZ implementing actors are based directly within the national employment agency offices in 8 different cities. They currently have offices in Casablanca, Agadir, Fes, and Tangier, with plans to open offices in Rabat and Marrakech as of 2021.

**This partnership was highlighted as a good practice, proving conducive to the success of activities in Morocco thanks to direct incorporation into existing services and the ability to build a relationship with a key national actor.** In addition to the services offered by the ANAPPEC to all Moroccans, GIZ offers complementary services such as psychosocial support or social reintegration measures to returnees who need these, linked to the existing ANAPPEC services.

GIZ is also involved in the development of a guide for the MREs to improve their access to information and support. It has also set up activities intended to train the staff of the Ministry Delegate in charge of MRAs, on the reception and orientation of returned Moroccans and MREs.<sup>58</sup> GIZ also mentioned an MoU with IOM to support Moroccan returnees from Germany, regularly exchanging and referring cases in order to complement their reintegration programmes within the country. GIZ is similarly working with OFII for returnees from France.<sup>59</sup>

<sup>57</sup> KII, EU Migration Task Force, Morocco-Egypt, 17 December 2020.

<sup>58</sup> KII, GIZ, 15 December 2020.

<sup>59</sup> KII, GIZ North Africa, 3 July 2020.

CEFA has been working closely on return and reintegration in Morocco since 2011. Initially, they partnered with Italian associations, but began working with the OFII in Morocco in 2016, giving aid to returnees. They concentrate on the following services for returnees in Morocco – 1) Emergency aid – which includes the provision of EUR 400, medical expenses, and paying the first month of rent; 2) Aid for professional integration – paying for studies, or training and 3) Aid for business development - following an interview with the entrepreneur and an examination of their situation.<sup>60</sup>

A key informant from the organisation stated that CEFA has continuously tried to **link with other re-integration programmes in Morocco but cited this as a persistent challenge**.<sup>61</sup> They also cited long waiting times associated with other implementing partners, training programmes, and government agencies for employment, such as ANAPEC, as a key challenge in OFII program implementation.

At present, FOO focuses primarily on Sub-Saharan migrants in Morocco – their activities are focused on economic and social integration, as well as orienting migrants towards enrolment in schools, as well as psychosocial support.<sup>62</sup> However, FOO is the local implementing partner for Caritas International Belgium to assist ERRIN programme returnees with their initial reintegration into Morocco. Caritas works together with FOO to assist Moroccan nationals who wish to return from ERRIN countries – Austria, Belgium, Denmark, Germany, the Netherlands, Norway, Sweden, Switzerland and UK use the ERRIN contracts in Morocco – with reintegration.

Caritas acts as a service provider for ERRIN, which allows them to **centralize all requests for people wishing to return to their countries of origin from Europe**. Discussions with key informants at Caritas revealed that in Morocco, local Caritas partners are responsible for reintegration programming implementation, liaising with Caritas, who prepares the return of Moroccan migrants. Although there are national reintegration programs and allocated budgets, in practice they are not always available to the target audience that Caritas accompanies, which is returning migrants in an irregular situation.<sup>63</sup> FOO carries out and implements reintegration programming for voluntary returnees.

Discussions with FOO revealed their focus on the individual returnee from the first contact with the beneficiary upon their return to Morocco. FOO staff at headquarters in Rabat, or at field offices in Casablanca, Fez, Marrakech and Tangiers speak with the returnee about their individual situation, needs, and goals for their reintegration in Morocco. The focal point for FOO emphasized the importance of creating a link with the individual from the beginning, as well as accompanying them throughout the programme. Regarding good practices, they mentioned their partnership with the GIZ to help returnees with vocational training and to arrange housing.<sup>64</sup> The focal point on reintegration at FOO mentioned that they had quite a few cases who reintegrated successfully.

However, they mentioned that **successful outcomes cannot purely be attributed to the programme, but also to the willingness of the participant to move forward, as well as the level of**

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60 KII CEFA Morocco, 13 July 2020.

61 KII, CEFA Morocco, 13 July 2020.

62 KII, GIZ North Africa, 3 July 2020.

63 KII, Caritas International, 15 December 2020.

64 KII, FOO, 25 January 2021.

**family assistance they receive.** FOO mentioned several challenges to reintegration in Morocco and the success of these programmes – although FOO supports returnees psychosocially and in their job search, finding employment remains difficult for many returnees given the limited job opportunities in Morocco, especially following the COVID-19 pandemic and subsequent lockdown measures. The interviewee at FOO mentioned that, even if they accompany the person to ANAPEC, the national employment agency, it is not a guarantee that they will find a job. They also mentioned the lack of dedicated policy for voluntary returnees as a challenge - organisations focus on non-voluntary returns are limited within Morocco, thus the network remains small.

## 3.2 Community Needs and Perceptions: Insights from the Field

The research team interviewed four returnees and four non-migrant community members in Morocco to complement this study. While findings from this sample are too small to be representative, they **nonetheless provide indicative insights into dynamics on the ground and potential gaps between policy, programming, and the lived return experience which may support improved effective and sustainable support mechanisms.**

In addition to these indicative returnee perceptions of successful reintegration, and what this means in their context and their future, overall analysis of returnee discussions combined with community member interviews provide a series of key insights of the overall bottom-up context facing returnees and those who greet them upon return.

**Key Insight 1:** There are two types of return migrants in Morocco. First, those returning after the success and the achievement of their objectives, due to the realization of a long process of migration, work, savings, return and investment. These migrants reintegrate easily, as they have the financial means to overcome the difficulties encountered. Their return is often voluntary and they are always welcomed back given their comfortable financial situations. Once returned, they tend to make their own investments and create jobs for nationals. The second category usually makes a forced return – either due to expired papers or administrative issues. As they have “failed” their migration experience, their reintegration is more difficult, as they encounter several layers of social rejection, which impacts their ability to find work, housing, and affects their psychosocial health.<sup>65</sup>

**Key Insight 2:** Sending communities and returnees were motivated to migrate based on family members who lived abroad, who they perceived as having higher qualities of life and more opportunities for employment. Many felt that migration was the only way for them to succeed and support themselves and their families.<sup>66</sup> Additionally, there seemed to be general idealistic perceptions regarding living and working conditions in Europe – those migrants who migrated irregularly found harsh realities regarding their living and working conditions.

<sup>65</sup> SSI6 Male Community Member, 3 September 2020.

<sup>66</sup> SSI Male Community Member, 2 September 2020.



**Key Insight 3:** Money plays a large role in the manner in which returnees are accepted by their families. As one community member stated, “sometimes you hear that when the returnee has money, they are very welcome but when not, it is the opposite.”<sup>67</sup> One community member noted that within families – “if one of them is a returning migrant, his situation within the family would be worse than that of his brother, who has not migrated because he would be treated with contempt by his family.”<sup>68</sup>

**Key Insight 4:** Returnees’ reintegration is dependent upon financial, moral, and psychosocial support from families and friends, not from the government, otherwise there is no other form of support available. This puts those migrants who receive negative reactions and even rejection from their immediate family in a vulnerable situation – as they may lack housing, financial resources, and moral support when they most need it.

**Key Insight 5:** Returnees find they are ill-prepared to reintegrate in the Moroccan context upon return, citing a gap between their work experience abroad and the employment opportunities available to them in Morocco. Those returnees who had completed university and had significant work experience abroad felt frustrated by their unemployment or the initial jobs they found, which they felt were low paid and insufficient to cover their basic needs. Returnees and community members alike pointed to “a blatant lack of infrastructure” outside of major cities – with schools, health centres and work opportunities concentrated in urban centres.<sup>69</sup>

**Key Insight 6:** There is a lack of differentiation between Moroccan nationals and Moroccan returnees. All four returnees and community members mentioned this implicit assumption, despite the clear differences between the returnees and those who never migrated – “a person who has emigrated to another country and who has lived other experiences, certainly not very favourable, and furthermore far away from family and friends who used to be there, is not like a person who is there in his country and next to his family.”<sup>70</sup> This is especially problematic given the tendency of returnees to be maltreated upon their return to their countries of origin – “they are often rejected and neglected by the society and especially by their own network, they consider them as cowards, lazy and cursed, because they were not up to the task” and as a result, their quality of life is worse than pre-migration, as they lost all the advantages they had before their departure.<sup>71</sup> Returning migrants need support from the government in particular. One community member with returnee relatives suggested developing laws, associations and structures that can provide assistance, such as “an Association for the Reintegration of Returning Migrants” that could share migration experiences with non-migrant communities and those who intend to migrate in the future.<sup>72</sup> There was a general dissatisfaction and distrust among returnees and community members regarding state institutions and structures – all interviewees expressed feeling that they ceased to expect concrete policies or laws for either returning migrants or Moroccans remaining in the country.

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67 SSI Male Community Member, 31 August 2020.

68 SSI Female Community Member, 4 September 2020.

69 SSI Female Community Member, 2 September 2020.

70 SSI Female Community Member, 2 September 2020.

71 SSI Female Community Member, 4 September 2020.

72 SSI Male Community Member, 31 August 2020.





## 4.

# Moving Towards Good Practices And Learning In Morocco: Success Factors And Challenges

The Moroccan case study, highlights the emphasis on inclusion of all returning Moroccans in wider development programme and services available within the country.

Morocco has a robust legal framework and ministries dedicated to tap into the potential of Moroccan migrants living abroad – however this may not always explicitly include those Moroccans who migrated using irregular means. Furthermore, there may be an implicit assumption that returned Moroccans are able to easily reintegrate within their home communities upon return on the part of stakeholders, however, interviews with returnees and community members highlight that this is not always the case. Many returnees struggle to reintegrate, especially those whose families depended on remittances for financial support.

Identifying success factors and lessons learned for supporting vulnerable returnees therefore remains key. Table 5 and the analysis below provides an initial overview of this.

**Table 5. Success Factors and Lessons Learned – RRR Programming in Morocco**

		AVRR	Starthilfe Plus	ERRIN	ELMA	EU-IOM JI	ORION Mentoring Pilot	OFII
<b>Success Factors</b>	Pre-Departure Preparation	X	X					
	Payment of Return Travel Costs		X					
	Integration with national services		X			X		X
	Referral Mechanisms					X		
	Selection of relevant activity sectors for employment			X	X	X		X
	Individualised mentoring/ coaching			X	X		X	X
<b>Challenges &amp; Lessons Learned</b>	Delays in Reintegration Assistance					X		X
	Lack of Long Term Follow Up (i.e. more than one year)	X		X	X			X
	Links between programming					X	X	
	Limited Economic Opportunities and Links to Labour Market	X	X	X			X	X
	Linkages between RRR programmes and other development programming	X	X	X	X	X	X	X
	Lack of Data Sharing Among Actors	X	X	X	X	X	X	X
	Need for individualized support	X	X		X	X	X	X

While Morocco is generally a key actor on migration in Africa and has proven active on return and reintegration, certain obstacles to providing overall support still remain to be overcome. Key remaining challenges include:

- **Gaps in coordination and linkages between programming:** While Morocco is rich in programmes supporting both regular Moroccan diaspora returning from abroad (MRE) as well

as several programmes supporting irregular returnees, these programmes often work in silos. Data sharing and learning between actors remains scarce, and will be a key hurdle to implementing more coherent and harmonized programming.

- **Limited linkages to labour market opportunities:** While the Moroccan government has been successful in linking MREs with work opportunities and potential development actors, similar programming for returning irregular migrants remains scarce.

However, good practices remain evident in an overview of programming. These follow two key lines:

1. **linking referrals to case manager approaches** and
2. **partnerships and a decentralized approach to programming.**

Both of these approaches have been particularly evident during the implementation of the IOM ORION mentoring pilot project, which employs a locally based approach to provide individualized mentors with deep knowledge of their context and possible referrals.

Furthermore, **IOM employs a decentralised approach in Morocco** – working in several regions, which further facilitates support. Referral approaches are linked to a decentralized approach to programming – as many partners seemed to recognize the importance of moving out of programme and organisation silos to work directly with partners offering other services and present in different regions in Morocco.

Partnerships between local and international organisations in Morocco facilitated a connection prior to the migrant's return, and IOM is able to provide local organisations with specialized assistance – especially psychosocial needs. This has allowed for strong synergies between IOM programmes and Moroccan programmes for returnees.

## 5.

# Conclusions And Recommendations

There are **existing coordination challenges between RRR programmes and actors** in Morocco. Additionally, **the economic situation has made reintegration challenging for many returnees**, as finding a job that meets the expectations (in terms of salary or skills-set) remains difficult for many. However, Morocco offers opportunities for improved RRR programming in the future, particularly given decentralized approaches to programming, which are an opportunity to target returnees where they live and provide more individualized and hands-on reintegration support.

Based on the above summarized challenges and lessons learned, recommendations for Morocco have been categorized by theme and are described in Table 6 below.

**Table 6: Recommendations on RRR by Theme - Morocco**

<b>National Regulations and Linkages to Development Planning</b>	<ol style="list-style-type: none"> <li><b>1. Build a platform for learning and coordination across RECs and between Morocco and the AU.</b> Stakeholders highlight that joint frameworks between REC and AU institutions can foster greater links between Morocco, the AU, and other African RECs.</li> <li><b>2. Provide a formal platform for experience sharing across stakeholders to build up both national coordination systems,</b> as well as South-South cooperation. Morocco is involved in a GIZ project with Senegal, Mali and Côte d'Ivoire – a framework has been set up between the four countries to better understand how migration management is implemented and organized in each country.</li> </ol>
<b>Capacity Building</b>	<ol style="list-style-type: none"> <li><b>1. Build awareness on opportunities presented by current migration dynamics.</b> At present, there are shifting immigration patterns within the country, with significant circular mobility – namely in seasonal work, agricultural work, and looking for opportunities in European, African, and Gulf countries.</li> <li><b>2. Leverage the presence of the African Migration Observatory as a hub for learning:</b> providing a budget to support existing learning initiatives to conduct regular trainings, workshops, and more innovative and ongoing learning events can provide an opportunity for continental and regional capacity building and a formal hub under which to implement cross-regional learning and coordination platforms.</li> </ol>

<b>Locally Led Approaches</b>	<ol style="list-style-type: none"> <li><b>1. Adapt programming to the needs of returnee profiles.</b> While the Moroccan government has been a leader on integrating returnees into existing services, flexibility and adaptability of programme structures can strengthen this while also taking into account individual profiles and needs.</li> <li><b>2. Strengthen pre-departure support and information sharing.</b> While some of this is already being done, further targeted provision of social and psychological support, administrative preparation, and preparation of the reception framework in the country of origin which links explicitly to programming and monitoring after return is needed.</li> </ol>
<b>Data, M&amp;E, and Learning</b>	<ol style="list-style-type: none"> <li><b>1. Establish a data sharing mechanism between implementing actors,</b> in order to share lessons learned and localised knowledge on a regular basis. On a continental level Morocco is proving a leader of this as host of the African Migration Observatory; however, at the national level it is also key to establish similar mechanisms between current implementing actors.</li> <li><b>2. Identify a singular tool for harmonization of data and evaluation across different types of programmes,</b> in order to better facilitate comparative assessment and identification of success factors and ways to support these.</li> </ol>



# Annex 1.

## List of Key Informants and Workshop Participants

Key Informants and workshop participants spoken to for this study are identified by institution and not individual in order to protect participants' anonymity. These are outlined in **Table 7** below.

**Table 7:** List of High Level Study Participants

<b>Key Informant Interviews</b>	GIZ (2 Interviews)
	Ministère chargé des marocains résidant à l'étranger et des affaires de la migration
	Caritas International
	CEFA
	EU – Morocco EEAS Political Officer
	IOM
	Fondation Orient Occident
<b>Workshop Institutions</b>	Direction de la coopération européenne
	Inspecteur Général
	Ministère chargé de la migration
	Ministère des Affaires étrangères



## Annex 2.

# Labour Market Opportunities and Challenges

### Opportunities

High economic growth and development progress

Large youth population – potential dividend

Advanced sectoral industry – services, industry, and agriculture

### Challenges

Lack of inclusion of youth and women in labour market

Slow job creation

Majority of jobs are informal

Education and skills mismatch

The Moroccan economy and labour market has developed considerably over the last two decades - the country is strategically situated between Europe and sub-Saharan Africa, which makes it a desirable location for foreign companies or investment.<sup>73</sup> The economy remains dominated by the agricultural sector, which employs a third of the working population and contributes to 11 percent of the GDP<sup>74</sup>, as well as by the services sector – especially the tourism industry. However, both of these industries have suffered immensely due to the COVID-19 pandemic – which has contributed to an unstable economic situation.

Youth unemployment remains high across the MENA region and Morocco is no exception. It has a large youth population, which is largely underemployed. Although GDP has risen, growth remains too moderate to absorb the large numbers of young people entering the labour market each year.<sup>75</sup> Between 2000 and 2014, 115,000 Moroccans entered the workforce. However, during

73 AFDB (2019). “Morocco Economic Outlook.” .

74 Nordea (2021). “The economic context of Morocco.”

75 OCP Policy Center (2018). *Youth Unemployment in the Middle East & North Africa, and the Moroccan case* (Rabat: OCP Policy Center), 17.

this time period, the percentage of the employed working aged population decreased – from 53% in 2000 to 48% in 2014 – indicating that only a third of working age people sought and found employment.<sup>76</sup> Skilled unemployment has been particularly high – which is due to a skills mismatch between university graduates and job growth.<sup>77</sup> Furthermore, a third of Morocco's labour force is employed informally – which has continued to expand since the beginning of the COVID-19 pandemic.<sup>78</sup> Given the lack of inclusion, slow job growth, and the low quality of available jobs, many young Moroccans migrate abroad – both regularly and irregularly – in search of employment.

However, the Moroccan government has launched several programmes designed to promote youth employment. The National Agency for the Promotion of Employment and Skills (ANAPPEC) launched an initiative in 2015 to cover less experienced job seekers. ANAPPEC also currently has three labour programmes: Idmaj, which covers wage subsidies for unemployed university graduates, Te'hil, which covers youth skills training, and Moukawalati, which promotes entrepreneurship via training and financial aid.<sup>79</sup> Additionally, key government ministries have adopted strategies on youth integration to improve training systems and integrate youth into the labour market; and financially promoting microenterprises.<sup>80</sup>

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76 Ibid, 18.

77 OCP Policy Center (2017). *High and Persistent Skilled Unemployment in Morocco: Explaining it by Skills Mismatch*.

78 Eljehtimi, A. (2020). "Crisis-hit Moroccans join 'informal economy' as job market shrinks," *Reuters*, 14 July 2020,

79 World Bank (2018). "Labour market in Morocco: Challenges and Opportunities."

80 Ibid.





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Nigeria

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**Country Brief**





# Table of Contents

<b>Acronyms</b>	<b>2</b>
<b>Introduction</b>	<b>4</b>
Country Level Methodology	4
<b>1. Legal, Policy, and Governance Context on RRR in Nigeria</b>	<b>6</b>
1.1. Provisions For RRR in Nigeria’s Legal and Policy Frameworks	6
1.1.1 Current Status of Legal Frameworks on Return	8
1.1.2 Current Status of Legal Frameworks on Readmission	9
1.1.3 Current Status of Legal Frameworks on Reintegration	10
1.2 Implementing Legal and Policy Provisions in Nigeria	12
1.2.1 Methods of Coordination and Challenges	14
<b>2. Definition of Sustainable Reintegration – Key Take-Aways</b>	<b>16</b>
2.1 Defining Reintegration: Study Definition	16
2.2 Defining Reintegration: Stakeholder Perceptions	16
<b>3. RRR Programming in Nigeria</b>	<b>20</b>
3.1 Overview of RRR Programmes in Nigeria	20
3.2 Moving Towards Effective and Sustainable Reintegration in Nigeria?	31
3.3 Understanding the Challenge of Return and Reintegration in Nigeria: Voices from the Field	33
<b>4. Moving Towards Good Practices and Learning in Nigeria: Success Factors and Challenges</b>	<b>37</b>
<b>5. Conclusions and Recommendations</b>	<b>40</b>
5.1 Policy and Programmatic Recommendations	41
<b>Annex 1. Key Informant and Workshop Participant List</b>	<b>43</b>
<b>Annex 2. Labour Market Opportunities and Challenges</b>	<b>44</b>
<b>Annex 3. Selected Bibliography</b>	<b>46</b>

# Acronyms

<b>AU</b>	African Union
<b>AUC</b>	African Union Commission
<b>AVRR</b>	Assisted Voluntary Return and reintegration
<b>C2CMMD</b>	AU-EU Continent to Continent Migration and Mobility Dialogue
<b>CAC</b>	Corporate Affairs Commission
<b>CISLAC</b>	Civil Society Legislative Advocacy Centre
<b>CMET</b>	Case Management Expert Team
<b>CSO</b>	Civil Society Organisation
<b>ERRIN</b>	European Return and Reintegration Network
<b>EU</b>	European Union
<b>FCDO</b>	Foreign, Commonwealth and Development Office
<b>FIAPP</b>	Fight against trafficking in human beings and organised crime
<b>FMLE</b>	Federal Ministry of Labour and Employment
<b>FME</b>	Federal Ministry of Education
<b>FMHDS</b>	Federal Ministry for Humanitarian Affairs, Disaster Management and Social Development
<b>FMoH</b>	Federal Ministry of Health
<b>FMoJ</b>	Federal Ministry of Justice
<b>FMRRR</b>	Forced Migration and Return, Readmission and Reintegration
<b>FMWA</b>	Federal Ministry of Women Affairs
<b>GIZ</b>	Gesellschaft für Internationale Zusammenarbeit
<b>ICMPD</b>	International Centre for Migration Policy and Development
<b>IDP</b>	Internally Displaced Person
<b>ILO</b>	International Labour Organization
<b>IOM</b>	International Organization for Migration
<b>M&amp;E</b>	Monitoring and Evaluation
<b>MFA</b>	Ministry of Foreign Affairs
<b>MIDWA</b>	Migration Dialogue for West Africa
<b>MIEUX</b>	Migration EU eXpertise

<b>MEET</b>	Monitoring and Evaluation Expert Team
<b>MRC</b>	Migrant Reintegration Centre/Migrants' Resource Centre
<b>NAPTIP</b>	National Agency for the Prohibition of Trafficking in Persons
<b>NCFRMI</b>	National Commission for Refugees, Migrants and Internally Displaced Persons
<b>NEMA</b>	National Emergency Management Agency
<b>NIS</b>	Nigeria Immigration Service
<b>NGO</b>	Non-governmental Organisation
<b>OECD</b>	Organisation for Economic Cooperation and Development
<b>OFII</b>	Office Français de l'Immigration et de l'Intégration
<b>ONSA</b>	Office of the National Security Adviser
<b>PBMMN</b>	Promoting Better Management of Migration in Nigeria
<b>PCI</b>	Patriotic Citizen Initiative
<b>PPE</b>	Personal Protective Equipment
<b>RRR</b>	Return, Readmission and Reintegration
<b>RSS</b>	Reintegration Sustainability Survey
<b>SME</b>	Small and Medium-sized Enterprises
<b>SMEDAN</b>	Small and Medium Enterprises Development Agency of Nigeria
<b>SOP</b>	Standard Operating Procedure
<b>TIPSOM</b>	Action Against Trafficking in Persons and Smuggling of Migrants in Nigeria
<b>TWG</b>	Technical Working Group/Thematic Working Group
<b>UNHCR</b>	United Nations High Commissioner for Refugees





# Introduction

This country brief presents the return, readmission, reintegration (RRR) context in Nigeria. The Country Brief is produced under the “Study on Return, Readmission and Reintegration Programmes in Africa”, commissioned by ICMPD to Samuel Hall in the framework of the Continent-to-Continent Migration and Mobility Dialogue (C2CMMD). The study is being implemented on behalf of the African Union Commission (AUC) and is funded by the European Union (EU).

## Key Takeaway 1:

Nigeria has a comprehensive policy framework and return migration governance structure, including Standard Operating Procedures (SOPs), with close collaboration between state and non-state actors, however, coordination still remains a challenge, due to insufficient funding of migration activities by the government.

## Key Takeaway 2:

Regional Case Management Committees set up by the National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI) are an effective decentralised mode of reintegration support that bridges the gap between top-level planning and local realities on the ground.

## Key Takeaway 3:

Community-level interventions in high return areas have great potential in addressing the drivers of migration. However, the assumption that migrants returning to their communities of origin is innately in their best interest needs to be challenged.

Nigeria is a major country of origin, transit and destination in West Africa. Nigerian returnees account for the largest proportion of assisted returnees in the International Organization for Migration (IOM)’s Assisted Voluntary Return and Reintegration (AVRR) programme and the EU-IOM Joint Initiative<sup>1</sup>. Nigeria has three predominant areas of return: Edo, Lagos and Delta States, as well as flash-point States to watch – Ogun and Imo States. Despite an advanced policy framework on return and reintegration and a host of reintegration programmes, the governance of irregular migration has remained challenging within the country, just like in several other countries of the world.

## Country Level Methodology

Fieldwork was conducted in August and September 2020 with interviews conducted in person, thanks to the easing of travel restrictions and lightened health situation in Nigeria at the time of fieldwork in light of the COVID-19 pandemic. Appropriate health precautions and measures were taken to ensure the safety of both participants and the researcher when interviews were conducted. Social distancing guidelines were observed during every interview and both the researcher and the participants were equipped with personal protective equipment (PPE) masks and sani-

<sup>1</sup> IOM Assisted Voluntary Returns and Reintegration Key Highlights (2016) (2017) & (2019) & EU-IOM joint initiative for Migrant protection and reintegration bi annual report (2019): reporting period from 1st May 2017 to 31st January 2019

tizers. The workshop was held in a conference room in Abuja, allowing key stakeholders to meet and discuss the findings of this research in person.

**Table 1. Fieldwork in Nigeria**

Type of Participant	Male	Female	TOTAL
Key Informant	4	5	9
Returnee	2	3	5
Non-Migrant Community Member	2	2	4
Workshop Participants	9	2	11
<b>TOTAL</b>	<b>17</b>	<b>8</b>	<b>29</b>

**Box 1. Methodological Challenge: Availability of Programming Data and Limitations on Programme Analysis**

Monitoring and evaluation (M&E) reports were not made available to the Samuel Hall research team. Therefore, evaluating RRR programmes in Nigeria based on qualitative data on outputs and measurements of reintegration outcomes was not feasible. To overcome this gap, key informant interviews (KIIs) were held with lead implementers comprising of both local and international organisations, such as IOM, Idia Renaissance, the Patriotic Citizen Initiatives, the International Labour Organization (ILO), the Small and Medium Enterprises Development Agency of Nigeria (SMEDAN) and the Ministry of Labour and Employment. Best practices, lessons learned and notable areas of improvement have been identified based on the interviews held with these key actors.



# 1.

## Legal and Policy Context on RRR in Nigeria

### 1.1 Provisions For RRR in Nigeria's Legal and Policy Frameworks

**There are minimal legal instruments that explicitly focus on the rights, provisions and protections of migrant returnees in Nigeria.** The Constitution of Nigeria does not include the terms 'returnee' or 'reintegration'. However, the Constitution does protect the right to return<sup>2</sup> and outlines the obligation of the state to provide safety, dignity and development to every Nigerian citizen<sup>3</sup>, which can broadly be interpreted to cover reintegration initiatives. Moreover, in 2004, Nigeria ratified and domesticated the African Charter on Human and Peoples Rights (1983) through the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act (2004). Under Article 12 of this act, every individual is guaranteed the right to free movement including leaving and returning to their country of nationality<sup>4</sup>.

Nigeria has laws that mandate specific Agencies or Commissions to govern the affairs of migrant returnees. This includes the National Commission for Refugees Act (1989)<sup>5</sup>, which established the National Commission for Refugees, later renamed the **National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI)**. The Commission is responsible for national issues related to the return, readmission and reintegration of migrants. Nigeria makes up for the lack of specific legal instruments pertaining to return and reintegration with two highly developed policy frameworks that cover migration governance in the country.

**Nigeria is one of few African countries to have both a National Migration Policy (2015)<sup>6</sup> and a National Labour Migration Policy (2014).** Both documents contain progressive provisions regarding the return and reintegration of migrants. In the National Migration Policy (2015), the document advocates for bilateral agreements that give preference to voluntary returns, and in cases of repa-

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2 The Constitution of Nigeria (1999) Article 41

3 The Constitution of Nigeria (1999) Chapter 2

4 African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act (2004)

5 National Commission for Refugees Act (1989)

6 Nigeria National Migration Policy (2015)

triation, it stipulates that Nigerian nationals are to be provided with the appropriate documents of identification, with all rights and protections afforded to them to ensure safe and dignified return. The policy encourages reintegration using AVRR programmes and advocates for the reinforcement of community development initiatives in return areas. Moreover, the policy did not only establish the Technical Working Group (TWG) on Migration and Development, which comprises state and non-state actors involved in national migration governance, it also established five thematic working groups (TWG), one of them being the *Forced Migration and Assisted Voluntary Return and Reintegration Working Group* [(now referred to as “Forced Migration and Return, Readmission and Reintegration (FMRRR)]. The FMRRR group develops Standard Operating Procedures (SOPs) every five years, which dictate responsibilities and outline operational requirements for return, readmission and reintegration.

**The National Labour Migration Policy (2014)**<sup>7</sup> focuses on labour migration governance. According to Part. 4.6 of the Policy, to achieve reintegration, the Government commits to supporting the voluntary return of Nigerian migrant workers but strongly condemns the forceful return of Nigerian **migrant workers**. In this regard, the Policy advocates for efforts focusing on cooperation between countries of destination and origin and for the creation of a conducive regulatory environment for the design and implementation of suitable reintegration programmes. The policy focuses on migrant workers rather than irregular migrants as the target group, however, the policy also complements commitments made under the National Migration Policy to strengthen Nigeria’s overall return migration governance framework.

Although both migration policies are non-binding, they provide a robust framework, which includes coordination mechanisms between various state and non-state stakeholders. Therefore, in the absence of national laws that specifically address the issue of return and reintegration, these two documents fill an important gap.

**Table 2. Legal and Policy Frameworks and Provisions on RRR in Nigeria<sup>8</sup>**

Name of Law/Legal Framework	Description
<b>National Commission for Refugees Act (1989)</b>	Establishes the National Commission for Refugees, Migrants and IDPs, which coordinates all issues relating to migration in Nigeria and has the institutional mandate to oversee national issues on return, readmission and reintegration.
<b>Constitution of the Federal Republic of Nigeria (1999)<sup>8</sup></b>	The supreme law of the land guarantees the right to return.
<b>African Charter on Human and Peoples’ Rights (Ratification and Enforcement) Act (2004)</b>	Ratifies and domesticates the AU’s African Charter on Human and Peoples Rights (1983). Through ratification and domestication, every Nigerian is guaranteed the right to free movement within their state and the right to leave and return to their country of nationality.

7 Nigeria National Labour Migration Policy (2014)

8 The Constitution of Nigeria (1999)

<b>National Labour Migration Policy (2014)</b> <sup>9</sup>	Provides for the governance of labour migration, including the mandate for each government agency.
<b>National Migration Policy (2015)</b> <sup>10</sup>	Provides for the return and reintegration of migrants as well as technical working groups that develop SOPs, outlining the precise responsibilities and roles of State and non-State actors in the implementation of return and reintegration support for voluntary returnees.
<b>Return, Readmission and Reintegration (RRR) Standard Operating Procedure (SOP)</b>	Ensures that the conduct of RRR activities in Nigeria is effective, methodical, sustainable and complies with human rights standards.

### 1.1.1 Current Status of Legal Frameworks on Return<sup>910</sup>

**Two enforceable legal instruments address the issue of returns in Nigeria.** Under the section of Fundamental Rights in the Constitution of Nigeria (1991)<sup>11</sup>, Section 41 states that “no citizen of Nigeria shall be expelled from Nigeria or refused entry thereby or exit there from”<sup>12,13</sup>. Under this section, the right to return of a Nigerian citizen is enshrined. Nigeria has ratified the Kampala Convention (2009)<sup>14</sup>, which obligates the state to allow Internally Displaced People (IDPs) to determine for themselves “whether to return, integrate locally or relocate”<sup>15</sup>. Moreover, it obligates the state to work with the AU and international organisations or humanitarian agencies and civil society organisations in the implementation of sustainable returns. However, Nigeria has yet to domesticate the Convention.

**In the policy realm, the National Labour Migration Policy (2014)**<sup>16</sup> advocates for the voluntary return of migrants, the collaboration between sending and receiving counties when facilitating voluntary returns and the development of good governance practices to attract the return of talented individuals of the Nigerian diaspora. The **National Migration Policy (2015)**<sup>17</sup> further calls for the safe and dignified return of migrants, which is a concept that has increasingly gained traction in discussions surrounding readmission agreements. A human rights-based approach has featured in readmission agreements negotiated between Nigeria and countries of destination as a result of several awareness-raising campaigns that have underscored the importance among stakeholders of such an approach to migration.<sup>18</sup> The centrality of human rights is evident in the National Migration Policy, which calls for appropriate identity documents before departure, respect for the principle of non-refoulement and adherence to the creation of “standards and procedures based on law and policy, for the return, readmission and reintegration” of returnees<sup>19</sup>.

9 Nigeria National Labour Migration Policy (2014)

10 Nigeria National Migration Policy (2015)

11 The Constitution of Nigeria (1999) Article 41

12 Ibid

13 Ibid

14 African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention)

15 Ibid

16 Nigeria National Labour Migration Policy (2014)

17 Nigeria National Migration Policy (2015)

18 KII. NCFRMI. October 2020

19 Ibid

**The SOP for the Conduct of Return, Readmission and Reintegration of Migrants in Nigeria (2019) establishes responsibilities and operational duties among the national stakeholders** involved in return and reintegration (government agencies, CSOs, international organisations), to ensure collaboration and sustainability of services. Under the revised SOP (2019) the underlying principles governing return operations among these actors are the following:

- i. Returns must be voluntary.
- ii. Potential returnees should be provided with factual and neutral information before departure, in order to make an informed choice regarding their return.
- iii. The human rights of migrants must be protected at all times.
- iv. Organisations should do no harm or limit the harm inadvertently done to returnees during the process of return.
- v. State sovereignty should be respected but States are under the obligation to accept the return of their nationals unless specified otherwise under national or international law.

### 1.1.2 Current Status of Legal Frameworks on Readmission

The 2009 Presidential Directive and the National Policy on Migration (2015) provide the Commission with the legal responsibility to align readmission programming with the National Policy on Migration (2015)<sup>20</sup>, which outlines specific strategies to pursue when drafting readmission agreements. This includes the review of existing return agreements to ensure “adequate protection of the human rights of returnees, especially in cases of mandatory return”; and to include provisions on training and education services in readmission agreements to enhance self-employment upon return.<sup>21</sup>

#### Box 2. The challenges of forming readmission agreements

Negotiations on readmission agreements between sending and receiving countries are usually technical, drawn-out and require considerable amounts of compromise. One of the challenges concerns the different priorities between the country of origin and country of destination. As one key informant noted, the inclusion of reintegration support in readmission agreements is a major priority for Nigeria, as well as the expansion of regular migration pathways. Both aspects are considered by the Nigerian government as crucial to ensuring sustainable (re)migration governance. For countries of destination, reintegration support and regular pathways are not elements that are considered unimportant, but they may be given less priority. As a result, Nigeria has entered into negotiations with several countries of destination, however none have been concluded yet.<sup>22</sup>

20 Nigeria National Migration Policy (2015)

21 Ibid

22 KII.NCFRMI. October 2020

**Nigeria and the EU began negotiations over a readmission agreement in 2016; to date, the two parties remain in the negotiation phase<sup>23</sup>.** Moreover, under the Plan of Action for the National Migration policy 2019-2023, the Nigerian government aims to have concluded negotiations of readmission agreements by 2023.<sup>24</sup> Nigeria does not have a readmission agreement with another African country, however, it does have a tripartite agreement between the UNHCR and Cameroon concerning the voluntary repatriation of Nigerian refugees living in North-East Cameroon.<sup>25</sup> The document outlines the responsibilities of each party and ensures that refugees are provided with sufficient information to make an informed voluntary choice, and guarantees that processes are in place to ensure safe and dignified returns.<sup>26</sup> The Tripartite Agreement serves as a pertinent precedent for the development of readmission agreements between Nigeria and other African States, and may be adapted to the status of returning migrants.

### 1.1.3 Current Status of Legal Frameworks on Reintegration

The National Commission for Refugees Act (1989) established the NCFRMI. The Commission's mandate was expanded through the 2009 Presidential Directive and the National Migration Policy (2015), to include the responsibility to coordinate reintegration initiatives. This includes securing identity documents for returnees, as well as assistance for IDPs, migrants, and refugees, such as basic necessities, shelter, health, and empowerment for self-reliance. The Act also empowers the Commission to assist in seeking employment or education opportunities for refugees and members of their families. Furthermore, the Trafficking in Persons (Prohibition) Enforcement and Administration Act (2015)<sup>27</sup> endows the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) with the responsibility for counselling and rehabilitation of trafficked persons, including returnees who were trafficked.

**The main framework that governs reintegration policy and procedures at a national level is the National Migration Policy (2015)<sup>28</sup>,** which also provides specific strategies pertaining to sustainable reintegration. These include: the encouragement of reintegration of migrants through the AVRR programme, strengthening the involvement of government authorities in the reintegration of returnees and reinforcing community-based approaches to reintegration.<sup>29</sup>

**The recent SOP (2019)** was revised under the leadership of the NCFRMI as required by the National Migration Policy (2015) and elaborates further on the principles and provisions that govern reintegration initiatives in the context of voluntary returns in Nigeria. Under this SOP (2019), sustainable reintegration is defined as: *“[being] achieved when returnees have reached levels of economic self-sufficiency, social stability within their communities, and psychosocial well-being that allow them to cope with (re)migration drivers. Having achieved sustainable reintegration,*

23 See: <https://intermin.fi/en/areas-of-expertise/migration/voluntary-and-forced-return/readmission-agreements>

24 Nigerian Government (2019) Plan of Action for National Migration Policy 2019-2023

25 See: <https://reliefweb.int/report/cameroon/tripartite-agreement-voluntary-repatriation-nigerian-refugees-living-cameroon>

26 UNHCR (2017) The Tripartite Agreement for the Voluntary Repatriation of Nigerian Refugees Living in Cameroon

27 Trafficking in Persons (Prohibition) Enforcement and Administration Act (2015)

28 Nigeria National Migration Policy (2015)

29 Ibid



*returnees are able to make further informed migration decisions as a matter of choice rather than necessity.”<sup>30</sup>*

**The Plan of Action for the National Migration Policy 2019-2023 developed by the Nigerian government involves the same government agencies outlined in the SOP and details provisions to ensure sustainable return and reintegration by 2023**, such as: the development of training, skills acquisition, and employment programmes for returnees, the provision of housing and rehabilitation centres for returnees and working with local industries to enhance job placements for returnees.<sup>31</sup>

**The definition of sustainable reintegration cited in the SOPs is the same definition initially adopted by the IOM, and subsequently by the NCRMI**, and is measured by the ability of returnees to cope with the drivers of (re)migration.<sup>32</sup> Furthermore, the SOP (2019) mandates different government agencies with the responsibilities to provide reintegration services that cover economic, health, education and psychosocial and social dimensions. The roles of specific government actors will be covered in the subsequent sections.

**Nigeria’s National Migration Policy (2015) is aligned with global frameworks on return and reintegration**, such as the African Union’s Migration Policy Framework (2018)<sup>33</sup> and the Global Compact for Migration (2018)<sup>34</sup>. Both the National Migration Policy (2015) and the complementary SOP (2019) have common approaches to return and reintegration as the aforementioned global frameworks on migration (Table 3).

**Table 3. Points of Coherence on RRR: Global Frameworks and Nigeria’s National Migration Policy**

Approach	Nigeria National Migration Policy (2015)	AU Migration Policy Framework (2018)	Global Compact on Migration (2018)
Creation of standards and procedures based on law and policy for the return, readmission, and reintegration	X	X	
Preference for voluntary returns	X	X	
Returns are safe and dignified and adopt a human rights-based approach	X	X	X
Strengthen national border management capacities	X	X	

30 Standard Operating Procedures (SOPs) for the Conduct of Return, Readmission and Reintegration of Migrants in Nigeria(2019)

31 Nigerian Government (2019) Plan of Action for National Migration Policy 2019-2023

32 KII. NCRMI. October 2020

33 African Union (2018) Migration Policy Framework and Action Plan (2018-2030)

34 United Nations (2018) Global Compact on Migration



Implement reintegration support that covers economic, social, and psychosocial dimensions	X	X	X
Enhance cooperation between the country of origin and country of destination	X	X	X
Facilitate in the provision of identity documents for returnees	X		X
Enhance community-based approaches to reintegration	X		X

## 1.2 Implementing Legal and Policy Provisions in Nigeria

The SOP (2019) is the main document pertaining to the development and implementation of RRR policy, and outlines the key actors involved in RRR in Nigeria. Table 4 includes primarily government actors, and other prominent state actors identified during the desk review and fieldwork stage.

**Table 4. Key Actors Currently Involved in RRR in Nigeria**

Type of Actor	Name of Actor	Role
Government	National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI)	Responsible for the coordination of return, readmission and reintegration initiatives and is the chair of the TWG on return and reintegration.
Government	National Agency for the Prohibition of Trafficking in Persons (NAPTIP)	Responsible for the combat of human trafficking and related crimes.
Government	Ministry of Foreign Affairs (MFA)	Leading the development of readmission agreements with foreign nations
Government	Federal Ministry of Justice (FMoJ)	Responsible for ensuring that agreements drafted are in compliance with national laws
Government	Federal Ministry for Humanitarian Affairs, Disaster Management and Social Development (FMHDS)	Coordinates all humanitarian affairs in the country. Responsible for mainstreaming return and reintegration in national plans
Government	Federal Ministry of Education (FME)	Responsible for provision of education access to returnees
Government	Federal Ministry of Women Affairs (FMWA)	Responsible for the care of vulnerable returnees: children, PWDs, survivors of SGBV

<b>Government</b>	Federal Ministry of Health (FMoH)	Responsible for health provision to returnees
<b>Government</b>	Federal Ministry of Labour and Employment (FMLE)	Lead in the coordination of economic reintegration of returnees
<b>Government</b>	Office of the National Security Adviser (ONSA)	Responsible for managing the security of returnees
<b>Government</b>	Nigeria Immigration Service (NIS)	Lead in provision of identification and processing of returnees
<b>Government</b>	National Emergency Management Agency (NEMA)	Provides post-arrival logistical support to returnees
<b>Government</b>	Small and Medium Enterprises Development Agency of Nigeria (SMEDAN)	Provides support for the economic reintegration of returnees
<b>Government</b>	Corporate Affairs Commission (CAC)	Provides support for the economic reintegration of returnees
<b>International Organisation</b>	International Organization for Migration (IOM)	Lead implementer of return and reintegration initiatives and provides technical support to the TWG on return and reintegration

**The SOP (2019) describes the role of state and non-state actors in return, readmission, and reintegration.** Regarding readmission, the Ministry of Foreign Affairs and the Federal Ministry of Justice are tasked with cooperating with countries of destination to reach readmission agreements that protect Nigerian migrants. Regarding returns, the Nigerian Immigration Service is responsible for screening and providing identification to returnees. Once returnees have arrived, the Immigration Service receives them at the airport and processes their documents. The National Emergency Management Agency then provides and coordinates logistics for immediate support to returnees' post-arrival, which may include transportation, food, temporary accommodation and communications.

Various state and non-state actors are involved in reintegration activities under the SOP (2019). The Federal Ministry of Labour and Employment, the Small and Medium Enterprises Development Agency of Nigeria and the Corporate Affairs Commission work together toward developing initiatives that economically reintegrate returnees into their communities of return.

Health and education needs of returnees are addressed by the Federal Ministry of Health and Federal Ministry of Education. The National Agency for the Prohibition of Trafficking in Persons is responsible for the counselling and rehabilitation of victims of trafficking, while the Federal Ministry of Women Affairs caters to unaccompanied and child returnees, returnees with disabilities and returnees who were victims of sexual and gender-based violence. The overall protection of returnees is coordinated by the Office of the National Security Adviser.

Lastly, the Federal Ministry for Humanitarian Affairs, Disaster Management and Social Development is tasked with mainstreaming the socio-economic reintegration of returnees into national

development plans, and the NCFRMI coordinates the implementation of RRR and guarantees the functioning of the SOP. IOM is the lead implementer of return and reintegration programmes in Nigeria and also provides technical support to the NCFRMI during the revisions of SOPs.

### 1.2.1 Methods of Coordination and Challenges

An outcome of Nigeria's National Migration Policy (2015) is the formation of several thematic working groups that address different issues related to migration governance as seen below:

The NCFRMI is the chair of the TWG and the working group on Forced Migration and Assisted Voluntary Return and Reintegration<sup>35</sup>. The NCFRMI consolidates the work of the five different thematic groups and presents recommendations and findings to the National Consultative Committee, which is the main policy-making organ of the Federal Government of Nigeria. The majority of the key national actors involved in return and reintegration are also part of the different thematic working groups. Coordination between so many actors across different thematic areas has been highlighted by KIIs and during the workshop as a challenge, due to inadequate funding.

**Workshop participants consider that the National Migration Policy (2015) has significantly improved coordination between state and non-state actors which had previously been a challenge in national migration governance.** Moreover, participants recognise the benefits of the different TWGs, pointing to the SOP (2019) as a positive outcome of a consultative process that clarifies roles and responsibilities, to be reviewed every five years. However, both participants and key informants lament the infrequency of the meetings as a missed opportunity to maximise discussion and cooperation.

**The reliance on donor funding to facilitate the coordination of state and non-state actors is a bottleneck to be addressed, to ensure the smooth operation of a sophisticated migration governance structure.** Donor funding has been instrumental in shaping the migration governance framework of Nigeria. For example, the 10<sup>th</sup> European Development Fund led to the coordination of key stakeholders which resulted in the development of the National Labour Migration Policy (2014), the National Migration Policy (2015) and the National Policy on Diaspora Matters (2016).<sup>36</sup> As one key informant explained, the majority of government agencies are under-funded and therefore donor funding does play a significant role in the coordination of key actors.<sup>37</sup> Another drawback identified by participants of the workshop was the lack of private sector engagement within the consultative process. Government actors that participated in the workshop acknowledged the limited engagement of the private sector and vowed to do more to bridge this gap.

35 Nigeria National Migration Policy (2015) [https://publications.iom.int/system/files/pdf/national\\_migration\\_policy\\_2015](https://publications.iom.int/system/files/pdf/national_migration_policy_2015).

36 Arhin-Sam.K (2018) The Political Economy of Migration Governance in Nigeria

37 KII. GIZ. January 2020 & KII, ILO. October 2020

### Box 3: Private Sector Engagement in Return and Reintegration Initiatives

Private sector engagement in return and reintegration initiatives in Nigeria has not been high or systematic.<sup>38</sup> The private sector can play a positive role in enhancing reintegration interventions, especially at a community-wide level. For example, working together with the private sector in the implementation of community-level interventions such as the pineapple and cassava processing plants in Edo state have been identified as a best practice.<sup>39</sup> Moreover, under the EU-IOM Joint Initiative, there have been recent efforts to improve private sector engagement through collaboration between IOM and the Nigeria American Chamber of Commerce, the Nigeria German Chamber of Commerce, the Nigeria British Chamber of Commerce and the Nigeria Employers Consultative Association.<sup>40</sup>

Low private sector involvement can be explained by the recent findings on returns to Nigeria. In 2020, the Organisation for Economic Cooperation and Development (OECD) noted that, while some private sector actors may be open to employing or otherwise supporting returnees, they most often view this as a charity initiative rather than a mutually beneficial partnership and strategic business decision.<sup>41</sup> This misconception of the long-term and strategic benefits to the private sector through collaboration on reintegration support was recently challenged by an ICMPD project piloted in 2018-2019. Supporting Sustainable Return of Migrants through Private-Public Multi-Stakeholder Partnerships (SUPREME) was a project managed by ICMPD and financed by the Austrian Federal Ministry of the Interior.<sup>42</sup> The project aimed to utilise private-public partnerships to produce a triple-win situation by providing specialised pre-departure and post-return training hand-in-hand with Austrian and international companies already operating or willing to invest in Nigeria. Although the project has created positive dynamics in terms of the public-private collaboration on reintegration, the fact that on the returning end, i.e. in Austria, the difficult access of the project to returnees, impeded the originally anticipated potential. However, this type of intervention showed local stakeholders that return and reintegration can be addressed from a positive angle and plans are underway to expand the project scope to include international private sector actors and create a business park that can provide employment opportunities and trainings to returnees on a large scale as well as increasing opportunities for foreign firms to invest in Nigeria whilst contributing to reintegration support<sup>43</sup>. As one key informant remarked, as ambitious as the project is, if it is successful, it will pave the way for more novel and similarly large-scale initiatives.<sup>44</sup>

38 KII. EUD Nigeria. January 2021

39 KII IOM. October 2020

40 EU-IOM (2020) Joint Initiative Biannual Reintegration Report 3 July 2020

41 OECD (2020) Nigeria Corridor Report

42 ICMPD (2018) Supporting Sustainable Return of Migrants through Private-Public Multi-Stakeholder Partnerships (SUPREME)

43 KII. ICMPD. January 2021

44 KII.ILO. October 2020



## 2.

# Definition of Sustainable Reintegration – Key Take-Aways

## 2.1 Defining Reintegration: Study Definition

Inception discussions with key stakeholders involved in the implementation of the present study highlighted the need for an examination and comparison of definitions of sustainable reintegration to establish a baseline definition for the study at the inception phase. This definition is critically re-examined in this section through insights and stakeholder perceptions from the Nigeria research, to establish whether research findings provide any additional insights for defining sustainable reintegration.

With this in mind and building on past definitions, this section reviews the following working definition of reintegration used for this study.

### *WORKING DEFINITION OF REINTEGRATION FOR THIS STUDY*

*“Sustainable reintegration can be achieved when returnees rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.”*

## 2.2 Defining Reintegration: Stakeholder Perceptions

Key national stakeholders were in agreement with the definition proposed. Discussion around the definition highlighted three key points for further consideration:

1. **Multi-dimensionality:** The majority of key informants and workshop participants agreed that economic, psycho-social and social dimensions need to be covered for reintegration interventions to be sustainable. This conception of sustainable reintegration among key stakeholders likely stems from the fact that the revised SOP (2019) adopts the operational definition of

sustainable reintegration formulated by the IOM (2017), which explicitly recognizes multi-dimensional and multi-levelled requirements for effective and sustainable reintegration.

2. **Using the IOM (2017) definition as the national basis:** A representative from the NCFRMI reiterated that “the working definition that we [the Commission] use is provided by IOM<sup>45</sup>.” The operational definition of the NCFRMI and other national stakeholders identified in the SOP on return and reintegration is aligned to the working definition established for this study;
3. **Finding consensus on the importance of incorporating additional elements beyond economic support and working collectively to enable returnees to cope with the drivers of (irregular) migration** were additional priorities at the institutional level. This is because migrants are often acutely aware of the risks associated with irregular migration. Therefore, if the initial drivers of migration remain unchanged, there is no guarantee that returnees would refrain from re-migrating irregularly despite the hardship they already experienced.<sup>46</sup>

This feedback confirms the need for a standardised definition for the AU to agree upon, to allow for a common vision and cooperation on reintegration. Returnees interviewed confirmed that their aspirations for a good life require support. Their testimonies showed their incapacity to fully reintegrate on their own.

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For the four Nigerian returnees<sup>47</sup> spoken to in this study, successful reintegration was linked to livelihoods and family stability, the ability to make life decisions freely and in dignity, and ability to find fulfilment and personal satisfaction in one’s daily work. The extent to which this was achieved upon return, and whether lack of achievement would lead to re-migration, varied.

**Femi\*** returned from Indonesia **spontaneously**; *“I had stayed there a while, I was getting tired and homesick, so I told myself it was time to go home.”<sup>48</sup>* As his return was spontaneous, he did not receive any formal return or reintegration assistance, and he did not feel as if he needed any. Reintegration for Femi was not particularly difficult, although **he continued to struggle to cope with the same drivers of migration that led to his initial migration**. *“Abroad, you can move around as you want, however, here in Nigeria and Lagos particularly, you can’t try it”<sup>49</sup>*. Moreover, *“Living in Nigeria, Lagos particularly is very expensive. If you want to rent a good house, you will need like one million Nigerian naira (NGN 1,000,000). I have been coping just by the help of God.”<sup>50</sup>* **Femi was unaware of any support that could be provided to him**, nor did he know of any returnees receiving support. *“Actually, this is my first time of hearing that some form of support is actually given to returnees.”<sup>51</sup>* Securing a successful life is an individual responsibility; *“Living*

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45 KII.ILO. October 2020

46 Ibid.

47 “Names of interviewees, marked with (\*), are pseudonyms to uphold the anonymity of the interviewed individuals”

48 Male Returnee. August 2020

49 Ibid

50 Ibid

51 Ibid

*a dignified life in Nigeria is based on each individual, and the various experiences faced here*<sup>52</sup>, but one that cannot be achieved without **good governance**. *“What I need to achieve a successful life is dependent upon government policy. Because, if they do the right things, everything will fall in place.”*<sup>53</sup>

**Sola\*** attempted to reach Europe but was rescued at sea by Libyan authorities, and was taken to a camp by the Libyan police. Subsequently, she received support from IOM. *“Honestly, the experience in that location where we were given food and basic support. We started filling some forms and I told them that I wanted to go back to my country. We were provided with some support and we moved back to Nigeria.”*<sup>54</sup> **Reintegration support was limited to immediate support upon arrival. However, Sola requires long term support to start her own business and to live a life she considers successful.** *“An ideal future is where my family is doing fine, and my business is thriving. What I need to make this happen is to get work.”*<sup>55</sup>

**Idris\*** travelled to Europe after a security incident that almost cost his life. *“I was cutting the hair of my neighbour. Some group of people came and shot at him, they also shot another of my friends. I escaped and then ran to a community called Okijo”*<sup>56</sup>. **No longer comfortable with his security, Idris migrated first to Italy and then to Germany irregularly.** Having worked odd jobs, he eventually settled in Zurich and found regular employment. His return was prompted by fatigue from constantly having to evade the authorities and the low wages he was receiving, which were not enough to improve his living condition. *“I spent six months hanging around and not going to my house. I heard what IOM does and I told myself it was time to try them and go back home, where I can have a safe and dignified life.”*<sup>57</sup> **He contacted IOM in 2019 and in a few months received assistance to return to Nigeria in 2020.** IOM also provided reintegration assistance, providing *“2000 euros in Lagos here, training on business skills, 1000 euros to start a business and last month, my wife and I got 500 euros from IOM for COVID-19 support.”*<sup>58</sup> IOM also provided support registering his company with the CAC. The support he received provided Idris with a new life and a greater sense of control *“I feel like I can live a good life and I am happy about the decisions I make. The experience has made me strong and I can face any challenge as they come.”*<sup>59</sup>

**Chioma\*** had ambitions to travel to Europe but got stuck in Libya. **Daunted by the insecurity in Libya and the additional risks to reach Europe, she decided to return to Nigeria.** *“That country was terrible, steady fighting and shooting. And if you say you want to crossover to Italy, the risk was much, so I just decided to come back. There was no need to even prepare.”*<sup>60</sup> She received support from IOM in Agadez and was provided immediate support upon return to Nigeria, however, is still waiting for the financial support she was promised. *“On arrival, our first place was Lagos international airport. In Lagos, we were lodged in a hotel and the next day we were given*

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52 Ibid

53 Ibid

54 Female Returnee. August 2020.

55 Ibid

56 Male Returnee. August 2020

57 Ibid

58 Ibid

59 Ibid

60 Female Returnee. August 2020



*money (NGN 40,000) for our transport, we were also given phones. They promised us both in Agadez and Nyameh and also here in Lagos that they will establish us in business, I am still expecting that.”<sup>61</sup> Grateful for the business training she received, her aspirations of owning her own business are also linked to her ideal of a good life “the ideal future I pray for is to start doing business. A business that will enable me to travel, import goods and sell.”<sup>62</sup>*

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61 Ibid

62 Ibid





## 3.

# RRR Programming in Nigeria

## 3.1 Overview of RRR Programmes in Nigeria

Table 5 offers a mapping of the return and reintegration programmes operating in Nigeria. Information to develop this list was obtained through a comprehensive desk review, interviews with key informants and was validated during a national workshop with key stakeholders in October 2020.

Table 5. RRR Programming in Nigeria

Programme	Implementer	Funder	Timeline	Target Group	Type of Service Provided	No. of Beneficiaries	Programme Focus
ERRIN Reintegration Programme	Caritas and Idia Renaissance	Asylum Migration Integration Fund of the EU and co-financing from participating national authorities	2016-ongoing	Voluntary and non-voluntary Returnees from European ERRIN partner country and includes: Asylum seekers; Refused asylum seekers; Regular and irregular migrants; Unaccompanied minors; Other vulnerable persons	Mainly In-kind assistance. However, services can vary based on the degree of vulnerability. Main services include: legal, social and medical support; long-term housing support, education; job placement; vocational and technical training; business start-up training; tailored support for the most vulnerable	588	Reintegration
REAG/GARP	IOM	Ministry of Interior (BMI) and the respective German Federal States' ministries	2000-ongoing	Voluntary Returnees from Germany	Flight or bus ticket; money for the journey; medical support; one-time financial support	Unknown	Return; Reintegration
Idia Renaissance Nigeria	Idia Renaissance	Private Funding	1999-ongoing	Voluntary Returnees from Europe	In-kind individual reintegration support; business training; counselling	Unknown	Reintegration
RESTART NIGERIA	IOM	EU	2014-2016	Voluntary Returnees from Europe who are beneficiaries of the IOM AVRRO programme	Provides extra reintegration assistance to complement the existing IOM Assisted Voluntary Return and Reintegration (AVRR) programs and targets Nigerian migrants returning from Europe. Services include: business set-up; temporary accommodation; educational/vocational training; business training; and medical assistance.	450 Returnees	Reintegration

Migration Resource and Response Mechanism	IOM/IOM	EU	2016-ongoing	Migrants in high return areas and transit areas along the migratory routes to Europe	Food and water; Accommodation in open centres; Medical and psychosocial care; Legal options and information; Voluntary return and reintegration support; Referral specialized assistance and referral for asylum seekers, victims of trafficking, unaccompanied or separated migrant children and other migrants in vulnerable situations	Unknown	Reintegration
EU-IOM Joint Initiative	IOM	EU	2017-ongoing	Voluntary Returnees	Assisted voluntary returns. Individual, collective and community-level interventions including: in-kind individual assistance, counselling, business training, community business set up, capacity building	17,232 returnees have received reintegration assistance since 2017	Return; Reintegration
Assisted Voluntary Return and Reintegration (AVRR)	IOM	IOM member states.	2000-ongoing	Vulnerable and stranded migrants who are willing to return to their country of origin from an IOM member state.	Financial and logistical support to return home; individual in-kind reintegration assistance; Individual trainings; counselling	11,374 returnees have received return assistance between 2013-2019	Return; Reintegration
Protection and Reintegration of Nigerian Migrants Returned from Libya under Federal Government of Nigeria-Facilitated Charter Flights	IOM and Government of Nigeria	EU	2015-ongoing	Stranded Nigerian migrants in transit and destination countries along the Mediterranean irregular migratory route	Assisted return through chartered flight. Upon their arrival, the returnees receive immediate assistance such as food, medical screening, overnight accommodation and 100 Euros pocket money to cover their immediate basic needs including in-county onward transportation cost.	8,278	Return

StarthilfePlus Supplementary reintegration support in the destination country	IOM	Ministry of Interior (BMI) and the respective German Federal State ministries	2017-on-going	Migrants who voluntarily return with IOM under the REAG/GARP-Programme	Financial Support	Unknown	Reintegration
Action against Trafficking in Persons and Smuggling of Migrants in Nigeria	FIAPP	EU	2018-on-going	VOT and Government agencies	(1) Improved governance of the migration sector in Nigeria, with specific focus on the fight against TIP and SOM; (2) Enhanced prevention of TIP and SOM in key states of origin and of transit; (3) Improved protection, return and reintegration of victims of trafficking and of smuggling from Europe (4) Enhanced identification, investigation and prosecution of traffickers and smugglers (5) More effective cooperation at national, regional and international level in fighting TIP and SOM.	Unknown	Return; Reintegration
Programme Migration for Development	GIZ	German Federal Ministry for Economic Cooperation and Development	2018-2020	Voluntary Returnees from Germany	Provides up-to-date pre-departure information concerning the country of origin as well as referring returnees to existing support services in country of origin. In addition, vocational training is provided.	Unknown	Reintegration

**Return and reintegration programming is mainly conducted by international organisations, IOM being the main implementer.** Government agencies support or collaborate with international organisations in the implementation of reintegration initiatives. Secondary literature highlights the existence of local actors such as the Civil Society Legislative Advocacy Centre (CISLAC)<sup>63</sup> – whose efforts on migration/reintegration focus mainly on support to IDP populations and adherence to human rights – as well as several long-standing local organisations such as the Nigerian Red Cross, the Mandate Health Empowerment Initiative, and the Society for the Empowerment of Young Person, who have had long-standing presences in the country.<sup>64</sup> These were **minimally mentioned by high-level stakeholders**, and are most frequently seen as implementing vehicles rather than planning partners, and high-level partners in workshops emphasised that collaboration between national and international partners has shown to be stronger.

**An example of this collaboration** is the Migrant Resource Centres (MRCs) that are run by the Federal Ministry of Labour and Employment in partnership with the IOM and the ILO. MRCs aim to offer pre-departure orientation to equip migrants with information on travel and to facilitate referral of migrants based on their needs as well as to provide psychological counselling to returnees. However, while some highlighted this as a best practice, other workshop participants noted limitations of the MRCs in their implementation, flagging the need for MRCs to respond more effectively to geographic realities of return dynamics on the ground. One participant noted, for instance, a lack of centres in the South-East region of the country despite it being an area of high returns, suggesting a disconnect between top-level decisions on MRC structure and coherence with field realities and migrant needs.

Follow-up interviews highlighted efforts to address this. **In particular, decentralisation initiatives to bridge this gap between top-level planning and realities at local levels may be seen as a good practice:** the NCFRMI has begun to initiate a push for **decentralised and more localised needs' assessment through a case management approach**. For example, the NCFRMI under 'Project Resilience' liaises with Case Management Committees (CMCs) in different states in order to find out the names of returnees who have not received reintegration support and provide the pertinent service according to their needs.<sup>65</sup>

In practice, this translates into CMCs on reintegration being set up in four locations in Nigeria: Abuja, Lagos, Edo, and Delta states. These regional one-stop shops within the country are a key good practice: the committees work with agencies that are mandated to provide reintegration assistance across various fields, such as medical assistance, vocational training to name but a few. Each committee also works with IOM to provide reintegration support to returnees and covers its own geographical region (i.e. the CMC Abuja covers the entire Northern Nigeria, The Lagos CMC covers the South West, Edo CMC covers the South-South and Delta CMC the South-East). At the regional levels, the CMCs are further broken down into:

63 Samuel Hall/IOM (2018) Mapping and Socio-Economic Profiling of Communities of Return in Nigeria

64 OECD (2020) Nigeria Corridor Report

65 KII NCFRMI. October 2020

1. A **Reintegration Committee** (RC) comprised of senior state and non-state actors
2. A **Case Management Expert Team** (CMET) comprised of actors directly involved with returnees
3. A **Monitoring and Evaluation Expert Team** (MEET) that is meant to assess the effectiveness of the reintegration services provided.

By splitting implementation support among these different actors, the CMCs ensure a more localised approach to programming, which can take real needs on the ground into account and communicate these to higher-level stakeholders, bridging and informing gaps between theoretical policy and practical programming.<sup>66</sup>

#### Box 4. Information is power? The Example of Patriotic Citizen Initiatives

Patriotic Citizen Initiatives (PCI) was formed five years ago by Osita Osemene after his experience as a victim of trafficking during his migration journey from Nigeria to Europe through the Sahara. One of their main services is partnering with returnees to share their experiences and give presentations to potential migrants to create awareness on the dangers of irregular migration to Europe. Moreover, they provide counselling, training and empowerment to returnees to cope with the stigma associated with their return. Providing counselling can be crucial to shaping the expectation of potential migrants and the communities in which they return. However, awareness-raising about the perils of irregular migration without making progress on the drivers of irregular migration may be a toothless form of prevention as one key informant reiterated: the conditions that influence the decision to migrate irregularly are more of a determining factor in the decision making of migrants rather than the risks involved in irregular migration.<sup>66</sup>

Despite these initiatives, government involvement in **return and reintegration programming is perceived as minimal by returnees themselves, who see international organisations as playing a more significant role in providing support to returnees.** *“I have not gotten any support from the government. The only organisation that has given me some support is IOM<sup>67</sup>.”* In contrast, the majority of returnees and non-returnees could not identify any support provided by Government agencies or institutions. *“I have never benefitted anything from the government<sup>68</sup>.”* Explanations for the lack of government-led return and reintegration services offered produced two competing explanations. Some participants from the workshop perceived the main responsibility of the government as the coordination of return and reintegration actors rather than service provision. Other key informants believed the issue to be related to sparse government funds, rather than inadequate institutional capacity.<sup>69</sup>

66 KII.ILO. October 2020

67 SSI38. Female Returnee. August 2020.

68 SSI33. Female Returnee. August. 2020

69 KII. IOM. November 2020

**Representatives from government agencies confirmed the absence of reintegration programmes that provide a comprehensive reintegration package and are government-led.** The SOP (2019) lays out the specific roles of government agencies to provide economic and psycho-social support to returnees. However, international organisations such as IOM are still the main implementers of reintegration programmes at the individual, collective and community levels.

Returnees can access support from national development programmes that are also open to other groups, such as: National Poverty Eradication, Universal Basic Education, and Small and Medium Enterprises Development<sup>70</sup>. Therefore, the absence of specific government programmes for returnees coupled with the reliance on donor-support for programme scale-up results in the mismatch between returnees' perception of available support and the existence of government support.

### 3.1.2 Zooming in on the EU-IOM Joint Initiative in Nigeria

The EU-IOM Joint Initiative in Nigeria, launched in 2017, is the most heavily funded programme in the West-African region.<sup>71</sup> It works on multiple aspects of migration governance in Nigeria, such as free movement, border management and anti-trafficking. Return and reintegration is a central component. However, as one key informant remarked, the focus of the programme is not to facilitate returns from the EU – in fact, since 2017, the majority of the 16,893 Nigerian nationals to receive assistance returned Libya, but also Niger and Mali.<sup>72</sup> The number of returns from EU member states under the Joint Initiative has been negligible in comparison.<sup>73</sup>

The Joint Initiative provides reintegration assistance at three levels: the individual, the collective and the community. One of the hallmarks of the programme is the launch of the pineapple and cassava factories in the Edo state as community-based interventions that provide economic support for both returnees and community members. The factories are among the five community-level interventions that have been implemented between 2017 and 2020, which have benefitted 91 returnees and 41 community members.<sup>74</sup> Moreover, the factories are the first community-level intervention of its kind under the Joint Initiative in Nigeria and due to its success, there are hopes that the intervention would be replicated in other high-return areas of the country such as Delta State.<sup>75</sup> More details of the intervention can be found in Box 6.

Between April 2017 and January 2020, 12,991 Nigerian migrants had received reintegration assistance in the form of economic, social and psychosocial support broken down in the table below:

70 IOM (2013) Returning to Nigeria Country Information Sheet

71 KII. EUD Nigeria. January 2021

72 Ibid

73 Ibid

74 EU-IOM (2020) Joint Initiative Biannual Reintegration Report 3 July 2020

75 KII. EUD Nigeria. January 2021

**Table 6. Number of Beneficiaries under the EU-IOM Joint Initiative in Nigeria**

Dimension	Economic	Social	Psychosocial
<b>Number of Beneficiaries</b>	9,789	2,191	1,011
<b>Total</b>	<b>12,991</b>		

Under the Joint Initiative, evaluations are carried out periodically and the programme employs the reintegration sustainability survey (RSS) tool developed by IOM and Samuel Hall<sup>76</sup> to measure reintegration outcomes among beneficiaries across the three dimensions: economic, social and psychosocial, to produce individual-level scores and composite scores that determine if reintegration is on track and what specific additional support may be needed to ensure reintegration is sustainable. A composite score of 0.5 indicates a positive trend towards sustainable reintegration, with the score of 1 signalling that reintegration has been achieved.<sup>77</sup> In the most recent evaluation, the average composite score among West African beneficiaries under the Joint Initiative was 0.62, Nigeria's score was 0.61 indicating that on average reintegration support has produced positive reintegration outcomes under the programme.<sup>78</sup>

When measuring reintegration outcomes across the different dimensions, each dimension has specific criteria. The table below indicates examples of criteria considered per dimension of support and the reintegration score for Nigeria as compared to the average among West African countries under the Joint Initiative<sup>79</sup>.

**Table 7. Reintegration Scores per Dimension in Nigeria**

Dimension/ Criteria Considered	Nigeria Reintegration Score	Regional Average
Economic Dimension: The success of this form of support is measured by the ability of beneficiaries to achieve the certain aspects to reach economic self-sufficiency such as: the ability to borrow money, the debt-to-spending ratio, need for food rationing, adequacy of employment, ownership of productive assets, etc.	0.60	0.61
Social Dimension: The success of this form of support is measured by the ability of beneficiaries to achieve social stability through access to services relating to housing, education, justice, health and other public infrastructure services.	0.64	0.64
Psychosocial Dimension: The success of this form of support is measured by the emotional, mental, and psychological health of beneficiaries.	0.77	0.79

<sup>76</sup> Samuel Hall / IOM (2017) Setting Standards for an Integrated Approach to Reintegration

<sup>77</sup> Ibid

<sup>78</sup> EU-IOM (2020) Joint Initiative Biannual Reintegration Report 3 July 2020

<sup>79</sup> Ibid



Nigeria scored close to the regional average in all three dimensions, which is in line with reports that 85% of beneficiaries of this programme were satisfied with the support provided. Regarding lessons learned under the programme a key informant stated the following:

1. **Monitoring and Evaluation should have been conducted on a more regular basis.** Periodic evaluations are conducted,<sup>80</sup> however the key trend that IOM – through its funder, the Foreign Commonwealth Development Organisation (FCDO) – aims to establish is for such monitoring to be integrated in reintegration programmes rather than being outsourced. There is a possibility to rely more on the RSS to gather continuous, longitudinal data, to improve analysis and adaptive programming on reintegration.
2. **The possibility for returnees to resettle in alternative areas in Nigeria besides their community of origin should have been applied during the programme.** As acknowledged by one key informant, there have been numerous reports of returnees with an interest to return to Nigeria but not to their community of origin.<sup>81</sup> Alternative resettling schemes should be considered to facilitate such returns,<sup>82</sup> as stigma against returnees in their communities of origin is a common obstacle to reintegration.<sup>83</sup> A recent evaluation report of the Joint Initiative in the West African Region showed that Nigeria beneficiaries scored second-lowest on feelings of belonging.<sup>84</sup>
3. **The private sector should have been involved earlier in programme implementation.** Under the EU-IOM Joint Initiative in Nigeria, several different actors were included in the return and reintegration programme such as government actors, local NGOs and civil society but the private sector was not adequately engaged.<sup>85</sup> However recent efforts have been made to increase private sector involvement through discussions between the IOM and the various Chambers of Commerce including the Nigeria American Chamber of Commerce, the Nigeria German Chamber of Commerce, the Nigeria British Chamber of Commerce and the Nigeria Employers Consultative Association.<sup>86</sup>
4. **The topic of return and reintegration should be included in more initiatives and programmes regarding the free movement protocols.** The EU-IOM Joint Initiative is a regional as well as a national programme. Therefore, part of the regional programme includes working with ECOWAS to advance the free movement protocols. As one key informant explained, return and reintegration has not been a popular discussion point for ECOWAS member states due to the absence of protocols that address this topic leading to challenges in developing the requisite SOPs.<sup>87</sup> However, ECOWAS member states have discussed return and reintegration in various forums such as Migration Dialogue for West Africa (MIDWA), and as a result,

80 KII. EUD Nigeria. January 2021

81 KII. EUD Nigeria. January 2021

82 Ibid

83 Ibid

84 EU-IOM (2020) Joint Initiative Biannual Reintegration Report 3 July 2020

85 KII. EUD Nigeria. January 2021

86 EU-IOM (2020) Joint Initiative Biannual Reintegration Report 3 July 2020

87 KII. EUD Nigeria. January 2021

ad hoc discussions on improving regional coordination have emerged and need to be formalised into concrete actions.<sup>88</sup>

5. **Business and vocational trainings should be diversified to take into account the local contexts of different states and the different profiles of returnees.** Currently, business and vocational trainings provided under the Joint Initiative in Nigeria are the same across different States, leading to incompatibility and under-performing outcomes.<sup>89</sup>

### 3.1.3 Reintegration in Nigeria: Lessons from Existing Literature

**Lesson Learned 1: Nigeria has an advanced policy framework concerning migration governance. However, bottlenecks concerning, funding, implementation and coordination represent major stumbling blocks to the fruition of policies related to return and reintegration.** Under the National Migration Policy (2015), the National Commission for Refugees, Migrants and Internally Displaced Persons (NCFRMI) is the Agency that coordinates the entire migration governance structure of the country. The NCFRMI also leads the TWG on return and reintegration. The NCFRMI conducts six monthly meetings with all relevant stakeholders involved in the TWG on return and reintegration and moreover, every five years, stakeholders meet to update the Standard Operating Procedures (SOPs) that outlines the relevant roles and duties of government and non-government actors. Despite the robust framework, the NCFRMI faces significant challenges related to funding that inhibits the coordination of these meetings and this is mainly due to the low funding received from the Federal Government of Nigeria.<sup>90</sup> Moreover, in previous years, the lack of non-state actors beyond the IOM in the TWG on return and reintegration diluted the potential for major improvements in the overall framework or in the reforms of the SOPs<sup>91</sup>. This is because civil society actors and local NGOs have both extensive knowledge of different local contexts and a much wider reach among targeted groups. Therefore, in the recent SOP (2019), reforms were made to explicitly include and involve more Civil Society Organisations in the RRR process<sup>92</sup> including having them as members in the TWG.

**Lessons Learned 2: Migration is often a household strategy employed to improve the economic prospects of the household. Using migration as a strategy to increase the economic income of the household is bolstered by stories of successful migration journeys.** Communities where households have significantly improved their living conditions based on the remittances from family members who had successful migration journeys engenders a culture of emigration.<sup>93</sup> As a consequence, families tend to invest in the migration journey of (predominantly) young men, often viewing this investment as a rational decision to improve household income.<sup>94</sup> This puts

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<sup>88</sup> Ibid

<sup>89</sup> Ibid

<sup>90</sup> Arhin-Sam.K (2018) The Political Economy of Migration Governance in Nigeria & Arhin-Sam.K & Zanker. F (2019) Nigeria at a Crossroads: The Political Stakes of Migration Governance

<sup>91</sup> Arhin-Sam.K (2018) The Political Economy of Migration Governance in Nigeria

<sup>92</sup> Government of Nigeria (2019) SOP for the conduct of RRR of Migrants in Nigeria

<sup>93</sup> Huddleston, W., Karacay, A., & Nikolova, M. (2014). Characteristics, responses and cooperation with third countries - Case Study 4: Nigeria – Turkey – Bulgaria.

<sup>94</sup> Altai Consulting/IOM. (2015). Irregular Migration between West Africa, North Africa and the Mediterranean

pressure on the youth of these communities to travel through irregular migration pathways despite being aware of the risks involved.<sup>95</sup> Within these communities of return, potential migrants are fully aware of the dangers that lie ahead, but are determined to undertake the journey nonetheless based on the tangible positive differences they have seen as an outcome of successful migration journeys. This deflates the effectiveness of awareness campaigns.

**Lesson Learned 3: Returnees who have had their migration journey disrupted and have returned, either through forced or voluntary return, face stigma in their communities.**<sup>96</sup> Due to the importance of migration as a method of increasing household incomes in communities of return, failed migration journeys engender stigmatisation directed towards returnees who were 'unsuccessful'.<sup>97</sup> As a consequence, returnees often need psychosocial support in order to cope with individual and collective disappointment due to their return.<sup>98</sup> Family and friends are often cited as the most important sources of support for returnees. Acceptance by the family, and community at large, when they return has positive impacts on their ability to reintegrate, suggesting that awareness-raising campaigns targeting the stigmatisation of returnees may be more successful than awareness campaigns on the dangers of irregular migration. Moreover, the stigma that returnees face from their communities of origin acts as a deterrence to returning home. Therefore, a large proportion of returnees opt to stay in urban areas such as Lagos, rather than returning to their homes.<sup>99</sup>

**Lessons Learned 4: Returnees are often more likely to want to start their own business, rather than to be employed.**<sup>100</sup> However, these aspirations are often unfulfilled due to the fact that returnees return financially worse off than before they left. Generally, in communities of return, returnees are more likely to be in critical levels of debt due to the liquidation of assets prior to departure or the taking up of loans in order to finance their migration journey.<sup>101</sup> Therefore, returnees are often unable to start their own businesses due to lack of capital. Aspirations and capabilities are closely linked. Exposure to higher levels of development or income earned in countries of destination can have an impact on the aspirations of returnees.<sup>102</sup>

**Lesson Learned 5: Most returnees are employed in or start micro-enterprises. The enabling environment of micro-enterprises in the area or country of origin plays a major role in the success of these businesses and hence the economic reintegration of returnees.** In Nigeria, several studies have highlighted factors that contribute to an inhibiting environment for micro-, small- and medium enterprises (MSMEs). Inadequate infrastructure such as energy supply force MSMEs to

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95 Ibid

96 Samuel Hall (2018) Community Mapping and Socio-Economic Profiling of Communities of Return in West Africa - Nigeria

97 Pennington. J. & Balaram, B. (2013) Homecoming: Return and Reintegration of Irregular Migrants from Nigeria

98 Ibid

99 Ikuteyijo. O.L (2019) Irregular Migration as Survival Strategy: Narratives from Youth in Urban Nigeria

100 Samuel Hall (2018) Community Mapping and Socio-Economic Profiling of Communities of Return in West Africa - Nigeria

101 Ibid

102 Van Heelsum (2016) Why migration will continue: aspirations and capabilities of Syrians and Ethiopians with different educational backgrounds

purchase generators in order for their business to stay competitive<sup>103</sup>, coupled with multiple taxation contributes to large overheads that MSMEs face<sup>104</sup>. Moreover, the inaccessibility of financial institutions contributes to the inability of MSMEs to mitigate the challenging business environment in which they work.<sup>105</sup> Factors that contribute to the enabling environment of communities of return are often overlooked in the literature but are important to the design of economic interventions that will increase the economic outcomes beyond training and seed capital provided by international organisations.

## 3.2 Moving Towards Effective and Sustainable Reintegration in Nigeria?

Limited capacity for building an evidence base and evaluating impact remains a challenge to identifying effective best practices. Participants highlighted weaknesses in M&E as a factor in gaps between top-level planning and realities, noting, in particular, **the lack of relevant monitoring indicators, despite recognition of the need for a strengthened evidence base**; one key informant pointed out the consensus among stakeholders of the importance of data that lead to the development of a data management working group. However, it merits to be reiterated that the quality of data collected is a crucial factor, therefore urging actors to prioritise the development of robust M&E tools that can be applied in different national contexts.<sup>106</sup>

### Reaching sustainability: Individual, collective and community approaches

Most reintegration support is delivered through individual approaches. In order to tailor the support to the individual's needs, a screening of the returnee is carried out by the implementing organisation. A best practice in this area would be the two-tier screening process that has become standard practice for reintegration actors such as OFII, ERRIN and IOM. The two-tier process involves (i) a screening process before departure that aims to identify various vulnerabilities that returnees face at that stage, and (ii) a follow-up screening process immediately after arrival to identify specific needs in order to adequately tailor the return package for the returnee.<sup>107</sup> A two-tier screening process enables any unidentified vulnerabilities to be detected upon arrival and therefore for a more tailor-made package to be offered to the returnee. Formulating tailor-made reintegration support packages is important, as one key informant pointed out, as returnees have to see value in the support provided to them for programmes to be relevant and sustainable.<sup>108</sup>

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103 Ekpo, U. N., & Bassey, G. E. (2016). An analysis of the economic consequences of infrastructural deficit in a developing economy: The case of electricity supply in Nigeria

104 Agwu, M. O., & Emeti, C. I. (2014). Issues, challenges, and prospects of small and medium scale enterprises (SMEs) in Port Harcourt city, Nigeria

105 Gumel, I. B (2017) Critical Challenges Facing Small Business Enterprises in Nigeria: A Literature Review

106 KII ILO. October 2020

107 KII.IOM. November 2020

108 KII.PCI. October 2020

### Box 5. Return to the Community of Origin: A Best Practice? – A Discussion

Key informants and workshop participants raised the question of whether sending returnees back to their original communities of origin is a practice that should be closely followed when providing reintegration support. **Returnees often return financially worse off, highly indebted, and with lower self-esteem and incidences of trauma. Moreover, returnees often face high levels of stigma from community members who associate their return with failure.** Family and friends are often the most crucial form of support for returnees in the absence of formal support in communities of return. However, the aforementioned social pressures that returnees face, means that returning to their original community of origin may not lead to positive reintegration outcomes. The majority of assisted return programmes operate out of the capital cities, therefore returnees often return to the capital cities before travelling back to their communities of origin. Urban centres are more attractive to returnees due to the myriad of livelihood opportunities that do not exist in their communities of origin, and may provide an opportunity to improve their living condition before they decide to return to their communities of origin. **Moreover, research has shown that existing social networks do not directly lead to better reintegration outcomes.**<sup>109</sup> This is not to say that returning migrants back to their communities of origin is malpractice or that reintegration in capital cities is the answer. **Rather it is opening up the discussion to include the possibility of including where a returnee might want to live in assessments to determine the best reintegration support for any given returnee.**

*“Nigeria has 36 states. We need to ask what works for in your region what are the peculiarities in your region we need to be able to encourage internal migration if you are coming back and suffering from stigma. Each state should be able to create a community of returnees where they leverage on each other emotionally and mentally. So, if you are coming back to a community where they are stigmatized, or where they are ashamed. If somebody like that comes and says, “I cannot go back to my state, it is shameful”. Why can’t we talk about relocating people to places where they can start life afresh? Relocate them to another state with other returnees, create communities of returnees and give them tools to discover themselves”<sup>110</sup>*

Collective approaches to reintegration usually involve grouping returnees from the same area and with the same business interests and skills together in order to form an enterprise together. For example, having a group of 3-6 returnees who come together to start a business of common interest.<sup>111</sup> This approach is more costly and more difficult to implement and is therefore usually undertaken by international organisations such as IOM. However, in Nigeria, a local NGO, The Patriotic Citizens Initiative (PCI), implements a collective approach to reintegration in Lagos. PCI develops businesses among migrant cooperatives, which comprises of returnees who want to live in urban areas and who have a desire of starting a business of common interest such as fish farming.<sup>112</sup> PCI develops business ideas that are viable in urban areas for these migrant cooper-

109 Majidi. N. (2020) Assuming Reintegration, Experiencing Dislocation - Returns from Europe to Afghanistan

110 KII. Ministry of Labour and Employment. Migrant Resource Centre. October 2020

111 KII. IOM. November 2020

112 KII. PCI. November 2020

atives and once they agree on the business provides start-up support.<sup>113</sup> Collective approaches, despite their benefits, may not always be popular with returnees, due to lack of trust among returnees that makes it a difficult idea to sell.<sup>114</sup>

Community approaches have the most buy-in among implementers and governments because they can leverage the economies of scale of collective approaches whilst including community members (and hence potential migrants). This can boost the economic and social development of communities of return so that all individuals in that community are better able to cope with the drivers of migration.

Furthermore, community-based approaches also provide a signal to policymakers of what kind of interventions can be done in these areas of return that can help everyone to better cope with the drivers of irregular migration. Community-based approaches are deemed to be more sustainable because they promote long-term involvement and commitment among beneficiaries (both returnees and non-returnees)<sup>115</sup>. However, this does not always hold true, since a large proportion of returnees do not want to return to their communities of origin<sup>116</sup> - many of those that were originally located in rural areas would rather return to and stay in urban areas such as Lagos. Therefore, the concern is the effectiveness of such interventions if they are located in areas where returnees do not want to be. As pointed out by one key informant, urban areas continue to draw a large proportion of returnees for reasons related to jobs as well as access to services. If factories are built in rural areas, as a form of community-level intervention, however without corresponding improvements in services and infrastructure, a high risk remains that beneficiaries will continue leave to urban areas after a short period of time, despite the economic opportunities such an intervention can provide.<sup>117</sup>

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113 Ibid

114 Samuel Hall (2018) Community Mapping and Socio-Economic Profiling of Communities of Return in West Africa - Nigeria

115 IOM/Altai Consulting(2017) Voluntary Return and Reintegration: Community-based Approaches.

116 Ibid

117 KII. PCI. October. 2020

### Box 6. Best Practice Community-Based Approach: Pineapple Juice Processing Plant

In February 2020, the IOM launched a pineapple juice processing plant in Edo state, an area that accounts for 40% of all Nigerian returnees returning from abroad<sup>118</sup>. The plant joined returnees, unemployed youth and the private sector together. Employing 42 returnees and unemployed youth, the project was foreseen to (indirectly) benefit an additional 250 individuals in Edo state, ranging from the families of beneficiaries to farmer associations.<sup>119</sup>

This project made use of existing resources and local knowledge in order to scale up traditional livelihoods. Leveraging of existing skills and historical know-how increased the buy-in from beneficiaries and other stakeholders. This is because, in this community, growing pineapple has been a historical practice to the extent that supply exceeds demand, which results in excess pineapple going to waste. Therefore, the setting up of the pineapple factory, achieved several objectives by making use of the competitive advantage in pineapple farming, including the creation of employment and reducing post-harvest losses in the production processes.<sup>120</sup> Moreover, the plant partners with different private sector actors enabling the sharing of technical knowledge between private sector actors and returnees. Innovative approaches such as this are emblematic of the positive opportunities available through the use of existing resources, the modernisation of traditional know-how and the collaboration with the private sector.

## 3.3 Understanding the Challenge of Return and Reintegration in Nigeria: Voices from the Field

The perspectives of returnees and community members in return areas are essential in designing better policies, laws and programmes related to RRR. Below are major challenges of return and reintegration from the perspective of returnees and the communities in which they return. These key insights are derived from interviews conducted in the field.

- **Key Insight 1 - Drivers of migration are predominantly economic but that is not always the case: the lack of good governance is also a powerful driver of migration.** *“A lot of people have been struggling to leave the country. One of the factors is that we do not have good governance. People leaving their country is not the best. In our country today, there are a lot of opportunities, but because we don’t have good governance to harness those things, a lot of Nigerians move out. Many are fed up, because with all of their qualification and experiences, they can’t get a job to help them out.”*<sup>121</sup>

118 IOM (2020) Farmers, Private Sector and Returnees Join Forces to Launch Pineapple Factory, Foster Reintegration in Nigeria

119 Ibid

120 KII. IOM. November 2020.

121 Male. Non-returnee. August 2020



- Key Insight 2 - Misinformation, particularly the presentation of a manufactured reality abroad can be a driver of migration, especially in communities where migration is rooted in the social fabric.**  
*“What really attracted me was the story of Europe, going to Italy and from there to Germany. I was hoping that when I get there, life will be better. Unfortunately, life there was not good, life in Nigeria was far better. At that time, I was doing very fine, doing my own business, selling things for people who work, and they would pay me at the end of the month. Honestly, I went on that journey based on the things they told me, which is majorly a better life in Europe.”<sup>122</sup>*
- Key Insight 3 - Returnees can be in a more precarious financial position when they return, due to debt, loss of assets and difficulties in resuming lost livelihoods or starting new ones.** The amount of money sent to finance their journey in some cases means selling previously held assets. Moreover, if they return and entry to the labour market is difficult, returnees spend remaining saved income or sell remaining assets to stay afloat. Financial distress is more acute if returns were unplanned. *“I have seen people who came back because they were deported. In that situation, you will see that they are discouraged as some of them had sold all that they had to enable them travel, but unfortunately, they are unable to make it as they planned.”<sup>123</sup>*

### Box 7. Gender Dimensions of Returnee Dynamics in Nigeria

Discussion with key informants revealed that cases of female migrants have been on the rise and this is reflected in the increase of services provided to female returnees. However, males still account for the majority of returnees and some key informants have pointed to the necessity of balance, fearing that with the current trajectory service provision may be skewed to one group of returnees. For example, in Lagos there are migrant resource centres (MRCs) that are specifically for women, however, there is a lack of centres dedicated to men. This dynamic is common in other forms of migrant support and there is a worry that this disparity in service provision based on gender could have negative outcomes for male migrants and returnees.<sup>124</sup>

Secondary literature highlights the particular stigma that women – especially deported women – face upon return, and the dynamics of types of return on stigma faced during the reintegration process: “[in Nigeria] attitudes towards deported and voluntarily returned women [change], the latter usually returning with little assets. Whereas the former [i.e. deported women] are often stigmatized because they have failed abroad and are assumed to have been sex workers, the latter are more respected, even if their money originates from sex work.”<sup>125</sup> Therefore, key Informants also note that female migrants suffer from acute and unique vulnerabilities that legitimise the need and usefulness of gender-specific support structures –however, this should not be at the neglect of male returnees and migrants.<sup>126</sup>

122 Female Returnee. August 2020

123 Male Non-Returnee. August 2020

124 KII. FMLE. October 2020 and KII. PCI. October 2020

125 Ratia and Notermans, 2012.

126 KII Government. October 2020



- **Key Insight 4 - Modalities of return play a role in the levels of reintegration, both financially and psychologically.** *“On the issue of reintegration, I feel like there are two ways, those who came back voluntarily with the belief that their country can be better and they can do fine, or those who were deported and have a feeling of failure.”<sup>127</sup>”*
- **Key Insight 5 - Psychological pressure is a consequence of the stigma resulting from a failed migration cycle in some communities of return.** *“Returnees are seen as people who tried to make it in life but failed. Generally, they are seen as failures, because the interpretation here is that migration is an adventure and if they succeed, they will be celebrated and if they don’t, people will mock them.”<sup>128</sup>* The stigma is especially pronounced for female returnees who have been engaged in sex work and who may face particular stigma and challenges overcoming class barriers.<sup>129</sup>



## 4.

# Moving Towards Good Practices and Learning in Nigeria: Success Factors and Challenges

This table summarises the key success factors that merit increased attention, and the challenges to be addressed for strengthened reintegration programming:

The success factors identified have shown to facilitate even and systematic integration in reintegration programmes. Table 8 summarises these identified success factors explored in this report, and provides an overview of key gaps and achievements.

Table. 8 Success Factors, Lessons Learned, and Challenges – Nigeria

	IOM AVRR	EU-IOM Joint Initiative	ERRIN	REAG/ GARP	Idia Re-naissance Nigeria	ERIN	RESTART Nigeria	Migration Resource and Re-sponse Mechanism	Protection and Reintegration of Nigerian Mi-grants Returned from Libya under Federal Govern-ment of Nige-ria-Facilitated Charter Flights	Starthil-fePlus	Action against Trafficking in Persons and Smuggling of Migrants in Nigeria	Supporting Sustainable Return of Mi-grants through Private-Public Multi-Stake-holder Part-nerships (SU-PREME)	Programme Migration for Devel-opment
Success factors	X	X	X	X	X	X	X	X	X	X	X	X	X
Pre-Departure Preparation													
Two-tier screening process	X	X	X	X	X	X	X	X	X	X	X	X	X
Effective business training	X	X	X	X	X	X	X	X	X	X	X	X	X
Capacity building of government agencies													
Collective or Community-level economic interventions	X	X										X	
Inclusion of local NGOs and Civil Society Groups	X	X	X	X	X	X	X	X	X	X	X	X	X
Effective collaboration with private sector		X										X	
Comprehensive Psychological Support	X	X	X	X	X	X	X	X	X	X	X	X	X
Tailored in-kind individual reintegration support	X	X	X	X	X	X	X	X	X	X	X	X	X

[illegible]

\*Based on stakeholder perceptions; formal assessment not yet completed

\*\*\* It should be noted that referral mechanisms were highlighted as a good practice, but one which was not always effectively functional based on stakeholder perceptions; minimal assessment not yet completed



## 5.

# Conclusion and Recommendations

Nigeria is relatively more advanced on the development of frameworks on RRR than many other countries reviewed for this study, particularly through the SOPs finalised in 2019, and **has taken practical steps towards decentralization and localization of initiatives to counter top-down approaches.**

However, although the development of these SOPs is a positive step, challenges in coordination remain **a core obstacle to developing good programming or policy practices.** A key lesson learned from Nigeria is the need to fill the gap between policy framework and implementation; local state and non-state actors remain limited in their ability to implement and identify good practices, due to limited funding for operationalisation of policy and structures that ensure rigorous monitoring and evaluation. When it comes to success factors and lessons learned linked to specific programmes, the findings of this report are summarised in Table 9 below. This table summarises the key success factors to be improved and the challenges to be addressed for strengthened reintegration programming:

1. Success factors are outlined to facilitate their even and systematic integration in reintegration programmes - Table 8 summarises them and provides an overview of key gaps and achievements. The priority for programmes in Nigeria is to strengthen the locally-led processes through two key success factors, namely: capacity building of government agencies and local interventions. Interventions should continue to consistently cover pre-departure assistance, a two-tier screening process, a comprehensive psychosocial support and tailored individual support.
2. Improvements in RRR will be achieved when the six key challenges outlined in table 8 have been adequately addressed in Nigeria. These can be synthesised alongside three key approaches:
  - a. Stronger data: follow-up, data collection, and sharing of data through a common platform
  - b. Committing to locally-led processes: with greater collaboration with the private sector and technical and vocational business training defined by local actors.
  - c. Linking programmes with policies, national development plans and complementary programmes and institutions.

## 5.1 Policy and Programmatic Recommendations

**Table 9. Thematic Recommendations on RRR in Nigeria**

<b>Policy and Funding</b>	<ol style="list-style-type: none"> <li>1. Nigeria has an advanced and robust policy framework. Finding <b>alternative, flexible methods of finance beyond donor funding</b> can increase the ability for the thematic working group on Forced Migration and AVRR to meet regularly and increase coordination among key stakeholders.</li> <li>2. The AUC and ECOWAS are encouraged to assist in improving Nigeria's national migration governance, through the following interventions: <ol style="list-style-type: none"> <li>a. Support coordination and coherence, through the provision of technical and financial support to bridge the funding gap.</li> <li>b. Improve coordination capacity of NCFRMI and thematic lead agencies through sponsorship to trainings, seminars, workshops within and outside the country, as well as other activities that could enhance capacity and increase the productivity of key actors in Nigeria's migration landscape.</li> <li>c. Improve the capacity of government agencies to collect and store data through trainings, the development and harmonization of data collection techniques and the promotion of a platform that encourages the open sharing of data and country evaluation reports.</li> <li>d. Support the development of a regional model for referral mechanism with accompanying standard operating procedures to improve coordination and quality of the protection and support given to irregular migrants across West Africa.</li> </ol> </li> </ol>
<b>Inclusion of local and community actors and government</b>	<ol style="list-style-type: none"> <li>1. <b>Inclusion of local perspectives in development planning:</b> Civil society, private sector actors, diaspora, and returnee voices themselves are unrepresented within high-level planning mechanisms, contributing to gaps in relevance between policy and programming. Including the involvement of these actors in both regional mechanisms such as CMCs as well as top-level national discussions can contribute to a more holistic approach better reflective of real local and returnee needs.</li> <li>2. <b>Advocating for a more bottom-up approach to MRCs:</b> The MRCs are an existing structure that can further be taken advantage of and adapted to targeted needs. This should include: <ol style="list-style-type: none"> <li>a. <b>Collaboration with decentralised frameworks such as the CMCs as well as evidence-based approaches to location selection</b> in order to ensure that MRCs are established in areas where they will have the most impact and correspond to realities of regional return flows.</li> <li>b. <b>Targeted and contextually based services within MRCs</b> which correspond to specific demographic or population needs. This has begun to be done with the establishment of gender-focused (women) MRCs – further focus on specific demographic needs (for instance MRCs for youth, for older returnees etc) in different areas can improve relevance and effectiveness of the structure.</li> </ol> </li> <li>3. <b>Local NGOs and Government agencies should pursue more community-level interventions such as the setup of agro-processing factories in areas of high return.</b> These types of interventions have the potential to tackle the drivers of (re) migration, if: (i) interventions utilise on the comparative advantages within the community, (ii) the private sector is adequately engaged (iii) synergies between existing local services and programmes are strengthened and (iv) factors that concern rural-urban migration are addressed.</li> </ol>

Regional Cooperation	<ol style="list-style-type: none"> <li>1. <b>Key national stakeholders should petition the Nigerian government to leverage on the Tripartite Agreement between Nigeria, Cameroon and the UNHCR to develop readmission agreements with countries within West and North Africa, to increase the protection of irregular migrants and decrease cases of mass re-foulement.</b></li> </ol>
M&E And Data Collection	<ol style="list-style-type: none"> <li>1. <b>Bridging gaps between top-level policy planning and field realities on the ground in Nigeria is key:</b> to operationalise this, a stronger evidence base and access to <i>quality</i> data are crucial. The existence of M&amp;E mechanisms on their own are not enough – <b>supporting technical and financial capacity for providing effective evidence and learning in the long term is a fundamental first step to building and identifying good practices.</b></li> <li>2. <b>Creating greater synergies between reintegration programmes and other existing services/programmes requires intensive capacity building on quality data collection, monitoring and evaluation techniques and policies.</b> Regular, detailed and open data exchange and review would not only improve programme design among return and reintegration actors (both state and non-state) but will allow for the development of lessons learned and the identification of opportunities or bottlenecks which foster or impede the development of synergies between different actors.</li> </ol>
Inclusion of Returnee Individual Profiles in Programming	<ol style="list-style-type: none"> <li>1. Increase of gender-specific programmes and support structures that target female migrants/returnees is a positive development that reflects the feminization of migration in recent years. <b>However, there is a risk that in the process of this development, male migrants/returnees are being neglected which could lead to unintended negative consequences.</b> More efforts need to be made by programme implementers to strike a balance between gender-specific programmes.</li> <li>2. <b>The common assumption that migrants returning to their rural areas of origin is innately in their best interest needs to be challenged.</b> This is because returnees often return with financial debt and a feeling of shame for not accomplishing their migration journey. Both factors negatively impact the ability of returnees to cope with the stigma that is commonly associated with a failed migration cycle. Therefore, returnees often do not want to immediately return to their communities of origin and would rather opt to settle in another area -particularly urban centres- either temporarily or permanently whilst they get on their feet. Moreover, research has shown that social networks do not directly lead to better reintegration outcomes. <b>Therefore, including in assessments questions to determine the best place for returnees to settle would be a welcome start to addressing a complex issue.</b></li> </ol>



## Annex 1.

# Key Informant and Workshop Participant List

Key Informant	Patriotic Citizen Initiatives
	National Commission for Refugees, Migrants and Internally Displaced Persons
	Ministry of Labour and Employment-Migrant Resource Centre
	IOM
	The Small and Medium Enterprises Development Agency
	GIZ
	ILO
	Idia Renaissance
	Action Aid
	EU – Nigeria EEAS Political Officer
	ICMPD
	European Delegation to Nigeria
Workshop Participant	ILO
	IOM
	Center for Women Studies and Intervention
	NEMA
	SMEDAN
	NAPTIP
	NIS
	NAPTIP
	NCFRMI
	FMLE
	Civil Society Network on Migration and Development
	Centre for Youth Integrated Development
	Idia Renaissance





## Annex 2.

# Labour Market Opportunities and Challenges

### Opportunities

Trade, hospitality and manufacturing are the sectors displaying the most growth

Agro-processing sector

The Digital Economy

### Challenges

Few employment opportunities in rural areas

Lack of infrastructure

Young women face barriers to enter the labour market.

More employment opportunities in the informal sector than the formal

Nigeria's working population is set to increase rapidly between 2010-2030, resulting in the need for the creation of 40 to 50 million jobs between the same period.<sup>130</sup> Several sectors display promising opportunities for job creation for Nigeria's youth. Agriculture is still the largest employer, however, Nigeria's agro-processing industry has the potential to lead to mass job creation due to increased agricultural productivity, industrialisation in the value chain, sustainable growth in the export of secondary agricultural products, creation of domestic employment, and poverty reduction.<sup>131</sup> However, the sector faces numerous challenges such as low agricultural productivity and infrastructure deficits such as lack of cold chain logistics and seaport capacity.<sup>132</sup> Trade, hospitality and manufacturing are the sectors exhibiting the most growth, however, the informal sector still dominates in terms of employment opportunities.<sup>133</sup> Moreover, women tend to be more unemployed in Nigeria and young women face significant barriers to enter the labour market, including early marriage, childbirth, lower educational attainment, and limited ability to own land and other assets.<sup>134</sup>

130 Price. R (2019) Youth Unemployment Needs in Nigeria. *UK Department for International Development*

131 Stratfor (2015) Agro-processing to Drive Nigeria's New Economy

132 PWC (2020) State of Nigeria's Agriculture and Agribusiness Sector

133 Price. R (2019) Youth Unemployment Needs in Nigeria. *UK Department for International Development*

134 Making Cents International (2016). Workforce Development & Youth Employment in Nigeria.

Innovation is a powerful tool to boost agricultural productivity in Nigeria and to modernise the agricultural sector. The digital economy is therefore a promising sector due to the positive externalities that it has on other industries but is impeded by infrastructural challenges such as low broadband connectivity and consistent power cuts across the country.<sup>135</sup> Financial inclusion spurs innovation and job creation. Currently 60 million<sup>136</sup> Nigerians do not have a bank account, the Fintech sector is aiming to bridge that gap and also provide key access to finances for SMEs. Nigeria's Fintech sector is the second largest in terms of investments on the continent.<sup>137</sup> Tapping into Fintech solutions can also provide microbusinesses (which account for the majority of businesses that returnees own) with tailored access to finances.

The economy of Nigeria needs to diversify away from oil extraction and exportation to be sustainable. A shift to a green and blue economy would enable Nigeria to overcome challenges related to energy and water supply as well ensure high levels of job creation.<sup>138</sup> Creating a business and policy environment that can support this burgeoning sector requires the strengthening of public-private partnerships.<sup>139</sup>

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135 World Bank (2019) Nigeria Digital Economy Diagnostic Report

136 Mckinsey and Company (2020) Harnessing Nigeria's fintech potential

137 Ibid

138 Elum. A. Z & Mjimba, V. (2020) Potential and challenges of renewable energy development in promoting a green economy in Nigeria

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Sudan

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**Country Brief**





# Table of Contents

<b>Acronyms</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
Country Level Methodology	4
<b>1. Legal and Policy Context on RRR in Sudan</b>	<b>5</b>
1.1 Current State of Legal Frameworks on Return, Readmission and Reintegration	5
1.1.1 Current State of Legal Frameworks on Return	6
1.1.2 Current State of Legal Frameworks on Readmission	6
1.1.3 Current State of Legal Frameworks on Reintegration	6
1.2 Implementing Legal and Policy Frameworks in Sudan	7
1.2.1 Key Actors and Coordination on RRR	7
1.2.2 Designing and Developing National Policies	8
1.2.3 Capacity Building with the Support of RECs – Relationship with IGAD	9
<b>2. Definition of Sustainable Reintegration – Key Take-Aways</b>	<b>10</b>
2.1 Defining Reintegration: Study Definition	10
2.2 Defining Reintegration: Stakeholder Perceptions	10
<b>3. RRR Programming in Sudan</b>	<b>13</b>
3.1 Overview of RRR Programmes in Sudan	13
3.1.1 Learning from Early Refugee and IDP Return and Reintegration Initiatives in Sudan? Further Lessons from Existing Literature	18
3.2 Community Needs and Perceptions of Programming and Policy: Field Insights	21
<b>4. Moving Towards Good Practices and Learning in Sudan: Success Factors and Challenges</b>	<b>24</b>
<b>5. Conclusion: Lessons Learned and Good Practices</b>	<b>26</b>
<b>Annex 1. List of Key Informants and Workshop Participants</b>	<b>28</b>
<b>Annex 2. References</b>	<b>29</b>



# Acronyms

<b>AU</b>	African Union
<b>AUC</b>	African Union Commission
<b>AVRR</b>	Assisted Voluntary Return and Reintegration
<b>C2CMMMD</b>	AU-EU Continent to Continent Migration and Mobility Dialogue
<b>CoR</b>	Commissioner for Refugees
<b>CSO</b>	Civil Society Organisation
<b>EEAS</b>	European Union External Action
<b>EU</b>	European Union
<b>FAO</b>	Food and Agriculture Organisation
<b>ICMPD</b>	International Centre for Migration Policy and Development
<b>IDP</b>	Internally Displaced Person
<b>IGAD</b>	Inter-Governmental Authority on Development
<b>IOM</b>	International Organization for Migration
<b>ILO</b>	International Labour Organization
<b>IRC</b>	International Rescue Committee
<b>KAP</b>	Knowledge Attitude and Practice
<b>KII</b>	Key Informant Interview
<b>MOU</b>	Memorandum of Understanding
<b>NGO</b>	Non-governmental Organization
<b>NRC</b>	Norwegian Refugee Council
<b>ODI</b>	Overseas Development Institute
<b>PPE</b>	Personal Protective Equipment
<b>REAG/GARP</b>	Reintegration and Emigration Programme for Asylum Seekers in Germany/Government Assisted Repatriation Programme
<b>RRR</b>	Return, Readmission, and Reintegration
<b>SSWA</b>	Secretariat of Sudanese Working Abroad
<b>TWG</b>	Thematic Working Group
<b>UN</b>	United Nations
<b>UNCTAD</b>	United Nations Conference on Trade and Development
<b>UNHCR</b>	United Nations High Commissioner for Refugees
<b>UNIDO</b>	United Nations Industrial Development Organisation
<b>WFP</b>	World Food Programme



# Introduction

This country brief presents the return, readmission, reintegration (RRR) context in Sudan. The Country Brief is produced under the “Study on Return, Readmission and Reintegration Programmes in Africa”, commissioned by ICMPD to Samuel Hall in the framework of the Continent-to-Continent Migration and Mobility Dialogue (C2CMMD). The study is being implemented on behalf of the African Union Commission (AUC) and is funded by the European Union (EU).

## Key Takeaway 1:

The political context in Sudan has interrupted discussions and mechanisms around RRR. Interest in rebuilding mechanisms is present, although no government-led RRR programming currently exists.

## Key Takeaway 2:

Protection concerns are high among returnees; government discussions have focused on incentivising return of skilled migrants. All groups have a potential to contribute to Sudanese society.

## Key Takeaway 3:

Coordination and capacity remains a key gap in bridging the gap between policy and operationalisation, especially with regard to the much-needed links with development programming.

Sudan is a key country of origin and transit in the Horn of Africa.<sup>1</sup> For those transiting out of Sudan, migrants are vulnerable to kidnapping and trafficking<sup>2</sup>, and further transit conditions are particularly difficult for Sudanese migrants, highlighting a key need to improve protection standards. While Sudan has signed international and regional agreements in the field of migration to achieve the goals of the Global Compact for Migration, the New York Declaration, and the Convention on the Movement of People in countries member to the Inter-Governmental Authority on Development (IGAD), the legal and policy space on RRR remains underdeveloped, especially at the national level. The country does not have a national migration policy or any legal instruments on RRR. The political situation in Sudan has seen significant changes since 2018 and especially in the past year; as the new transitional government takes shape, the peace process and economic management are the priorities for the immediate future, however migration and RRR are also part of the agenda points. migration - and RRR - is one of many agenda points that prioritises the peace process and economic management in the immediate future.<sup>3</sup>

Since IOM’s Assisted Voluntary Return and Reintegration (AVRR) programme was initiated in 2005, over 1,500 have returned from Europe, Africa, the Middle East and Asia.<sup>4</sup> This corresponds with Sudan being ranked as the fourth highest country of emigration in Africa by the UNCTAD in 2018.<sup>5</sup> Moreover, nationals from 14 African countries have returned from Sudan, illustrating its popularity as a country of destination.<sup>6</sup>

1 IOM (2011) Migration in Sudan: A Country Profile

2 Expertise France (2017) Sudan Country Statement – Addressing Migrant Smuggling and Human Trafficking in East Africa

3 KII EEAS Sudan. December 2020; Khalifa A. (2020)

4 IOM Sudan AVRR Info-sheet (2017)

5 UNCTAD (2018) Economic Development In Africa Report: Migration for Structural Transformation

6 Ibid.

## Country Level Methodology

Fieldwork was conducted between July and October 2020. Due to the COVID-19 pandemic, full health precautions were taken during interviews, conducted either via phone or in appropriate socially distanced settings, wearing appropriate personal and protective equipment (PPE). The workshop was held in a conference room in Khartoum, allowing key stakeholders to meet and discuss the findings of this research in person.

**Table 1. Fieldwork in Sudan**

Type of Participant	Male	Female	TOTAL
Key Informant	5	2	8
Returnee	3	1	4
Non Migrant Community Member	2	2	4
Workshop Participants	7	3	10
<b>TOTAL</b>	<b>15</b>	<b>8</b>	<b>26</b>



# 1.

## Legal and Policy Context on RRR in Sudan

There are very few laws that apply to the return, readmission and reintegration of migrants in Sudan. The main legal instruments containing provisions for return migration governance are listed in Table 2.

**Table 2. National Legal Frameworks and Provisions on RRR in Sudan**

Name of Law/Legal Framework	Description
<b>Sudan Labour Act (1997)<sup>7</sup></b>	Regulates labour governance in Sudan
<b>Combating of Human Trafficking Act (2014)<sup>8</sup></b>	Contains provisions that criminalise human tracking. Also contains obligations of the state to protect victims of human trafficking
<b>Sudan Constitutional Charter for the 2019 Transitional Period.<sup>9</sup></b>	Replaces the Interim National Constitution of the Republic of Sudan, adopted on 6 July 2005

### 1.1 Current State of Legal Frameworks on Return, Readmission and Reintegration

Under the Bill of Rights and Freedoms of the Sudan Constitutional Charter for the 2019 Transitional Period<sup>10</sup>, article 60 states that “every citizen has the right to leave the country, in accordance with what is regulated by law, and has the right to return.” Moreover, article 45 states that “anyone born to a Sudanese mother or father has an inalienable right to possess Sudanese nationality and citizenship.” These two provisions are significant as they guarantee the right to return, including for those returnees who may have lost formal identification during their migration journey.

7 Sudan Labour Act (1997)

8 Combating of Human Trafficking Act (2014)

9 Sudan Constitutional Charter (2019)

10 Sudan Constitutional Charter (2019)

### 1.1.1 Current State of Legal Frameworks on Return

The Passport and Immigration Act of 2004,<sup>11</sup> regulating entry, stay and exit of foreign and Sudanese nationals was rescinded in 2020, allowing citizens to travel directly to ports of exit within the country. Legal regulations beyond this are minimal. Under the Sudan Labour Act (1997)<sup>12</sup>, “any Sudanese willing to work abroad will need to obtain a permit from the Minister of labour;”<sup>13</sup>. While these legal instruments do not relate to the return of migrants per se, they can create restrictive conditions on movement<sup>14</sup>, which can promote Sudanese migrants to seek irregular channels of movement. While legal frameworks concerning the specific rights and movements of refugees – including return – are in place, KIIIs confirm that similar legal frameworks addressing migrants or the general population are lacking.

### 1.1.2 Current State of Legal Frameworks on Readmission

Sudan has signed a Memorandum of Understanding (MoU) with Italy, which, while non-binding, includes provisions for cooperation on repatriation and readmission.<sup>15</sup> External literature notes that this reflects a growing trend towards non-binding and non-public agreements on migration,<sup>16</sup> and that additional member states have pursued similar bilateral agreements for the deportation of Sudanese nationals in situations of irregularity back to Sudan; this includes policies with Italy, Belgium, France, and the Netherlands.<sup>17</sup>

By some accounts, these non-binding agreements have included provisions for the facilitation of identification missions from Sudan to question returnees, and for the identification of methods which may be at odds with international human rights obligations.<sup>18</sup>

### 1.1.3 Current State of Legal Frameworks on Reintegration

On reintegration, the *Sudan Constitutional Charter for the 2019 Transitional Period* guarantees the right to education and health for all Sudanese nationals. Under this provision, returnees can claim educational and medical support upon return. The Constitution does not make any reference to the right to work.

11 Passport and Immigration Act (2004)

12 Sudan Labour Act (1997)

13 Ibid

14 Babiker. A. M (2011) Irregular Migration in Sudan: A legal Perspective

15 Government of Italy (2016) *Memorandum d’Intesa tra il Dipartimento della Pubblica Sicurezza del Ministero dell’Interno Italiano e la Polizia Nazionale del Ministero dell’Interno Sudanese per la Lotta alla Criminalità, Gestione delle Frontiere e dei Flussi Migratori ed in Materia di Rimpatrio*, 3 August 2016.

16 Borletto et al. (2017) “Memorandum of Understanding between Italy and Sudan: A Legal Analysis”; ECRE (2017) “New policy trend: doubtful practice of deportations based on informal bilateral agreements”

17 SOAS/IRI/Waging Peace (2018) Sudan’s compliance with its obligations under the International Covenant on Civil and Political Rights in the context of mixed migration from, and to Sudan

18 ibid; European Court of Human Rights (2020) *M.A. vs Belgium*, no 19656/18, para. 107-111

Sudan's experience in returning and reintegrating forcibly displaced populations may also provide a platform to expand to returning migrant populations. *Sudan's National Policy for IDPs (2009)*<sup>19</sup> contains provisions that govern the return and reintegration of IDPs. Under this policy, IDPs have the right to free movement within the State and can choose where they prefer to settle. Moreover, the State will facilitate the reintegration of IDPs by providing identification, enhance their skills to participate in development and earn a living as well as provide essential services such as food, water and housing.

The policy is comprehensive and implores humanitarian actors to adopt a 'do-no-harm' principle at all stages of assistance provided to IDPs. Workshop stakeholders noted that, **while programming to date has been separate from the question of return of migrants abroad, the policy may be leveraged to develop a migration policy that supports returnees and applies similar provisions on return and reintegration.**

## 1.2 Implementing Legal and Policy Frameworks in Sudan

### 1.2.1 Key Actors and Coordination on RRR

There is no specific entity mandated to focus on migration or RRR, although key informants stated that the development of a migration policy is a key priority for the government. Therefore, efforts on RRR remain scattered, without higher-level coordination allowing agencies to work towards a common goal. Interviews with non-government actors confirmed challenges in coordination, noting in particular the drastically new political context in Sudan, which has led to an overhaul of key government actors and mechanisms, including a previously existing higher national mechanism dealing with migration issues, which has not been reinstated to date.

However, while these mechanisms are still lacking, stakeholders also highlighted recent efforts to address this, noting the assignment of a new secretary general on migration in the Ministry of Foreign Affairs, and the ongoing revision of procedures and policies in order to establish new systems and mechanisms of coordination on migration, including on return and reintegration.

Especially on the latter, stakeholders noted that there has never been specific mechanisms on reintegration, and that this often becomes part of a broader conversation on migration, highlighting the lack of a centralized entity focused specifically on return and reintegration.

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19 Sudan National Policy for Internally Displaced Persons (2009)

**Table 3. Key Actors Currently Involved in RRR in Sudan**

Name of Actor	Description
<b>Government</b>	Ministry of Foreign Affairs
	Ministry of the Interior
	Ministry of Labour and Social Affairs
	Secretariat of Sudanese Working Abroad (SSWA)
	Commissioner for Refugees (COR)
<b>Non-Government</b>	IOM
	UNHCR (refugee reintegration only)
	UNDP

Stakeholders noted the high presence of international actors – including many UN agencies – on the ground in Sudan in general. While an RRR working group has been established in partnership with UNHCR and UNDP, this has been more focused on refugee returns, and still remains largely unfunded and inactive.

Discussions with IOM highlighted the fact that these mechanisms were still fledgling, and that, as a key migration partner in the country, they themselves have been requesting to be part of the national mechanism once established. To date however, this coordination is ad hoc, and stronger relationships between government and international actors remain to be built.

## 1.2.2 Designing and Developing National Policies

Beyond coordination challenges, non-governmental stakeholders noted the impact of Sudanese politics on the development of national policies on return and reintegration. Most obviously, regime change and the construction of a new government in Sudan has effectively restarted RRR discussions, highlighting the weight political and governance contexts can have in defining conducive settings for policy development. One international stakeholder described the delays that political turnover caused in developing a migration policy, noting that other priorities have taken precedent and that previous national migration mechanisms have been put on hold.

However, in spite of delays, political goodwill on this issue remains present, and government actors expressed a clear interest in migration issues generally, although to what extent that interest is focused on questions of RRR have yet to be defined, and capacity to handle this is limited. One key informant described the challenges inherent in drafting a Sudanese migration or diaspora policy, noting limited capacity and human resources to do this effectively, especially when it comes to technical capacity to deal with returnees.

In spite of these capacity challenges, government and non-government stakeholders highlighted positive efforts to develop good policy and practices in the future. These include:

- **Inclusion of ministries who have not traditionally been involved** in discussions around migration and in new migration working groups being developed – this includes most notably the Ministry of Labour and of Human Resources
- **Support initiatives to develop a labour migration policy** (in parallel with the national migration policy)

A key foundation for translating the above into effective policies and eventual national programming is the development of a national migration policy. While stakeholders confirm the ‘definite inclusion’ of elements pertaining to return and reintegration in the forthcoming migration policy, the extent to which this will be done remains to be seen.

### 1.2.3 Capacity Building with the Support of RECs – Relationship with IGAD

Sudan has been a recipient of some level of coordination and capacity building support from both IGAD and the AU. These have largely occurred through workshops for government stakeholders in both former and new governments.

One key expert familiar with these workshops, and himself a former government actor, highlighted a disconnection between IGAD’s capacity building efforts and the impact of these on government mechanisms. These tend to overestimate existing capacity and do not effectively highlight the relevance of these discussions for government actors, consequently noting the need for discussions to be contextually adapted and to go beyond one-off training events.

Key stakeholders highlighted three core ways in which regional capacity building efforts on RRR could be improved and aligned with stakeholder priorities:

1. **Adapt programming to the Sudanese context** and current knowledge of stakeholders, including potentially an initial mapping of knowledge gaps and specific capacity needs, covering a comprehensive approach.
2. **Actively highlight the positive aspects of migration and return**, including the importance of remittances.
3. **Conduct capacity-building efforts at sub-national** as well as national levels. Local and provincial actors have not been included in most discussions on reintegration of migrants to date, but have a crucial role to play in supporting implementation of future programming. “Consultative workshops at the field level, in all 18 states, are necessary -- all of them have to understand this concept -- at least an introductory workshop, but with strong facilitators, to understand the concept itself.”<sup>20</sup>

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20 KII Non-Government Local Expert. October 2020





## 2.

# Definition of Sustainable Reintegration – Key Take-Aways

## 2.1 Defining Reintegration: Study Definition

The study definition of reintegration was explored during fieldwork with stakeholders in order to identify key Sudanese insights and perceptions of sustainable reintegration.

With this in mind, and building on past definitions, this section reviews the following working definition of reintegration used for this study and proposes an adjustment based on feedback from the Sudan fieldwork, notably to replace mentions of incorporation by *inclusion*.

### *WORKING DEFINITION OF REINTEGRATION FOR THIS STUDY*

*“Sustainable reintegration can be achieved when returnees rely on expanded capabilities to attain a safe and dignified life of economic self-sufficiency, psychosocial well-being, and political, social and civil incorporation, as a result of which they can adequately respond to the drivers of irregular migration.”*

## 2.2 Defining Reintegration: Stakeholder Perceptions

Stakeholders in Sudan were in broad agreement with the definition proposed by the study, but raised several remarks to contextualise and adapt this further:

1. Chief among these was the request to **include the role and responsibility of the international community in the reintegration process**. Sudanese stakeholders highlighted the need for support from international actors in defining sustainable reintegration. In the workshops and follow-up KIs, national stakeholders highlighted that the Sudanese definition of sustainable inclusion is that of a long-term voluntary process that includes meeting economic, social, cultural, and political needs, **with the support of the international community**, targeting returnees and host communities through awareness raising.

2. Follow-up interviews with further government actors also highlighted **time, continuity, and equal access to services** as key aspects of sustainable reintegration. One KII with a government official emphasized that, while the process of reintegration begins upon the moment of return, it is a long-term holistic process that needs to take into account economic, social, political, and civil dimensions, and access to services that support these. Stakeholders also emphasized the principle of equality, noting that all laws applicable to Sudanese citizens in general are also applicable to returnees
3. **Coordination, capacity and prioritization:** Stakeholders further agreed with the need for expanded capabilities and the three dimensions outlined in the study definition. They noted however that, although programming and policy should be linked and implemented through government ministries and partners, operationalising definitions remains a challenge due to coordination issues and diverging governance priorities.

At the local level, when it came to defining sustainable reintegration for themselves, **returnees<sup>21</sup> focused on the potential for growth**, and their concerns were mostly directly aligned with the definition proposed for this study. For the four Sudanese returnees spoken to in this study, successful reintegration was linked to livelihoods and family stability, the ability to make life decisions freely and with dignity, and the ability to find fulfilment, improvement and personal satisfaction in one's work. Opinions on the extent to which this was achieved upon return, and whether lack of achievement would lead to re-migration, varied.

For Mohamed\*, for instance, "**success means achieving self-satisfaction and being able to do the things I want to do.**"<sup>22</sup> Mohamed however, described a difficult reintegration process. Having fled to Uganda in early 2019 after witnessing a fellow protester being shot by the police, he came back to Sudan on his own in December 2019 after life in conditions of irregularity became too complicated. Mohamed highlighted a lack of stability and security since his return, which prohibit him from achieving a fulfilling life. He did not receive any return or reintegration support from any organisation: "None of the organizations provided any reintegration programme for me throughout this experience. The difficult part was I couldn't get support from anyone, any institution or agency. Only the people you choose as friends support you."<sup>23</sup> When asked if he felt it was possible to achieve a dignified life since his return, he responded vehemently: "Dignified! No, dignified is a big word, what does dignified mean? Dignified is a big word. It doesn't fit here [in this context] at all."<sup>24</sup> Citing police harassment, political tensions and instability, and difficulties finding work, Mohamed further described high levels of stress in his daily life since return, even after eventually finding employment after several months of searching. "I am missing many things. I feel confused, not sustained, not organized. My feelings towards my family also stress me; I haven't yet visited them since I returned [...] I don't have desire to go to them."<sup>25</sup> Ultimately, he stated that he would 'maybe' think about re-migrating if things did not improve, although recognized that life abroad offered no guarantees either.

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21 Names of interviewees, marked with (\*), are pseudonyms to uphold the anonymity of the interviewed individuals

22 SSI12 Male Returnee. August 2020

23 *ibid.*

24 *ibid.*

25 *ibid.*

On the other hand, for Abdul\*, success is defined more tangibly, along the lines of family and material stability. “[In a successful future, I would] have a car, be married, have my own house in addition to my family house, and be able to support my family and my brother.”<sup>26</sup> Abdul sees re-migration as the only way to achieve this success in his current context: “I can only achieve this if I travel. Because if I remain here, I will not be able to accomplish anything.” Unlike Mohamed, Abdul is an AVRR beneficiary, returning initially to Sudan from Libya with the support of IOM. Upon his return, he received additional training on project management with IOM to establish a business plan for a project of up to SDG 70 000 (USD 1,265). Although noting that the certificate obtained from training could help him access micro-finance institutions, he also flagged that he had not yet received promised financial support to launch his project, and that even if he did it would likely not be enough: “Only IOM promised to give support, but I have not received it yet [...] My view on IOM is to buy a work contract and travel again, [the money they give] is not enough for any project. If you take all the SDG 70 000 to the market it will be finished [quickly].”<sup>27</sup> While Abdul does not want to attempt the path to Europe through Libya again, he has ultimately set his sights on Qatar as his next move, hoping to go with a passport through legal means.

Nasir\*, who came back unassisted in 2017 after seven years in Saudi Arabia, where he worked undocumented for five years for a software company, until tightening restrictions and crackdown on irregular workers made his stay in the country unsustainable. For him, a successful life in reintegration remains intangible: **“I can only imagine it [success], because I can’t see anything going forward. I love my area of specialisation [software and telecoms] and want to continue working in the same field. To me success means I can be unique in my professional [area of expertise].”**<sup>28</sup> However, even as Nasir qualifies as a higher skilled returnee, he found his situation to have devolved upon return: “Normally, people migrate to improve their situation, but when I came back, my situation was worse than before I migrated. So my family had two different feelings, there was sadness because I was in a very bad status, but also happiness because I had returned after 7 years.”<sup>29</sup> Since his return, he has restarted “from zero” and is still looking for work in his field. However, in spite of these struggles, he highlights that he would only re-migrate if there was a guarantee of a work contract and a legal pathway to it.

Finally, Heba\* returned to Sudan unassisted after four years in Qatar and the UAE, where she was working as a psychologist in a clinic. After the UAE government implemented strict restrictions on work permits in her institution, she found herself facing irregularity and returned home in 2017. Heba defines a successful life as the ability to **“gain more knowledge, and be able to apply it, especially in the field of applied psychology. To keep on my ambitions and have a useful life, to better serve humanity and to see that the people living around me are satisfied. To achieve this I also need to be able to fulfil my basic needs, including health, food, and education.”** Living with her family since her return, Heba has experienced reverse culture shock and clashes, and has experienced particular alienation related to gender dynamics of her return.

26 SSI1 Male Returnee. August 2020

27 ibid.

28 SSI10 Male Returnee. August 2020.

29 ibid.

# 3.

## RRR Programming in Sudan

### 3.1 Overview of RRR Programmes in Sudan

Information on a list of RRR programmes (Table 4) was obtained through a comprehensive desk review, as well as discussions with key focal points and national stakeholders at a workshop in October 2020.

**Table 4. RRR Programming in Sudan**

Programme	Imple- menter	Funder	Timeline	Dimension Covered	Target Group	Type of Services Provided	No. Of Beneficiaries	Programme Focus
REAG/GARP	IOM	German Ministry of Interior (BMI) and the respective German Federal States' ministries	2000- ongoing	Economic; Social; Medical	Voluntary Returnees from Germany	Payment of travel costs; additional travel assis- tance; one-off financial start- up grant	Unknown	Return; Reintegration
Starthil- fePlus: Supplemen- tary reinte- gration sup- port in the destination country	IOM	German Ministry of Interior (BMI)	2017- ongoing	Economic	Voluntary Returnees from Germany	Supplemen- tary to the REAG/GARP support, pro- vides second one off start up support af- ter 6-8 months	Unknown	Reintegration

Assisted Voluntary Return and Reintegration (AVRR)	IOM	IOM Member States	2000-ongoing	Economic; Social; Psycho-social	Voluntary Returnees, mainly from Niger, Egypt, Libya, EU countries, Gulf countries	Counselling, Assistance to return (financial and administrative), referrals, provision of reintegration grants	3,648 returnees have received return assistance between 2013-2019	Return
EU-IOM Joint Initiative	IOM	EU	2017-ongoing (planned end 2021)	Economic; Social; Psycho-social	AVRR Beneficiaries (see above)	Direct cash assistance, in kind material support, vocational training, psychosocial support	2,801 returnees received reintegration support since 2017.	Return; Reintegration

Programming to assist returnees is minimal and largely limited to IOM's AVRR and EU-IOM Joint Initiative programme, in addition to two small programmes supporting returns from Germany (Table 4). However, there is a history of return programmes that Sudan can draw on to learn. One informant described that the return of Sudanese from Kuwait and Iraq during the first and second Gulf War as one of the first programmes for return initiated in the country. Other crises – such as COVID-19 – have required the Sudanese government to assist the return of Sudanese stranded in Egypt and India, with migrants and Sudanese communities working closely with the consulates abroad.

As the only large-scale programme supporting reintegration of migrants in Sudan, IOM supports returnees – largely from North Africa or Niger – with post arrival assistance, including assistance at the airport and across dimensions. A key component of this in Sudan has been community reintegration projects, which seek to fill the gap between communities and communities of return. Non-government actors highlight **the importance of the context of the return decision** and its impact on the reintegration process, noting that reintegration approaches need to be comprehensive, including taking into account, for example, preparations before return and decision-making processes related to skills and relevant opportunities.

While government stakeholders acknowledge the lack of programming to support vulnerable returnees in Sudan, they emphasised instead the need to focus on **the return of highly skilled Sudanese migrants living abroad** to contribute to the development of Sudan. Awareness raising on current changes in governance and the political situation are highlighted as key to encourage the return of skilled migrants. However, there is no current formal programme to incentivise returns of highly skilled migrants.

Reintegration support programming in Sudan is limited; IOM is the main actor implementing programming, largely through the EU-IOM Joint Initiative. In Sudan, the Joint Initiative supports voluntary or “humanitarian” return and subsequent reintegration, mainly through livelihoods trainings and start-up packages as well as with initial psychosocial assistance. Interviews conducted with IOM highlight that in Sudan, the programme seeks to establish a community lens to reintegration programming, establishing links between returnees and host community mem-

bers, as well as to build governance capacity. The programme has also recently rehabilitated a Youth Centre, which will be used in the next year to facilitate training for migrant women returnees and community members, as well as other youth related activities.<sup>30</sup>

In Sudan, the majority of IOM beneficiaries are those returning from Egypt, Niger, and Libya (the programme also provides support to non-Sudanese migrants in Sudan wishing to return home). While evaluation of the programme in Sudan is still ongoing, key informant interview with EU-IOM Joint Initiative stakeholders – both donors and implementers-- highlighted challenges and good practices based on initial monitoring reports and perceptions. EU-IOM Joint Initiative stakeholders noted the fact that it was too early to assess the effectiveness or sustainability of the programme in a meaningful way, although perceptions were positive.

According to stakeholders, key positive practices to emerge from this programme include:

- **Partnerships with development actors to provide reintegration assistance:** In Sudan, this has taken the form of a formal partnership with the Food and Agriculture Organisation (FAO) under the Joint Initiative. This partnership has resulted in a pilot project targeting 100 beneficiaries to receive agricultural and livestock inputs and training, and at the time of writing had been deemed successful, meriting plans to expand it to an additional 540 beneficiaries. Discussions with IOM noted that similar partnerships were rare in other countries, and highlighted that while income generation through this type of programming was a lengthy process, the programme remains popular with returnees. Under the Joint Initiative, discussions with the United Nations Industrial Development Organisation (UNIDO) were developed as well, although this remains less popular and takes the form of referrals to existing UNIDO services.
- **Provision of cash assistance:** Partly in order to address procurement challenges and delays in assistance, as well as to offset the economic crisis in Sudan and resulting inflation, the EU-IOM Joint Initiative project team began to implement direct cash assistance in early 2020. This was observed to have a dual value: on the one hand, this assistance could be delivered much faster, sidestepping complex procurement processes. On the other hand, direct cash assistance was seen to provide returnees with a sense of agency, giving them the freedom to decide for themselves what to prioritize. This has provided an additional sense of ownership, as well as a practical ability to take care of urgent material needs. As a new form of reintegration support, IOM, together with the EU, has instated additional monitoring mechanisms to observe the impact of this direct cash assistance, which remains ongoing at the time of writing. Key informant interviews highlight that initial results from this monitoring are positive but not homogenous: while a substantial amount of returnees benefited positively, others spent the money quickly and wished they had received in-kind assistance, pointing to the need to associate cash assistance with training and follow up. **Ultimately, a flexible approach, which can include both cash and in-kind assistance, associated with appropriate training, is emerging as a key good practice to be put in place.** Partnering with mobile distribution organisations have also been a good practice to come out of this cash assistance (Box 2).

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30 IOM (2020) EU-IOM Joint Initiative: Flash Report – Compiled Results for the Sahel and Lake Chad, Horn of Africa, and North Africa

### Box 2. Good Distribution Practice: Implementing Direct Cash Assistance Through Mobile Operators

As shared by key informants, a key element of the direct cash distribution scheme tested by IOM in Sudan was the fact that its launch coincided with the spread of Covid-19 in early 2020. This allowed IOM to move forward with plans to team up with a private mobile operator to deliver this cash. The use of a mobile operator offered two key values added:

1. **A faster and more direct distribution, resolving the issues of gaps in assistance and ensuing frustration on the part of beneficiaries**
2. **Eliminated the need for participants to travel to Khartoum to receive cash, respecting health safety measures needed under the pandemic and eliminating travel time and costs for beneficiaries.**

This highlights the key role that technology and linkages to private sector actors can play in supporting return and reintegration, and is a potential good practice to be further explored.

- **Cooperation with community leaders and inclusion of cross-cutting issues:** While stakeholders note that individual returnee support remains preferred to collective approaches, community programming, in addition to individual returnee support, has been positively received, largely thanks to the design of community programmes in partnership with key local actors. This has supported the design of programmes which respond directly to cross-cutting factors such as environmental or health concerns. For instance, community consultations with one community of return in Darfur resulted in programming to support water access and rehabilitation, a need identified through consultative workshops. **Combining needs-based community support with individual reintegration programming** for returnees was highlighted as a key practice for addressing both macro and micro dimensions of reintegration.
- The **installation of a hotline**, which returnees can call directly to receive information or provide feedback. Since the hotline was launched in 2019, the number has received over 2000 calls. This supports both the ongoing monitoring process and allows returnees to have a singular and accessible source of information. IOM Sudan staff observed that, while initial calls were largely complaints, this has evolved over time, and the hotline now receives “compliments and appreciation,” even amid a deteriorating economic situation. While more formal evaluation of programming is still ongoing, the evolution of these calls through the hotline have served as a hint that programming is moving in the right direction.

However, although the practices described above can be seen as success factors and are perceived to tend towards generally positive outcomes, key challenges to implementing successful programming also remain, as highlighted in stakeholder interviews:



- **Key Challenge 1 – Economic situation and inflation:** As the economic situation in Sudan continues to decline, inflation has risen drastically, and black-market rates can be double the official rates. While in other countries cash assistance can be provided in foreign currency in order to address similar issues, this is not an option in Sudan. This can result in mistrust between IOM and returnees, who may feel that there is a manipulation of funds received due to requirements to follow official rates and disburse aid in local currency. Implementing stakeholders note that adjusting to the evolving economic situation has been a key difficulty.
- **Key Challenge 2 – Unrealistic expectations of returnees:** IOM has put mitigation measures in place to address returnee expectations, such as consent forms prior to departure regarding support to be received as well as mechanisms for continuous information sharing on programme and support availability and limitations. However high or unrealistic expectations of returnees with regard to support continue to be a challenge to building trust and returnee satisfaction over time.
- **Key Challenge 3 – Small numbers of service support partners:** Compared to other countries, it has been more difficult to identify service providers with whom to partner on reintegration support in Sudan. While IOM has completed a labour and community mapping to identify potential partners, findings from this mapping show that the level of services available to returnees in Sudan is low, making it difficult to create an extensive referral system or to partner with civil society actors. IOM has nonetheless managed to partner with some actors, such as local TVETs and the national health insurance scheme. However, development of these and further partnerships remains a challenge, due to the limited number of actors willing to provide support, as well as limited capacity of local organisations.
- **Key Challenge 4 – Survey Fatigue and Tracking of Returnees:** IOM Sudan stakeholders noted that M&E work in the Horn of Africa (including in Sudan) was a point of pride and that data collection has been extensive in the country and the region – over 10 000 surveys (including but not limited to the Reintegration Sustainability Survey (RSS)) have been deployed in Sudan since 2018. Two key contextual challenges pose a risk to data collection: 1) Due to connection or electricity issues, it can often be difficult to reach survey participants, and many returnees are often unreachable. This requires resources (financial and human) to conduct follow-up calls and reach survey targets. 2) Survey fatigue remains a significant challenge faced by expansive ongoing data collection – as more data collection tools are deployed, more and many of the same returnees are contacted, resulting in frustration and potentially affecting answers given. In addition, while data collection remains ongoing and internal quarterly reports are produced based on this, data sharing externally of this analysis remains extremely limited.

On lessons learned for programming in general, stakeholders interviewed for this study spoke of the need for decision-makers at the government level to understand the importance of reintegration and what it means, as well as to recognise the disconnection between top level perceptions and realities on the ground. One KII noted that the concerns of returnees are not the same concerns that government and other high level non-government officials imagine, and re-emphasized the need for capacity-building, lack of funding, and minimal expertise of relevant



government as impediments to taking ownership of the implementation of effective reintegration support mechanisms.

### 3.1.1 Learning from Early Refugee and IDP Return and Reintegration Initiatives in Sudan? Further Lessons from Existing Literature

The literature examining return and reintegration in Sudan is very limited; where it does exist, it **focuses on the question of return and reintegration for forcibly displaced populations (refugees or IDPs)** as opposed to returning migrants. Publicly available literature examining programming outcomes within the past five years is particularly absent.

Sudan has changed significantly since much of this literature was published between 2006 and 2013 (much of the existing literature examines parts of what are now South Sudan, but published prior to South Sudanese independence). While the current Sudanese political context in particular has changed drastically since 2018, **research examining the outcomes of initial return and reintegration support programmes for forcibly displaced populations initially implemented in 2008 may also provide lessons learned which can be adapted to migrants returning to Sudan a decade later.**

An Overseas Development Institute (ODI) study from 2008, examining outcomes of return and reintegration support for forcibly displaced populations to what was then southern Sudan highlighted several “good practice examples of reintegration interventions,”<sup>31</sup> including the following:

- A protection monitoring programme implemented by the International Rescue Committee (IRC) producing ‘valuable qualitative data’ analysis allowing for effective and nuanced needs assessment and prioritisation
- A reintegration counselling centre supported by the Norwegian Refugee Council (NRC), which provides ‘valuable open space for returnees to discuss their problems’<sup>32</sup>, and provides information on available training and other local livelihood support programmes
- Integrated approaches to livelihoods through the labour market, include both expanded support for vocational training and linkages with community initiatives and local authorities.

While these programmes no longer exist, and public impact evaluations and documentation for these are unavailable, they reflect examples of good practices, which are echoed in other literature from the same period. Nonetheless, overall the literature on refugees’ and IDPs’ returns in Sudan (and pre-2011 South Sudan), while not recent or focused on specific programmes, highlights several key lessons for sustainable reintegration of forcibly displaced populations which may also be applicable to identifying lessons learned and good practices for supporting returning migrants more widely:

31 ODI (2008) The Long Road Home: Opportunities and Obstacles to the Reintegration of IDPs and refugees returning to Southern Sudan and the Three Areas

32 ibid.

## Lesson 1: Tracking Spontaneous Returnees: A Means for Supporting Those Who Return Unassisted?

As in many contexts, the majority of returns in the Sudanese context, especially for forcibly displaced populations, have been spontaneous – that is, not organised or assisted. This was the case even when ongoing conflict and protection risks persisted in the 2005-2008 period, prior to the Comprehensive Peace Agreement.<sup>33</sup> In response to this, from 2005 onwards, humanitarian actors began to implement a returnee tracking system seeking to monitor not only organised returns, but also those returning spontaneously. At the time, this tracking system was highlighted as a positive step towards providing more accurate information and “creating a sustainable system for acquiring more precise data from the field to identify and assist returnees who have decided to return home on their own.”<sup>34</sup>

However, in practice, several reports highlight the limitations of the system, noting the inadequacy of data when it came to spontaneous returns even after the tracking system was put in place, and the negative impact this has on reintegration outcomes: “[training additional monitors] should be a priority as lack of reliable data [on spontaneous returns] seriously hampers planning for reintegration, and encourages the focus on organised at the expense of spontaneous return.”<sup>35</sup> Indeed, examination of reintegration support to forcibly displaced populations in the 2007-2008 period – then a period of high returns – reveals that, although all returnees were eligible for the three-months assistance packages upon return, very few spontaneous returnees at the time were accessing these, even as they accounted for the bulk of returns.<sup>36</sup>

**Potential Applicability to RRR for returning migrants:** While numbers of spontaneous migrant returns to Sudan are unknown, key migration literature highlights that the majority of returns are spontaneous. However, reintegration programming for non-forcibly displaced populations has so far focused exclusively on assisted returns. Learning from and improving the reintegration response to forced displacement in the past decade has pointed to the need to implement effective tracking and monitoring of all returns (and not just programme linked or assisted returns), in order to ensure effective implementation and access to reintegration support of any kind.

## Lesson 2: Importance of inclusion of sub-national, municipal, and community actors in designing, implementing, and supporting RRR programming.

Research conducted both before and after South Sudanese independence in 2011 has noted the positive impact of area-based approaches in refugee and IDP return and reintegration, highlighting that “[Sudanese] returnees who have had a greater exposure to community development [...] are valued by local leaders for their developmental input, for example, speaking articulately at

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33 UNMIS (2008). Sudan Return and Reintegration Operations: Semi-Annual Report

34 UNMIS (2008)

35 ODI (2008) The Long Road Home: Opportunities and Obstacles to the Reintegration of IDPs and refugees returning to Southern Sudan and the Three Areas

36 *ibid.*

community meetings and contributing their views and ideas.”<sup>37</sup> Participation of local communities in programming design is also highlighted as a key strategy to mitigating lingering conflict and post-war tensions in communities that have been affected by conflict.<sup>38</sup>

However, the literature also highlights the difficulty – at the time – of actively including local leaders and governance due to limited understanding of reintegration, minimal resources, and communities attaching a higher priority to post-conflict reconstruction.<sup>39</sup> Earlier reports from UNHCR also flag that, while the organisation had been seeking to work with local authorities since at least 2006, area-based approaches faced challenges in practice, including limited capacity and resources at local levels.<sup>40</sup>

**Potential Applicability to RRR for returning migrants:** While the Sudanese political context has changed since 2018, the emphasis on area-based approaches remains as relevant for returning migrants as for forcibly displaced returnees, and was highlighted by one KII spoken to for this study as a core element to strengthening migrant reintegration more widely. This was particularly true when it came to the question of including local administrative levels: “[To help implement migration and reintegration] policies, there has to be a trio of financial, technical, and grassroots support. Consultative workshops at the field levels, in all eighteen states, are necessary [for local actors] to understand the concept itself.”<sup>41</sup>

### Lesson 3: Positive impact and challenges of livelihood/development approaches for refugee and IDP reintegration.

Reports examining reintegration initiatives for Sudanese returnees in the 2006-2008 period highlight the importance of long-term support beyond the initial three-month World Food Programme (WFP) emergency packages as a means to both move towards a more long-term development approach to reintegration programming and to bridge the divide between returnees and non-returnee community members.<sup>42</sup>

This support to livelihoods was largely implemented by international actors, in consultation with community actors, and focused on enhancing agricultural livelihoods, including the distribution of crop seeds and hand-held tools, leading to high germination rates and boosting livelihood potential. This reflected the needs and skills of returning refugees and IDPs at the time, and was seen as a promising step towards sustainable reintegration programming.<sup>43</sup> However, political pressures at the time focusing largely on return mechanisms ‘obscured the focus on reintegration.’<sup>44</sup>

37 *ibid.*

38 Dusenbury, A. (2013). Post-conflict returnee reintegration: a case study of South Sudan and the livelihood approach.

39 ODI (2008); UNMIS (2008)

40 UNHCR (2006). Return and Reintegration of Sudanese Refugees and IDPs to South Sudan and Protection of IDPs in Khartoum and Kassala States of Sudan

41 KII Sudanese Migration Expert. October 2020.

42 UNMIS (2008)

43 *ibid.*

44 ODI (2008).

While some NGOs were able to implement some good practices – including integrated approaches to supporting vocational training and counselling at community levels, linking back to the importance of linkages with local actors – overall reintegration support for long term programming “tended to be piecemeal [...], lacking strategic direction, leadership and coordination.”<sup>45</sup>

The question of returnee skills also appears when examining approaches to livelihoods’ development as a means to support the reintegration process in the above context. While the literature notes that returnees often came back “with new skills, e.g. in carpentry, building, mechanics, and other areas,” the influx of labour outstripped demand. While some refugees or IDPs were able to return and start their own businesses, the number of returnees who were able to establish sustainable and successful businesses on their own remained small.<sup>46</sup> One study examining long-term reintegration needs noted that, for refugees and IDPs returning from conflict to areas still rebuilding, assistance beyond immediate needs, such as support for livelihoods’ development, may be needed for several years.<sup>47</sup>

**Potential Applicability to RRR of returning migrants:** Although the return context for Sudanese migrants in 2020 is different, the question of livelihoods remains a key factor for whether sustainable reintegration is achieved or not. The need for both skills and needs assessments, as highlighted in the context of forced displacement in 2008, remains relevant to the migration return context in 2020.

## 3.2 Community Needs and Perceptions of Programming and Policy: Field Insights

In addition to these indicative returnee perceptions of successful reintegration, and what this means in their context and their future, overall analysis of returnee discussions combined with community member interviews provide a series of key insights of the overall bottom up context faced by returnees, including those who greet them upon return.

**Key Insight 1:** Returnees and non-returnees alike were quick at providing a categorization or **typology of migrants and returnees** to Sudan according to three groups: the highly skilled returns, the low skilled returnees from the Gulf states, and deportees or readmissions through bilateral agreements. The latter two categories were often paired with **key protection concerns** at borders and between countries, **whether of migration through Libya, or lost lives at sea, kidnappings, susceptibility to organ trafficking and other gangs**. Such migrant profiles mirror a prevailing class divide, pointing to a concern shared by many, that the situation could not change without a structural shift in the laws and policies governing migration. “*Society in Sudan is divided into two classes, an upper class and these are those whose economic conditions are excellent (the rich), and a lower class, and these have poor financial conditions (the poor). There is no middle class or is close to disappearing.*”<sup>48</sup>

45 ibid.

46 ODI (2008)

47 Dusenbury (2013)

48 SSI Male Community Member. August 2020.

**Key Insight 2:** Conversations with returnees and community members highlight the fact that **traditional gender dynamics prevail in migration patterns**. Migration is a common ambition for young males - *“Migration is the ambition for every youth male who would like to develop himself, improve his economic status, and meet some desires which he miss in his home country”<sup>49</sup>*. However, increased gender freedoms abroad are drivers of migration, resulting in more women migrating – upon return, they face culture shock adapting to more rigid gender norms. **Female returnees also face their own unfulfilled aspirations and frustrations** for two reasons: not being able to find themselves abroad, unable to feel situated in a productive place to support their communities back home; second administrative hurdles seem to impact women more easily, making some *“feel like I am living in a circle”, unable to break it.*

**Key Insight 3:** Alongside a typology of migrants, community members provided a **typology of legality and illegality** – explaining that some migrants lack such legal pathways, others have them, and finally a third group, may have lost their legal status, finding themselves in a newfound illegality. Families are said to be looking for safe solutions through regular migration opportunities, especially given many of the youth’s initial failed attempts and traumatizing journeys. All know of someone who was able to migrate with official papers and a work contract, whose conditions they then saw as improving. However, they know similar stories of those who left legally, and found themselves unable to maintain a legal status abroad – in an unexpected situation of irregularity, they worked with lower salaries, limited benefits, and without any paperwork.

**Key Insight 4:** Interviews with returnees and community members revealed that migration journeys that are irregular often lead to disrupted and unfulfilled migration cycles. **All the returnees that we spoke to who travelled irregularly, described themselves as worse off now than before they left.** *“Normally people migrate to improve their situation but when I came back, my situation was worse than before I migrated. So the family was having two different feelings, sadness because I was in very bad status, and happy because I returned after 7 years”<sup>50</sup>*. Reintegration support provided by the state and international organisations to address these needs are scarce; instead returnees and community members pointed to the **family as the most crucial and often the only support available to returnees**. Families provide much needed psychological support for returnees to disassociate their interrupted migration cycle with personal failure. *“My family is the most helpful to me. All the support I have received was moral and I was in a real need for it due to my failure experience, that is why I was in a real need to moral support, and this what motivates me to continue my life.”<sup>51</sup>*

**Key Insight 5:** There is a **lack of awareness among returnees of the reintegration support available**. Very few participants had experienced reintegration support or knew someone who benefited, suggesting a disconnect between implementers of reintegration support and their target beneficiaries. As one returnee coming back from Saudi Arabia and Qatar noted: *“No, I don’t have ideas about returnees receiving support. Those are dreams. I know many people who have similar cases as mine and they didn’t receive any support and their lives destroyed and stopped.”<sup>52</sup>*

49 SSI1 Male Returnee. August 2020

50 SSI Male Returnee. August 2020

51 SSI Male Returnee. August 2020

52 SSI Male Returnee. August 2020

One explanation for the lack of awareness is the fact that, besides the six community-level projects implemented by IOM under the EU-IOM Joint Initiative, there are hardly any reintegration initiatives implemented at the community-levels. Most reintegration support is provided on an individual basis and the level of community engagement by reintegration actors and by implementing stakeholders is perceived as low. One community member described this as being nearly invisible: *“The role of the government institutions and international and national organisations is very limited and its support almost can’t be seen and its impact is limited to small groups in the community.”*<sup>53</sup>

**Key Insight 6:** Paradoxically, strong community ties in return areas can make it more difficult for returnees to reintegrate. Returnees interviewed spoke of the **stigma associated with their return, which directly affects their ability to obtain much needed financial support.** *“Returnees struggled to adapt themselves again in the community in which they were part of it due to the lack of social trust. The community doesn’t trust them because the community expects that returnees might migrate again, so they don’t deal with them with money; the community doesn’t give them loans, or engage with them on some activities which has financial commitments”*<sup>54</sup>. **This societal mistrust is exacerbated depending on where returnees returned from. Returnees that return from fragile countries may be viewed with suspicion.** *“There is a small group of returnees who return from the “risky triangle” which includes: Egypt, Syria, Lebanon and others, the society deals with them with caution because they might have joined or reached by Islamist militant groups such as ISIS”*<sup>55</sup>. The inability to rebuild social bonds and gain access to finance significantly challenge reintegration.

**Key Insight 7:** While it is difficult for many to cope with changes in the community, and for them to adapt given their own changing norms as a migrant and returnee, others, **that are able to cope, express a renewed sense of commitment to their society of return.** Beyond improvements in infrastructure and buildings, youth returnees are often sensitive to the political changes and develop a strengthened sense of patriotism. Seeing youth partake in the revolution has motivated others who expressed a feeling of wanting to contribute to develop their communities upon return.

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53 SSI Male Non-returnee. August 2020

54 SSI Male Non-returnee. August 2020

55 SSI Male Non-returnee. August 2020

## 4.

# Moving Towards Good Practices and Learning in Sudan: Success Factors and Challenges

Reintegration programming in Sudan is limited to IOM – besides basic AVRR return assistance and the very small number of returnees from Germany receiving limited cash assistance through REAG/GARP and Strathilfe Plus, the EU-IOM Joint Initiative is by far the most significant reintegration support programme in the country.

While evaluation of the programme is still ongoing, and assessment of the effectiveness and sustainability of this programming may be premature, key good practices and lessons learned identified by stakeholders highlight the elements summarised in Table 5 and the analysis below.

**Table 5. Programming Success Factors and Lessons Learned in Sudan**

		AVRR	EU-IOM Joint Initiative	REAG/GARP	Strathilfe Plus
<b>Success Factors</b>	Pre Departure Orientation	X		X	
	Direct Cash Transfers		X	X	X
	Participatory Community Programming		X		
	Streamlined communication between implementing partner and returnee		X		
	Linkages with Development or Private Partners		X		



<b>Challenges and Lessons Learned</b>	Contextual factors: economic and political	X	X	X	X
	Unrealistic Returnee Expectations	X	X	X	X
	Coordination: Lack of formal/clear mechanism	X	X	X	X
	M&E and Data Sharing	X	X	X	X

- **The importance of area-based approaches:** Localised and area-based approaches are a key lesson in the refugee and IDP reintegration literature. IOM noted a move towards this, reflected in their use of community consultations, mapping exercises, and implementation of feedback mechanisms such as the hotline have highlighted ways in which this can be implemented.
- **The impact of flexible and innovative programming:** The switch to cash-based assistance highlighted a core lesson: while a majority of returnees preferred cash, a large number – 30-40% -- expressed wishes for in-kind assistance instead or in addition to the cash. Finding a flexible means to balance in-kind and cash programming in order to respond to individual returnee needs, profiles and capacities will be a key success factor to implement. In addition, innovative private sector partnerships to provide this cash assistance through mobile money transfer has proven successful, and highlights a way forward for future innovative partnerships.
- **The consideration of wider contextual factors:** Sudan's shifting political situation and difficult economic context are two of the most important elements impacting possibilities for reintegration programming. While the political transition has opened new pathways for partnerships, it has also meant that relationships need to be rebuilt from scratch, and coordination pathways lack clarity. High inflation and the economic challenges currently faced in Sudan have also had a direct impact on project implementation, as well as on returnee and community coping mechanisms.





## 5.

# Conclusion: Lessons Learned and Good Practices

The Sudanese case study, one marked by political transitions and economic development needs, highlights the key importance of wider political and governance contexts in providing a foundation for effective policy and programme success. During the workshops and interviews, stakeholders highlighted the nexus with peace and wider economic recovery as key challenges to be overcome and that will impact the ability to support RRR. They also drew attention to responsibility-sharing and the support needed from the international community as a key factor to move forward on RRR discussions. Key recommendations include the following are outlined in Table 6.

**Table 6. Thematic Recommendations on Sudan**

<b>National Regulations and Linkages to Development Planning</b>	<ol style="list-style-type: none"><li>1. Prioritise the drafting of the national migration policy, and include voices of non-government stakeholders and returnees in the process. The new government and emerging mechanisms surrounding RRR present an opportunity to ensure inclusion of non-traditional stakeholders from the beginning of policy development; this can provide a foundation for policy operationalisation.</li><li>2. Formalize bilateral cooperation agreements, including frameworks for identification of potential returnees within national, regional, and international human rights frameworks</li><li>3. Encourage and plan for sustainable development programmes to be linked directly with RRR. Within this, workshop participants focused on the need to support and encourage the private sector to play a greater role in establishing economic projects and job creation for youth, women and returnees.</li></ol>
<b>Capacity Building</b>	<ol style="list-style-type: none"><li>1. Create <b>capacity building and training through participatory and consultative processes</b> with local and subnational actors in order to ensure that training is relevant to the needs and knowledge of training target. This may include consultations or Knowledge Attitude and Practice (KAP) surveys with local government and community members to identify knowledge gaps and needs, as well as regional level learning mechanisms.</li></ol>

<b>Locally Led Approaches</b>	<ol style="list-style-type: none"> <li>1. Establish <b>stronger relationships between sub-national actors and RECs actors</b> – the national government, while maintaining its status as lead implementer and decision maker also has an opportunity to facilitate learning both from regional and sub-national levels. Building these relationships can support the development of capacity in the long term, and strengthen ties and understandings of regional priorities.</li> <li>2. Provide <b>avenues for flexible programming and funding</b> which can take into account the needs of individual returnee profiles.</li> </ol>
<b>Data M&amp;E and Learning</b>	<ol style="list-style-type: none"> <li>1. <b>Identify or develop a singular tool for harmonization of data and evaluation across different types of programmes</b>, in order to better facilitate comparative assessment and identification of success factors and ways to support these.</li> </ol>

Sudan is still at the beginning of the development of its RRR strategy – focusing on the inclusion of all relevant voices and links to external geographic regions as well as regional partners can ensure the development of a solid foundation from which to grow policy, and a return and reintegration conscious development planning.



## Annex 1.

# List of Key Informants and Workshop Participants

<b>Key Informants</b>	IOM (2)
	Local Expert (Ex-Sudanese Centre for Migration Studies)
	MoLSA
	EU EEAS – Sudan Political Officer
	Department of International Cooperation and Partnerships, at the Ministry of Labour and Social Development
	EU Delegation - Sudan
	Secretariat of Sudanese Working Abroad (SSWA)
<b>Workshop Participants</b>	Ministry of Labour and Social Affairs
	Ministry of Interior
	Sudanese Affairs Abroad Office
	IOM
	Ministry of Foreign Affairs
	Commission for Refugees (CoR)



## Annex 2.

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