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Assisted Voluntary Return & Reintegration Policies and Programmes in Four EU Countries: France, Germany, Italy and Spain¹

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Abstract

In response to the presence of a significant number of non-EU nationals illegally residing within their borders, EU countries implement forced return policies which, besides being burdensome from both a financial and organisational point of view, can stoke the fires of social and diplomatic tensions as well as, at times, proving problematic in terms of a lack of the appropriate full respect for fundamental human rights. For these reasons, the EU institutions have repeatedly stated that voluntary returns are to be preferred to forced ones. One measure that can concretely encourage voluntary returns is that of Assisted Voluntary Return (AVR) programmes, which can be accompanied by initiatives to support the socio-economic reintegration of citizens repatriated to their country of origin. Given the disparity between how European countries conduct AVR programmes and the fact that little research has focused on this topic, the aim of the article is to present policies and procedures for AVR and reintegration adopted by the four largest EU countries: France, Germany, Italy and Spain. These four case studies were conducted by analysing the available documentation and by conducting interviews with stakeholders and individuals responsible for the implementation of AVR activities. The article also offers some remarks on the four cases studied as a whole, with a particular focus on the elements that seem to provide the most significant contribution to the success of these policies.

Keywords: immigration, return, immigration policies.

¹ Adjoua Alphonsine Kadio contributed to writing the paragraph on the case of France; Caterina Rizzo contributed to writing the paragraph on the case of Spain.

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1. Introduction

In response to the presence of a significant – though never quite perfectly quantifiable – number of non-EU nationals illegally residing within their borders, EU countries implement forced return policies which, besides being particularly burdensome from both a financial and organisational point of view, can stoke the fires of social and diplomatic tensions as well as, at times, proving problematic in terms of a lack of the appropriate full respect for fundamental human rights¹. For these reasons, the EU institutions have repeatedly stated that voluntary returns are always to be preferred to forced ones²: the concluding paragraph of this article will explore how what might appear to be begging the question in an illusory way can indeed become concrete fact under certain conditions. One measure that can concretely encourage voluntary returns is that of Assisted Voluntary Return (AVR) programmes – the topic of this contribution – which can be accompanied by initiatives to support the socio-economic reintegration of citizens repatriated to their country of origin.

Beyond the underlying assertion that voluntary returns are preferable to forced returns, the European Union has played a central role in developing and supporting AVR programmes since at least 2000, when the first European Refugee Fund started to provide funding for a number of pilot projects. This financing then continued and has expanded to include subsequent European programmes focused on migration (Vandevoordt, 2017). Although such funding and support from EU institutions has helped the number of AVR programmes in almost all EU countries to grow rapidly over the last two decades (Webber, 2011; Whyte, Hirslund, 2013), AVR policies and actions are implemented by individual EU countries independently and sometimes in very different ways and with considerable variations in results.

Thus, given the disparity between how European countries conduct AVR programmes and the fact that little research has focused on the topic of voluntary return (Koch, 2014; Lietaert, Broekaert, Derluyn, 2017) – and particularly on how AVR policies are actually implemented (Cavatorta, 2018; Cleton, Schweitzer, 2021; Kuscminder, 2017) – the aim of this article is to

¹ However, it is important to highlight that a significant portion of the migrants living illegally in EU countries is in actual fact tolerated, given their sizeable contribution to the proper functioning of the economic and social life of their host countries (Ambrosini, 2016). Consequently, not all illegal migrants are the target of repatriation policies.

² See, for instance, Directive 2008/115/EC, and the Communication from the Commission to the European Parliament and the Council of 27 April 2021: COM (2021) 120 final.

present and compare policies and procedures for AVR and reintegration adopted by the four largest EU countries: France, Germany, Italy and Spain. These four case studies were carried out in the context of the Evaluation framework for Italy's National AMIF (Asylum, Migration and Integration Fund) Programme, and were conducted by analysing the available documentation and by conducting interviews with stakeholders and individuals responsible for the implementation of AVR activities in these countries³. This description may serve to benefit both scholars interested in the phenomenon and public operators and decision-makers involved in the planning and implementation of AVR policies who often, as evidenced by the interviews carried out, bemoan the dearth of comparative descriptions of the implementation methods of these policies at the European level. Finally, we will offer some concluding remarks on the four cases studied as a whole, with a particular focus on the elements that seem to provide the most significant contribution to the success of these policies.

2. Criticism and ambiguities

AVR programmes are supported by EU institutions and implemented by numerous European countries because they are deemed to be more humane (Dünnwald, 2013) and less problematic with respect to human rights than forced repatriation. In addition, AVR programmes are more beneficial from an economic point of view (Black, Gent, 2006; Lietaert, Broekaert, Derluyn, 2017). Furthermore, AVR does not require cooperation from the country where an individual is returning to (Dünnwald, 2013), although such cooperation is necessary if AVR is to be combined with effective reintegration programmes (Schneider, 2022).

This tool, however, has also received some criticism, which has focused in particular on how voluntary such AVR programmes actually are (Blitz et al., 2005; Kalir, 2017; Leerkes, van Os, Boersema, 2017; Lietaert, Broekaert, Derluyn, 2017; Webber, 2011). Not all those who participate in AVR programmes really wish to return to their country of origin. Yet if the alternative is forced repatriation with no benefit, AVR is a more reasonable option (Dünnwald, 2013; Noll, 1999). It is no coincidence that various papers published nationally and on the European level have highlighted how AVR programmes work better when teamed with an effective system of forced repatriation (Dünnwald, 2013). Speaking of *voluntary* repatriation would

³ A fifth case study, devoted to Greece, has not been included here due to limitations on space.

therefore be merely a linguistic strategy to hide the central role of the state in implementing such policies (Dünnwald, 2013) and the fact that for some authors (Cleton, Schweitzer, 2021: 3), AVR is nothing more than a form of ‘soft deportation’.

Another problematic factor concerns reintegration activities within the country of origin, which are often part of AVR programmes. It is evident that there is often a lack of clarity as to what *reintegration* actually means, nor is this term adequately specified (Lietaert, 2017). A number of scholars also note that no programme is able to guarantee long-term reintegration, which the returnees themselves are ultimately responsible for (Blitz, Sales, Marzano, 2005; Cassarino, 2008; Dünnwald, 2013; Koser, Kuschminder, 2015; Van Houte, 2014). Furthermore, since AVR programmes are supported by the state, they primarily address the interests of the state, which implies the removal of migrants who are not of any economic use (Lintner, 2019; Vandevooordt, 2017). What is good for the returnees remains in the background. The fact that they are leaving the country seems significantly more important than what might happen to them once they have left (Cassarino, 2008; Lietaert, 2017). It is perhaps partly as a result of the latter reason that we see a severe shortage of studies geared towards investigating the actual success of the reintegration programmes for migrants offered upon their return to their homeland, even though they seem essential if we are to properly consider AVR policies as a whole. Indeed, whilst there is no lack of research into the reintegration paths taken by migrants who have returned to their homeland, there are a great deal fewer dedicated specifically to how many of said migrants return home with the help of AVR programmes⁴ (King, Kuschminder, 2022). This shortage is one that the authors of this article intend to address by way of a multi-year study, which is currently underway, into the effectiveness of the reintegration activities conducted in the context of the AVR programmes promoted by Italy.

Despite these ambiguities and critical aspects, and despite the fact that this policy is beneficial for the country implementing it, AVR still seems to recognise the rights and interests of returnees more than forced repatriation does. Although the support provided by AVR programmes can still be improved in terms of quantity and quality, this support undoubtedly means better conditions for those returning to their country of origin (Lietaert, Broekaert, Derluyn, 2017). For this reason, it is worth reflecting on how AVR policies work and on how they can be improved.

⁴ With specific reference to the situation in Italy, the issue is addressed in, amongst others, certain passages of the aforementioned book by Cavatorta (2018).

3. France

3.1 Brief historical profile

The first experiments with AVR in France date back to the 1930s, following the crisis faced by mining companies. This policy reappeared in the 1970s with several programmes spearheaded by the National Immigration Office (ONI) (Migreurop, 2014; Weil, 1991; Barbau, 2012). This administrative structure would go on to change its name over the years in line with the different missions assigned to it, morphing from the ONI into the OMI, then the ANAEM and, today, the OFII (French Office for Immigration and Integration).

Whilst the previous measures were aimed at foreign workers who had lost their jobs or were at risk of losing them, 1991 saw the creation of a new measure aimed at foreigners residing in the country unlawfully, dubbed ‘assisted reintegration for persons invited to leave the French territory’, under which the government provided payment for travel tickets, a financial contribution and help with finding employment in the destination countries, limited to those where there is an OMI delegation. In 1992, ‘humanitarian repatriation’ was also established for all foreign nationals living in poverty and, subsequently, several ad hoc programmes were set up for foreign citizens of specific nationalities, such as Malian, Kurdish, Afghan, Mauritanian and Senegalese people⁵.

After a year-long experiment, at the end of 2006, the assisted return programmes were bolstered and split into three more specific measures: a) ‘assisted voluntary return’ (AVR), aimed at citizens served with notice to leave the country; b) ‘assisted humanitarian return’ (AHR), aimed at EU citizens and other people not eligible for assisted voluntary return; c) ‘assisted reintegration’ which can, for some countries, be taken alongside the two previous measures to support the person’s economic reintegration into their country of origin (Barbau, 2012).

As of January 2013, all pre-existing measures were merged into a single AVR programme⁶.

3.2 Instruments and procedures

The AVR programme implemented by France is managed exclusively by the French Office for Immigration and Integration (OFII), and is regulated by

⁵ For more details, see Barbau (2012).

⁶ <https://www.data.gouv.fr/fr/datasets/15071-aides-au-retour-volontaire-et-aides-au-retour-humanitaire/>

the Decree of 27 April 2018⁷. Specifically, the OFII is responsible for implementing the measures for the AVR of foreign nationals illegally residing in France who wish to return to their country of origin, but lack the economic means to do so. It also offers personalised AVR and reintegration programmes tailored to migrants who would like to start a business in their home country. The OFII carries out its activities by means of a network of 31 territorial directorates in the metropolitan and overseas territories, along with 7 delegations located abroad (OFII, 2021, p. 10). The territorial directorates are the main actors involved in providing information and promoting the AVR programmes. They work closely with the prefectures which, as of 10 June 2015, have been instructed to help spread awareness of the activities run by the OFII, in particular by accompanying the delivery of the order to leave the French territory (OQTF) with a leaflet outlining how the AVR measure works. Other actors, both governmental and non-governmental, also contribute to disseminating information on the measure, such as reception centres for asylum seekers (CADA and HUDA), local associations, hospitals, municipal governments, social services, consulates, embassies, and international organisations such as the IOM⁸ and the UNHCR (EMN, 2015).

Since 2015, the implementation of the AVR measure has been supported by the Assisted Return Preparation Centres (CPARs): facilities managed by companies or associations under contract with the government⁹. The services provided by these CPARs include information and guidance, as well as accommodation for foreign nationals interested in AVR. There are currently 17 CPARs operating across France (OFII, 2021).

The AVR measure is open to non-EU nationals (including those from visa-exempt countries) who – except in exceptional cases¹⁰ – have been living in the country for at least six months (<http://www.retourvolontaire.fr/>; OFII, 2020) and: a) have not yet received a reply to their asylum application and intend to abandon their pursuit of the process; b) have had their asylum application rejected; c) have received an order to leave the French territory (OQTF); or d) are residing in the national territory illegally.

The support offered to those who participate in the initiative consists of (<http://www.retourvolontaire.fr/>; OFII, 2020): a) the organisation of travel

⁷ <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000036858900/2020-11-20/>

⁸ Unlike in other European countries, in France the IOM does not contribute to the implementation of AVR, except in a very limited number of specific cases related to international programmes (IOM, 2020).

⁹ <https://humain.hypotheses.org/les-cpar-centres-de-preparation-au-retour>.

¹⁰ In particular, in the case of asylum applications being rejected (Assemblée Nationale, 2019).

and complete coverage of travel costs for the direct beneficiary of the measure, their spouse and any children who are minors (any adult children must initiate a separate procedure for themselves); b) administrative support in obtaining travel documents; c) support in completing boarding procedures at their airport of departure; d) financial assistance of €650 per person for countries requiring a visa and €300 for visa-exempt countries and Kosovo. In addition, the Decree of 27 April 2018 stipulates that the Director General of the OFII may increase this aid by an additional €1,200 within the framework of specific programmes to support repatriation, aimed at citizens of particular countries or for certain categories of foreigners (OFII, 2020).

As shown in Table 1, the number of AVRs carried out by France over the last decade has fluctuated fairly significantly, but it has never dropped below 4,500 and hit a peak of 10,678 AVRs in 2018. As for the destination countries, there is a marked predominance of Eastern European countries, with considerable numbers also returning to China, Afghanistan and Algeria (OFII, from 2012 to 2021).

In the case of some destination countries¹¹, foreign nationals wishing to return to their country of origin can – either alongside or independently of the AVR programme – be eligible for the economic and social reintegration assistance programme. The type of support provided is diversified into a range of forms in an attempt to better respond to the different needs presented by applicants. The following are eligible for the assisted reintegration programme (OFII, 2020; Assemblée Nationale, 2019): a) citizens of non-EU countries participating in the AVR programme promoted by the OFII; b) citizens of non-EU countries whose residence permit in France is due to expire (after having stayed in France for at least six months), returning to their country of origin by their own means; c) citizens returning to their country of origin from another EU or associated country within the framework of partnership programmes.

Applications to participate in the assisted reintegration programme are assessed locally by a selection committee consisting of a representative of the OFII, the French ambassador to the country in question or their representative, as well as local private or institutional partners. The OFII relies on a network of local institutional and private partners for the implementation of its reintegration programmes.

Assisted social and economic reintegration into the country of origin can take three different forms, which can also be combined (OFII, 2020): 1) assisted social reintegration (lasting 6 months), which covers the initial reintegration expenses related to housing, healthcare and the education of minors; 2) assisted

¹¹ There are currently 17 countries covered by the programme promoted by the OFII, with an additional 11 covered by European programmes (OFII, 2021).

reintegration through employment (lasting 1 year), which consists of support with finding a job through specialised local operators, covering the payment of the recipient's salary for the first year of employment (up to 60%), or by paying for professional training courses; 3) assisted reintegration through the establishment of a business (lasting 1 year), which involves a feasibility study of the business plan, coverage of a portion of the business start-up costs (in addition to the resources made available to the recipient of assistance), and business support for one year. Overall, the maximum amount of financial aid received through the various levels cannot be more than €10,000 per family for programmes managed by the OFII¹², with lower maximums applying for EU-run programmes. In this regard, in addition to the activities promoted by the OFII, France is also part of some other programmes for AVR and the reintegration of non-EU nationals, namely: a) *ERRIN - the European Return and Reintegration Network*, coordinated by the Netherlands and participated in by fifteen EU or associated countries (OFII, 2020; <https://returnnetwork.eu/>); b) *URA*, aimed at Kosovan citizens and implemented by the OFII in partnership with Germany's Federal Office for Migration and Refugees (BAMF) (OFII, 2020); c) *Graines de Lumière*, promoted by the OFII and the Fondation Énergies pour le Monde¹³; and d) *Lemma*, an EU-Tunisia partnership instrument¹⁴.

The number of citizens who have taken advantage of the reintegration programmes has been significantly lower than the number of beneficiaries of AVR over the years. More specifically, over the course of 2020, 1,206 citizens made use of this support (1,316 in 2019 and 2,552 in 2018), as compared with 4,519 AVR beneficiaries (OFII, 2019, 2020, 2021).

4. Germany

4.1 Brief historical profile

In 1974, the *Return of Talents* programme was launched in Germany by the ICEM (now the IOM) and the Federal Ministry for Economic Cooperation (BMZ), with the aim being to encourage particularly skilled or highly qualified migrants to return to their countries of origin, so that they could use the professional skills they had acquired in Germany to further the development of their own countries (IOM, 2014).

¹² The financial assistance is not provided in cash, but through the OFII directly covering the costs incurred (<http://www.retourvolontaire.fr/>).

¹³ <http://www.fondem.org/innovation/migrations/>.

¹⁴ <http://www.lemma.tn/>.

However, the first actual AVR programme to be implemented in Germany was the Reintegration and Emigration Programme for Asylum-Seekers in Germany (REAG), which was launched in 1979 by the ICEM on behalf of what was known as the Federal Ministry for Family, Youth and Health at the time. In 1989, this programme was improved with the launch of the Government Assisted Repatriation Programme (GARP), funded by the Federal Ministry of the Interior. The new element introduced by the GARP consisted of providing tangible support to migrants upon their return to their country of origin, thus allowing them to be effectively reintegrated in loco (IOM, 2014). In 2006, the IOM then collaborated with the Federal Office for Migration and Refugees (BAMF) and the ministries responsible for the AVR programme in the different Länder (states of Germany) to create the ZIRF-Counselling project, aimed at supporting the REAG/GARP by providing potential beneficiaries of AVR programmes with information on repatriation procedures and possible avenues for reintegration into their countries of origin (IOM, 2014)¹⁵. As of 2017, the REAG/GARP was supplemented by the StarthilfePlus Programme, which provides reintegration assistance in over forty countries of origin for foreign nationals returning voluntarily¹⁶.

4.1 Instruments and procedures

AVR activities in Germany are mainly implemented through the aforementioned REAG/GARP combined initiative. This programme is run by the IOM – which actually organises all repatriation operations on the ground – on behalf of the Federal Ministry of the Interior, the Federal Office for Migration and Refugees (BAMF), and the ministries responsible for the AVR programme in the different Länder. The programme is co-financed by EU funds and implemented with the collaboration of more than a thousand partners, including local authorities, NGOs, information points and the UNHCR (IOM, 2014).

Specifically, the REAG/GARP programme organises the trip and covers the relevant expenses, provides additional financial support for the trip, provides economic support for reintegration (for over 40 countries), and covers any medical expenses in the destination country for up to three months after the date of repatriation¹⁷.

¹⁵ For details of the activities of the ZIRF-Counselling project, see <https://www.returningfromgermany.de/en/programmes/zirf-counselling#information>.

¹⁶ <http://returningfromgermany.de/en>.

¹⁷ For further details, see: <https://www.returningfromgermany.de/en/programmes/reag-garp>.

The programme is open to all non-EU citizens who meet the necessary criteria to apply for asylum, asylum seekers who have not yet received a response to their application, asylum seekers whose application has been rejected and who are therefore obliged to leave the country, anyone who holds a residence permit for political or humanitarian reasons or for other cases stipulated by international law, and victims of human trafficking or forced prostitution (in these cases, even if they are EU citizens). Minors may be eligible for the programme if their parents also meet the necessary criteria to participate in it. Unaccompanied minors are eligible on the condition that permission is given by a person legally responsible for them (i.e. a guardian) both in Germany and in the destination country. Those who fall under the remit of the Dublin Regulation may only be eligible before a decision has been made to transfer them to another country. In the case of sick people and pregnant women, eligibility is assessed on a case-by-case basis. Conversely, the programme is not open to people who do not have a residence permit for political or humanitarian reasons or for other cases stipulated by international law, and who have therefore not been granted any kind of protection; EU citizens, unless they are victims of human trafficking or forced prostitution; people who fall under the remit of the Dublin Regulation after their transferral has been decided on; and those who abuse the programme (e.g. people who move from other countries to Germany so as to have their return to their country of origin paid for by the state)¹⁸.

Information for potential AVR recipients is provided mainly through a dense network of counselling centres. The 952 counselling centres, located across the country, are mainly supported by public authorities (690), but some are also run by various non-governmental organisations (255)¹⁹. Although on the whole, their territorial distribution is fairly widespread, it is also markedly unbalanced: there are just three centres in Hamburg, Berlin and Saarland, but 446 in North Rhine-Westphalia. Those who approach these counselling centres for information are not in any way obliged to return to their home countries (<http://returningfromgermany.de/en>; Grote, 2015). Approximately three fifths of these centres (571) are involved in the ZIRF-Counselling project mentioned previously: as such, in these centres, citizens interested in AVR can also obtain specific information on the situation in the country to which they intend to

¹⁸ For further details, see:

http://files.returningfromgermany.de/files/20190118_Leitlinien_REAGGARP.PDF.

¹⁹ The data on counselling centres, taken from

<https://www.returningfromgermany.de/en/centres>, was collected in August 2021.

From the information available, it is not possible to determine the governmental or non-governmental nature of 7 of these counselling centres.

return. From almost all of these counselling centres, it is also possible to submit an application for the AVR measure as well as various reintegration programmes – which will be explored in more depth below – and assistance is available at all stages of the process.

In addition to the activities of the counselling centres, the BAMF also provides information on AVR by displaying and distributing informational materials (such as posters, flyers and videos) in places where migrants pass through, such as immigration offices and reception centres; furthermore, should a person's asylum application be rejected, the notification they receive is accompanied by a short piece of informational material about AVR programmes. The IOM also organises meetings and distributes informational materials on AVR within immigrant communities and diaspora organisations. As of 2019, the IOM launched a BAMF-funded virtual counselling pilot project that allows migrants located in Germany to contact IOM staff across nine African and Asian countries in their native language through various different channels (WhatsApp, Skype, Viber and Facebook) for information about the reintegration programmes active in their country of origin. This service is promoted through information posted on various social media channels²⁰.

As of June 2020, non-EU citizens interested in the REAG/GARP programme can register on the new MiRA (Migrant Registration Application) platform, which allows migrants to express their interest in pursuing a voluntary return as well as to request information on the country to which they intend to return and the reintegration programmes available. Given the travel restrictions imposed by the COVID-19 crisis, which reduces the actual feasibility of opportunities for repatriation, signing up for MiRA also allows potential applicants to receive updates on travel restrictions affecting their country of interest²¹.

The voluntary return activity carried out through the REAG/GARP is also flanked by several other programmes offering further support for the reintegration of repatriates into their country of origin.

The largest and most significant of these is undoubtedly the *StarthilfePlus* programme launched in 2017, which provides assistance in over 40 countries of origin: in its first two years of operation alone, the programme provided assistance for reintegration to 15,184 citizens²². Specifically, in some countries

²⁰ Information taken from an interview with a communications manager at IOM Germany.

²¹ <https://www.returningfromgermany.de/en/news/migration-registration-application-mira>.

²² <https://www.returningfromgermany.de/en/news/geoerderte-rueckkehr-aus-deutschland-1>.

the programme supplements the sums already provided by REAG/GARP with additional financial support for reintegration, consisting of a contribution of €1,000 for individuals and €2,000 for families. In other countries, non-cash support is provided to cover expenses for housing reintegration, with sums of €1,000 for individuals and €3,000 for families. Finally, in yet other countries, there is another addition to what is provided by the REAG/GARP offered, namely a further monetary contribution of €500 – only to persons whose stay in Germany has been tolerated for at least two years – paid once they arrive at their destination, along with non-cash support for both housing reintegration (up to €1,000 for individuals and €2,000 for families) and medical expenses (up to €1,500 for individuals and €3,000 for families)²³.

Other programmes which provide support for reintegration into specific countries and/or professional training for returning citizens include the European initiative *ERRIN*²⁴ and the *URA* project which, as already mentioned in the previous paragraph, France also participates in. There are also programmes such as *Perspektive Heimat / Startfinder, Post-War Pioneers - Home Instead of Migration*²⁵ and *StartHope@Home*²⁶. Finally, mention should be made of certain other local reintegration projects run by organisations active in non-EU countries, including: *Ipsa Afghanistan, Caritas Serbia, Idia Renaissance Nigeria, Nolawi Services Ethiopia, and AWO Nuremberg in Kosovo*²⁷.

In addition to the REAG/GARP programme, promoted at the federal level, there are also numerous AVR programmes promoted by the individual Länder, reserved for non-EU citizens residing there²⁸. In some cases, these projects provide additional support – during the reintegration phase – to that offered by the federal programme; in others, however, they are programmes that also encompass the elements to do with the applicant's departure and travel from Germany, thus serving as an alternative to the REAG/GARP itself. Even

²³ For further details, see

<https://www.returningfromgermany.de/en/programmes/ergaenzende-reintegrationsunterstuetzung-im-zielland-bei-einer-freiwilligen-rueckkehr-mit-reag-garp>;
https://files.returningfromgermany.de/files/200213_SHP_Reintegrationsunterst%C3%BCtzung_Englisch.pdf.

²⁴ <https://www.returningfromgermany.de/en/programmes/erin>;
<https://returnnetwork.eu/>.

²⁵ <https://www.returningfromgermany.de/en/>.

²⁶ <https://socialimpact.eu/starthope>.

²⁷ <https://www.returningfromgermany.de/en/>.

²⁸ For further details of these programmes, see:
<https://www.returningfromgermany.de/en/programmes?programm=4>.

in the latter cases, however, the practical side of the repatriation is still managed by the IOM on the ground.

With regard to the quantitative aspects of the process, the available data shows that the number of AVRs from Germany has fluctuated over the years. After a period of continuous growth from 1990 to 1998 – the year in which the absolute peak of 102,359 AVRs was reached – AVRs gradually waned, eventually hitting a minimum value of 2,799²⁹ in 2008. From then, they once again continued to rise, reaching 54,006 in 2016. Since 2017, however, a fresh reversal of this trend has been observed, as shown in Table 1.

As far as the destinations of AVRs from Germany are concerned, in recent years these have been mainly oriented towards the Balkan countries, Iraq, and Russia (IOM, 2016, 2017, 2018, 2019, 2020, 2021).

5. Italy

5.1 Brief historical profile

As a practice, AVR from Italy has a fairly recent history, having taken off thanks to the financial support offered by the European Return Fund (EU SOLID programming), which funded all the projects for AVR carried out between 2009 and 2015. After the end of the SOLID programme, AVRs from Italy resumed from the second half of 2016 thanks to the new EU AMIF programme, which represents the only financial support currently provided for the AVR activities implemented by Italy as of the end of 2021 (Pontieri, 2021). All of Italy's AVR-related activities – not only in terms of implementation, but also with regard to the information it provides – is and always has been financially supported by EU programming. Indeed, despite the fact that Law 129/2011 provided for national resources for AVR, these were later redirected to prop up the national system for the reception of asylum seekers following the continued migratory pressure generated by the so-called *Arab Spring*³⁰. Similarly, the national resources earmarked for setting up thirty municipal AVR information points – as provided for under Law 205/2017 – were subsequently redirected to address other priorities by Law 132/2018; as a result, these municipal AVR information points have never seen the light.

The only exception to the use of EU programming funds was the 2017 implementation of a plan for AVR activities involving reintegration and information in the local area, the implementation of which was entrusted to the

²⁹ https://www.bamf.de/DE/Themen/Statistik/FreiwilligeRueckkehr/freiwilligerueckkehr-node.html#a_284774_1.

³⁰ Italy National Programme AMIF 2014-2020, ver. 1.4, page 8.

IOM and the funding for which came from national resources that were made available as an exceptional measure. This project was then continued the following year with a similar extraordinary initiative, also entrusted to the IOM and funded by the AMIF, but through the Emergency Measures rather than the National Plan (Pontieri, 2021).

5.2 Instruments and procedures

Repatriation from Italy is managed by the Ministry of the Interior through the Department for Civil Liberties and Immigration and, as previously mentioned, is financially supported by the AMIF programme. Over the course of the AMIF programming, five AVR projects were funded through a competitive call for proposals; they started their activities in the second half of 2016 and closed in the first half of 2018. At the same time as these, as noted above, two additional projects funded outside the national AMIF programme were implemented between 2017 and 2018. A further six projects - due to finish in 2021 but extended until 2022 - were then launched in spring of 2019 (Pontieri, 2021); these were also financed through a competitive call for proposals which, much like the previous one, laid down the conditions for eligibility, methods of implementation and economic support to be granted for each AVR actually put into practice³¹.

Specifically, as per the conditions set out in the last call for proposals, in order to be eligible for AVR in Italy, applicants must be non-EU citizens who: a) are legally residing in Italy and intend to make use of the measure, b) either do not have or have lost the right to legally reside on Italian territory, and c) have not yet received a final negative response to their application for residency or international protection. EU citizens and nationals of visa-exempt countries are not eligible. This last limitation was introduced only in the latest call for proposals in order to bring Italy into line with the EU's recommendations on the issue - recommendations that Italy, unlike the other countries analysed in this study, decided to follow in light of its dependence on EU funds for AVR activities³². Citizens wishing to take advantage of the AVR measure must, if they

³¹ Within the framework of the national AMIF programme, an experimental initiative was also set to be launched in early 2020, which would have seen two regions – Piedmont and Friuli-Venezia Giulia – engaged in managing AVRs on a regional basis. However, due to organisational difficulties, this experiment did not ultimately come to fruition and has been abandoned for the time being, as was revealed in interviews with those responsible for AVR activities at the Ministry of the Interior.

³² As emerged from the interviews with those responsible for AVR activities at the Ministry of the Interior.

possess them, relinquish their residence permit or documents entitling them to international protection.³³

Non-EU citizens who wish to take advantage of this opportunity are offered: a) a personalised service guiding them through the measure, also including the drafting of a plan for their reintegration into their destination country; b) support with the process and coverage of the expenses for obtaining the necessary documents for repatriation; c) organisation of the trip itself and coverage of the associated costs; d) if necessary, medical accompaniment to their destination; e) a €400 cash contribution to cover their initial accommodation needs upon arrival in their destination country; f) a contribution in goods and services up to the value of €2,000 to support their socio-economic integration into their destination country³⁴. One element that very much deserves to be emphasised is the fact that, unlike what happens in the other countries under examination in this study, AVR in Italy always goes hand in hand with an activity aimed at reintegration into the destination country.

In Italy, as in Spain (as will be explored below), the implementation of AVRs is delegated to non-profit bodies or international organisations³⁵. As such, whilst the IOM in particular plays a leading role, it is merely one of multiple organisations charged with implementing the AVRs funded by the national AMIF programme, although it should be noted that it was entrusted with the projects funded on an extraordinary basis between 2017 and 2018. It should also be noted that the IOM did not submit a proposal in the last call for funding of AVR projects and, as such, will no longer carry out AVRs from Italy throughout 2021³⁶.

Any communication, training and information activities associated with AVR are also financially supported by the AMIF programme, both through

³³ http://www.libertacivilimmigrazione.dlci.interno.gov.it/sites/default/files/allegati/manuale_rev.ita_.pdf

³⁴ See <http://www.libertacivilimmigrazione.dlci.interno.gov.it/it/rimpatrio-volontario-assistito-0> and the text of the call for proposals at <https://fami.dlci.interno.it/fami/>.

³⁵ Under the second call, there was also the possibility for projects submitted by individual Regions to garner funding, but none of the Regions ultimately made an application. The first call, on the other hand, provided for the possibility of funding projects submitted by other local public authorities, including municipal administrations: indeed, one of the projects funded as a result of the first call was submitted by a municipality in southern Italy. For more details, see the documentation on the two calls for proposals mentioned above: <https://fami.dlci.interno.it/fami/>.

³⁶ When interviewed on this subject, a member of IOM staff responsible for AVR activities from Italy stated that the IOM did not participate in the last call for proposals because it believed that the requirements asked of implementing agencies by the call itself were not suitable.

certain activities provided for within the framework of the AVR implementation projects themselves, and through certain other dedicated projects. Some projects of particular note include one aimed at establishing an institutional network for AVR – which was active between 2017 and 2020 – as well as the launch of a national information campaign on AVR which was developed over the course of 2019³⁷. In addition to these, there were also a number of activities that fell under the umbrella of the two AVR projects financed on an extraordinary basis between 2017 and 2018, as discussed previously.

Quantitatively speaking, Table 1 shows a fairly fluctuating trend in AVRs from Italy, but with numbers that consistently remain significantly lower than those of the other countries under examination in this study. Taking a more detailed look, there is an initial negative peak between 2015 and 2016, likely owing to the gap in coverage created between the conclusion of the SOLID programming and the start of AMIF, also linked to the almost total reliance of Italy's AVR policies on EU funding, as previously noted. Meanwhile, a second negative peak can be seen in 2019 and 2020, with 2020's numbers undoubtedly due to the pandemic, but also – before that – to the IOM's withdrawal from its commitment to implement AVRs from Italy as of 2019. With reference to the last five years, the data concerning the AVRs carried out by Italy seems all the more unsatisfactory if compared with the – already rather limited – target set in the national AMIF programme, which initially forecasted a total of 9,500 AVRs to be implemented over the entire programming period³⁸. Moving to an analysis of the destinations, in recent years AVRs from Italy have been concentrated mainly, although not exclusively, towards Sub-Saharan African countries; a significant flow of AVRs to Peru is also noteworthy, though since 2019 this has no longer been possible given Italy's decision to close the programme to citizens of visa-exempt countries. With regard to destination countries, it is worth noting that in the last call for proposals for AVR projects to be funded, published in 2018, the priority countries listed for the execution of AVRs were Bangladesh, Pakistan, Nigeria and Côte d'Ivoire³⁹.

³⁷ On this subject, see Pontieri (2021) and <https://fami.dlci.interno.it/fami/>.

³⁸ Italy National Programme AMIF 2014-2020, ver. 1.4, page 20. Compared to the target of 9,500 returns, the total number of AVRs carried out by Italy between 2016 and 2020 was a mere 2,866, even including those funded outside the remit of the AMIF. Although the AMIF programming has not yet run its course, according to the National Programme representatives interviewed on the matter, no significant increase in the number of AVRs carried out seems to be possible in the immediate future.

³⁹ See the text of the call for proposals at <https://fami.dlci.interno.it/fami/>.

6. Spain

6.1 Brief historical profile

The Spanish government launched its first pilot project for voluntary return in 1999, entrusting its management to the IOM, the Spanish Red Cross and, at a later point, to IMSERSO – the Institute for Elderly and Social Services (EMN, 2009), although a programme aimed exclusively at Bosnian refugees had already been implemented three years prior, in 1996. However, the first comprehensive AVR programme – the Humanitarian Repatriation Plan – came to fruition in 2003.

Between 2006 and 2008, Spain signed twenty bilateral agreements with as many countries for the repatriation of individuals residing there illegally. Over the same period, it formalised a series of framework cooperation agreements with six African countries, incorporating the possibility of an AVR programme⁴⁰.

Under the proposals for the European Pact on Immigration and Asylum that is part of the Solidarity and Management of Migratory Flows framework programme and, within it, the European Return Fund (SOLID - FR), both the National Immigration Law and the Strategic Plan for Citizenship and Integration 2007-2010 expressly recognise and encourage the measure of voluntary return⁴¹. AVR activity from Spain then continued in subsequent years, with support from the AMIF programme.

6.2 Instruments and procedures

Since 2015, the Ministry of Inclusion, Social Security and Migration (MISSM) – through the Secretary of State for Migration and the Directorate General for Inclusion and Humanitarian Assistance (DGIAH) – has been funding projects for the voluntary repatriation of migrants, co-financing them in conjunction with the new AMIF programme for 2014-2020. Projects are funded on a competitive basis by means of a public call for applications. The bodies that respond to the public calls published from time to time, ultimately responsible for the on-the-ground implementation of AVR projects, are local non-governmental organisations and international organisations specialised in providing assistance to non-EU citizens, including the IOM⁴². As in the case of

⁴⁰ http://extranjeros.inclusion.gob.es/es/normativa/internacional/marco_cooperacion/index.html.

⁴¹ <https://www.boe.es/eli/es/lo/2000/01/11/4/con>.

⁴² https://extranjeros.inclusion.gob.es/es/retorno_voluntario/index.html.

Italy, the IOM is one of the organisations involved in the implementation of AVR, but it is by no means the only one⁴³.

There are currently two types of AVR projects, both co-financed by the AMIF⁴⁴. The first is *Assisted Voluntary Return with Reintegration* (AVRR), which provides the opportunity for non-EU citizens in vulnerable situations to voluntarily return to their countries of origin through tailored programmes for their repatriation and reintegration. The second, meanwhile, is *Productive Voluntary Return* (PVR), which promotes the voluntary return of non-EU citizens to their countries of origin and allows for them to be reintegrated sustainably through tailored programmes that include a variety of measures: fostering entrepreneurial skills through training activities on self-employment and business management, as well as the provision of technical assistance and monitoring of the start-up period for micro-entrepreneurship projects; under PVR, priority is also reserved for the most vulnerable cases.

In application of the provisions of the AMIF regulations, non-EU citizens from third countries who meet the following requirements may be eligible for both types of projects: a) they have not received a final decision rejecting their application to stay or obtain legal residency and/or international protection in a Member State; b) they have the right to stay or obtain legal residence and/or international protection under Directive 2011/95/EU, or temporary protection under Directive 2001/55/EC in a Member State; c) they are in a Member State and do not meet the conditions for entry and/or to stay, including non-EU citizens whose removal has been postponed under Directive 2008/115/EC.

Depending on the type of project, beneficiaries must then also meet certain additional requirements. To be eligible for the AVRR project, they must demonstrate their condition of vulnerability; for the PVR project, meanwhile, in addition to the above, potential beneficiaries must also express their interest in participating in a business entrepreneurship project connected to the country to which they are returning.

For all projects, beneficiaries must submit a declaration of their intention not to return to Spain for at least three years to work, either for themselves or employed by others, or to take up residence there on a temporary residence permit. They must also undertake to relinquish their identity card to the Spanish diplomatic or consular representatives in their country, provide the managing

⁴³ In the four-year period spanning 2016-2019, the IOM carried out just under 40% of all AVRs from Spain (IOM 2020). In 2020, this percentage saw a significant increase, rising to 62% thanks to the launch of the PREVAP programme, which will be explored in greater depth later on in the text (https://extranjeros.inclusion.gob.es/es/Retorno_voluntario/datos/index.html).

⁴⁴ https://extranjeros.inclusion.gob.es/es/retorno_voluntario/index.html.

body with the boarding card certifying their journey, and not fall into one of the categories of individuals prohibited from leaving Spain – as provided for in the legislation on foreigners – nor be in any of the following situations: a) having the right to freedom of movement under EU law; b) having been in Spain for less than 90 days, except in cases of extreme vulnerability, which require specific authorisation. If they meet the requirements specified above, non-EU citizens who are exempt from the visa requirement for entry into Spain are also eligible for AVR measures; indeed, it is notable that many of these countries, particularly Latin American ones, are amongst the main destinations of AVRs from Spain. In case of the voluntary repatriation of a person who is ill in some way, a medical report confirming the applicant's fitness to travel is required; in some cases, the programme may cover a portion of the medical costs for their treatment to be continued in their destination country.

The activities involved in these *AVRR projects* include a personalised service providing information and psychosocial consultancy around the decision to return; the design of an individual repatriation and reintegration itinerary; an information and guidance service on the necessary procedures for obtaining the documentation required for the return trip; coverage of all expenses for the trip and for obtaining the necessary documents; a small cash sum (up to €50 per individual and €400 per family) as additional support for the travel expenses; and financial assistance (up to €400 per individual and €1,600 per family) for initial accommodation costs in the destination country. The beneficiary's reintegration into their destination country can then be further supported through the European ERRIN programme, mentioned previously. In exceptional cases, it is also possible for the programme to cover: unforeseen expenses for medicines or other expenses duly justified by the recipient; the expenses for the recipient to be accompanied to their destination if required due to old age, illness, disability or other proven circumstances; training activities directly connected to the recipient's reintegration project. For cases of extreme economic vulnerability, if duly certified, the coverage of accommodation and/or subsistence costs for the days leading up to the return may also be included. In the case of the voluntary return of victims of human trafficking and their children, if they are minors or have disabilities, a pre-departure assessment of the risk to and safety of the individuals involved, their transportation costs, and the assistance they require at the points of departure, transit and destination will also be carried out.

In the case of the *PVR*, the following are provided in addition to the above: assessment of the applicant's personal and professional profile and of the business initiative that they intend to launch in the destination country; information on the socio-economic situation in the country and the economic sector into which the proposed project falls, in order to assess its sustainability;

tailored professional consultancy; monitoring and technical assistance; and economic assistance of up to €5,000.

The on-the-ground activities aimed at spreading information and awareness about the various AVR projects amongst non-EU citizens are largely overseen by the implementing organisations, through social networks, websites and information points. Some activities are also implemented through consulates, social services centres and migrant associations.

Finally, one last means of support for people who intend to return to their country of origin is the option of obtaining their contributory unemployment benefits (APRE) in advance. Foreign nationals who claim this form of support cannot then return to Spain for the following three years⁴⁵.

From a quantitative point of view, the data in Table 1 shows that AVRs from Spain have consistently been significantly lower in number than those from France and Germany, but higher than those from Italy. Specifically, over the last decade, the highest number of AVRs was seen in 2014, with 3,101 returns taking place. It is noteworthy, however, that unlike all the other countries under examination here, Spain was the only one which – despite the difficulties brought about by the pandemic – actually saw an increase in the number of AVRs during 2020 as compared to the previous year. This increase is mostly a result of the contribution of a special project dubbed PREVAP (Voluntary and Productive Assisted Return Project), funded by the MISSM and implemented by the IOM, which was launched in 2019 and, as suggested by the figures, became fully operational over the course of 2020⁴⁶. In terms of destinations, AVRs from Spain have always largely been headed for Latin American countries⁴⁷.

7. A transversal reading and some conclusions

During the months in which travel between different countries effectively came to a standstill, the pandemic led to an abrupt decline in AVR activity as well as the redefinition of how some lines of action took place, with many of the activities involving advice and guidance that had previously been carried out face to face moving online. Beyond this (however fundamental) contingency, the analysis of the cases considered here casts light on the existence of two alternative models for the management of AVR policies. On the one hand, there is the model adopted by France and Germany, under which there is a unified

⁴⁵ <https://www.sepe.es/HomeSepe/Personas/distributiva-prestaciones/quiero-cobrar-el-paro/deseo-regresar-a-mi-pais.html>.

⁴⁶ <https://spain.iom.int/es/proyectos-de-retorno-voluntario>

⁴⁷ https://extranjeros.inclusion.gob.es/es/Retorno_voluntario/datos/index.html.

approach to the management of AVR operations – delegated to the IOM in Germany and the OFII in France – with a more or less vast network of other public and/or non-governmental actors involved in orchestrating the communication, information and awareness-raising actions within the country, as well as supporting avenues towards reintegration or managing special programmes. On the other hand, there is the model used in Italy and Spain: countries where AVR operations are handled by multiple organisations, selected by means of competitive calls for proposals. From an analysis of the data in Table 1, the first of these two models appears to be more effective in terms of the number of AVRs actually carried out.

TABLE 1. AVRs (with and without reintegration) and Forced Returns (FRs) carried out by France, Germany, Italy and Spain; last ten years.

Year	France		Germany		Italy		Spain	
	AVRs	FRs	AVRs	FRs	AVRs	FRs	AVRs	FRs
2020	4,519	7,515	5,723	n.a.	321	2,590	1,376	n.a.
2019	8,781	12,985	13,053	n.a.	344	6,035	977	11,480
2018	10,678	10,820	15,942	n.a.	1,126	5,180	915	11,730
2017	7,114	9,730	29,522	n.a.	930	4,935	1,471	9,470
2016	4,774	9,220	54,006	n.a.	145	4,505	969	9,280
2015	4,758	12,325	35,446	n.a.	435	3,655	2,519	10,960
2014	5,868	12,415	13,574	n.a.	923	4,330	3,101	12,295
2013	7,386	n.a.	10,251	n.a.	1,034	n.a.	2,918	n.a.
2012	4,859	n.a.	7,546	n.a.	780	n.a.	1,668	n.a.
2011	4,726	n.a.	6,319	n.a.	477	n.a.	2,221	n.a.

Source: Corte dei Conti (2018); IOM (from 2016 to 2021); Fondazione ISMU (2019); OFII (from 2012 to 2021); https://extranjeros.inclusion.gob.es/es/Retorno_voluntario/datos/index.html; data provided by the Italian Ministry of the Interior; Eurostat Data Browser migr_cirt_vol. Data on FRs are rounded at 5.

In particular, despite a lack of official data on this topic in the case of Germany, it is clear that France has a far greater ability than Spain and Italy to adhere to the guidelines of the EU institutions – as mentioned in the introduction – which recommends opting for voluntary rather than forced returns wherever possible⁴⁸. Indeed, from 2016 to the present day, the number of AVRs carried out in France never dropped under 50% of the number of Forced Returns (FRs), even rising to almost the same level in 2018, when there were 98.7 AVRs for every 100 FRs. If considered in these terms, Spain’s best performance came in 2014, a year when the number of AVRs was only 25.2% of the number of FRs, later falling to the much lower figures seen in more recent

⁴⁸ Furthermore, it is worth noting that the number of AVRs implemented shows only the faintest correlation with the number of foreign citizens living in the four countries in question, the 2020 figures for which were 14.2 million in Germany, 8.1m in France, 6.6m in Spain and 6.1m in Italy. (McAuliffe, Triandafyllidou, 2021).

years. For Italy, meanwhile, the most promising figure came in 2018, with just 21.7 AVR for every 100 FRs.

In the initial months of 2021, the EU decided to launch the *EU Strategy on Voluntary Return and Reintegration*, the aim of which is to develop “a more uniform and coordinated approach among Member States to unlock the full potential of voluntary return and reintegration”⁴⁹. In light of this new EU strategy, the case studies presented in this article throw up some transversal elements – detailed below – which seem to contribute to the success of the AVR policies implemented by these states and which could be taken into consideration when redefining these same policies in the countries – first and foremost Italy – which have thus far obtained less satisfactory results.

- 1) The continuity with which AVR measures have been consistently maintained over the years (in France and Germany), regardless of whether or not dedicated EU funds have been available.
- 2) The fact that AVR activities are overseen by a single implementing organisation, thus simplifying the procedures for contacting potential recipients and all the various bodies involved, in particular public security authorities and consular representatives of the countries to which repatriates are returning.
- 3) The involvement of multiple public, private and voluntary actors in activities supporting AVR, such as disseminating information on the measure, organising professional training courses to prepare beneficiaries for their return (in Germany), managing accommodation centres for migrants waiting for AVR (in France), and implementing reintegration programmes in specific non-EU countries (in the case of France and Germany).
- 4) The distinction between AVR and reintegration programmes in the country of origin, particularly where there is support for starting a business – which may include consultancy and professional training initiatives – provided only where there are the real opportunities and skills necessary for its success.
- 5) The widespread presence of AVR contact points across the country, namely the 952 counselling centres in Germany and the OFII’s 31 territorial directorates in France.
- 6) The integration of the AVR measure with national policies designed to combat illegal migration: in France, the delivery of orders to leave the national territory is accompanied by information on AVR in the form of a specific leaflet; in Germany, meanwhile, information on AVR is

⁴⁹ Communication from the Commission to the European Parliament and the Council of 27 April 2021, COM(2021) 120 final, page 2.

provided upon rejection of an application for asylum, and what's more, those who apply for AVR within two months of their application for asylum being rejected receive an additional financial contribution.

- 7) Specific assistance and additional financial support is provided for those with medical or healthcare-related needs.
- 8) The measure is also open to citizens from visa-exempt countries, albeit with an entitlement to only reduced contributions in the case of France and Germany.

As stated at the beginning of this article, AVR policies present some criticism and ambiguities. Despite this, AVR is still preferable to forced repatriation, and this is the case for both the country carrying out the repatriation and the individuals returning to their country of origin. It is therefore important to reflect on how these policies can be improved. In the writers' opinion, the common factors above can be a useful source of inspiration for the development of AVR as a practice and way of giving ever-greater substance to the EU's recommendation that voluntary return should always be preferred to forced return.

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